

Regular Article**The Moral Impermissibility of the Exotic Animal Café****Isabella Braga****(Rollins College and Kansai Gaidai University)****Abstract:**

The moral standing and rights of animals have been widely debated in the field of bioethics, with scholars such as Peter Singer and Shelly Kagan diverging on how, why, and to what magnitude animals' rights should be acknowledged. However, these debates have not yet adequately addressed the welfare of a growing population of vulnerable animals within wild and exotic animal cafés. This paper addresses the issue of animal rights in a wild animal café context, with an emphasis on Singer's principle of equal consideration of interests. Specifically, in this paper, I will examine the intrinsic harms of animal cafés, their negative externalities, and the moral standing of these animals, to show that wild animal cafés are impermissible in their current form. This paper argues that animal cafés' harms violate the rights of animals, and thus warrant tightened regulation and, in the case of wild and exotic animal cafés, potential closure. In conclusion, this paper, by closely examining the moral status of animals in the wild and exotic animal café context, sheds new light on the oft-neglected issue of animal rights protections in cafés.

Keywords:

Animal rights, moral standing, animal welfare, animal café, principle of equal consideration of interests

I. Introduction

On September 14, 2019, I visited a bird of prey and rodent café. As one of many international students on a school-initiated trip, I knew little about animal cafés, and entered with fanciful expectations. Foolishly, I imagined a Harry Potter-esque owl sanctuary where birds were free to fly, feed, and interact with visitors.

My ignorance was short-lived. I witnessed lines of birds chained to posts, rodents of every type in cages barely large enough for their bodies, and a falcon

with a minuscule enclosure he could escape only when visitors paid to watch him perform tricks. The owls' legs were rubbed raw by their chains; they huddled away from visitors amid the din of daytime activity at odds with their nocturnality, and one especially distressed bird tried for ten minutes to fly away, to no avail. There was a visible frustration in the flaps of his wings. His chain bound him to his roost.

This café is not an anomaly. It is a single representative of a growing movement of exotic animal cafés throughout Asia. Touting the emotional and

psychological benefits of close-quarters non-human animal interaction, these cafés are appealing to people who desire contact with animals without the commitment of ownership. However, the captivity and treatment of animals in these cafés pose myriad ethical concerns, not just because of direct harms to the animals themselves. Negative externalities of these cafés subsume the environment, other animals, and humans themselves – particularly when the featured animals include wild, non-domesticated species such as owls, otters, and raccoons. Wild animal cafés exacerbate poaching practices, fuel alternative economies, and create rising demand for the adoption of the featured animal; the latter in turn fuels the wild animal trade and destruction of these animals' habitats. Furthermore, these harms are at odds with the alleged intentions of the cafés, which are seemingly to increase appreciation for the animals, provide human contact without ownership, and encourage conservation efforts.

In this short paper, I will provide an analysis of animal rights as applicable to animal cafés, for the purpose of showing that the captivity of non-domesticated animals in animal cafés is morally impermissible. First, I will present an animal rights ethic as applicable to the animal café setting. Then, I will connect the practices of animal cafés to Peter Singer's principle of equal consideration of interests, to argue that wild animal cafés must be abolished and domesticated animal cafés must be regulated. Ultimately, this argument will present and further the case for increased animal rights in the Japanese commercial setting.

II. Philosophical Conceptions of Animal Rights

We will begin with the comparison of the philosophies of two leading animal rights bioethicists. Inarguably one of the most renowned philosophers alive, Peter Singer argues that valuation of humankind above other species is a form of *speciesism* (Singer 1974, 107). He purports that much like the unjust discriminations rooted in racism, misogyny, and homophobia, our degradation of animals is an arbitrary misapplication of rights. Singer states that humans should not be exclusively valued just because they belong to a species; rather, they should receive deference based on their interests, or their abilities to suffer (Singer 1985). For example, a gorilla may not have advanced rational capacities, but it has notions of social relationships – and insofar as it has interests and may suffer, these interests must be taken seriously. Therein we have Singer's *principle of equal consideration of interests*. The latter serves as an undergirding justification for Singer's animal rights framework (Singer 1990).

Of course, one could rebut that rationality must confer notions of rights, because the being must be able to conceptualize her interests. A natural response to this rebuttal would be to point to members of our own species with reduced rational capacities, such as the elderly, the mentally disabled, and infants. There are a number of ways the anti-Singer objector could respond, but it is likely he would indicate that either one's membership in the human race and/or one's ability to *be* or to *have been* fully rational would constitute access to rights. This said, the pro-Singer response would be extremely simple: what does rational capacity have to do with moral significance? In other words, it seems as if humans affirm the consequent when they claim that one must be rational to have interests. Given that many animals seem to feel

suffering but lack full rationality, a trait exclusive to humans, it looks as if humans chose their defining characteristic as a boundary to exclude animals. Ironically, if we as humans were to utilize our rationality, we would find ourselves questioning the circularity of our logic – because insofar as rationality is a superfluous standard inconsequential to one’s ability to feel degraded, it is irrational to cite the reduced mental capacity of animals as justification for their degradation. It is not even as if rationality confers a greater ability to suffer. As Singer indicates, a lack of rationality may exacerbate suffering. Singer argues:

Sometimes animals may suffer more because of their more limited understanding. If, for instance, we are taking prisoners in wartime we can explain to them that while they must submit to capture, search and confinement they will not otherwise be harmed and will be set free at the conclusion of hostilities. If we capture a wild animal, however, we cannot explain that we are not threatening its life. A wild animal cannot distinguish an attempt to overpower and confine from an attempt to kill; the one causes as much terror as the other. (1985.)

By the same vein, even in the absence of higher intellectual capacities, an animal can care, love, and suffer.

One might contrast this view with a hierarchical view of animal welfare. Shelly Kagan is a foremost proponent of such a framework, arguing that we must give deference to beings in proportion to their cognitive capacities (Kagan 2018, 5-7). This hierarchy is based on mental faculties, meaning that the interests of a reasoning human being would take priority over any non-human animal, and that these animals would be given priority in terms of their mental faculties. In

other words, a chimpanzee is more important than a goldfish. Such a theory seems to resolve many of the concerns of the principle of equal consideration of interests; these include the potential impossibility of resource allocation to different species’ protections, as well as the (mistaken) notion that a Singer-esque ethic necessitates veganism. Yet the hierarchical view also seems to work counter to our intuitions. For example, should a thirty-year-old man take priority over a baby? Have the elderly depreciated in worth? Even more, should we prioritize the desires of higher-functioning animals over mentally disabled humans? Some might argue that the baby might be given deference based on its potentiality to be rational; others might argue that the young, the old, and the disabled bear legitimacy solely due to membership in the human species, whose average members have rational capacities. On his part, Kagan justifies rights for the impaired via “*modal personhood*—the fact that such severely impaired humans could have been people” (Kagan 2018, 8).

Yet while Kagan’s hierarchical ethic is appealing to the utilitarian, it fails to show why the bright-line for interest prioritization would lie in rationality, as opposed to the ability to suffer. To suffer implies a deprivation, a reduction in hedons and spike in dolors, constituting a bright-line as intrinsic as utilitarianism itself.

III. Animal Welfare in the Café Setting

In animal cafés, the principle of equal consideration of interests is violated systematically. This is not to say that the concept of an animal café is harmful, but rather that the practices of cafés infringe on animals’ wild natures, and inflict undue suffering where, with proper regulations, there could be none.

Under Singer's animal rights position, the situation is akin to that of factory farming – deplorable not because of the consumption of meat, but because of excessive unnecessary harm. While it may be better for the individual, economy, and environment to embrace veganism and vegetarianism, it is not so ethically problematic to consume meat from free-range animals killed painlessly (Francione 2003, 5-6). By the same vein, if we cannot amend society's desire to have these animal cafés, then we must amend our practices such that we reduce suffering.

When analyzing these cafés, one must draw a distinction between domesticated animals and non-domesticated animals. A domesticated animal belongs to one of seven species: dogs, cats, horses, pigs, cows, sheep, and goats (Blue-McLendon 2016). These species have been bred and conditioned by humans to conform to a domesticated lifestyle. Every other animal is non-domesticated. Within the non-domesticated category, we must distinguish between wild and exotic animals. A wild animal is non-domesticated and indigenous to the region at hand, while an exotic animal is non-domesticated and non-indigenous. Just because an animal acts tamely does not preclude it from non-domestication (Blue-McLendon 2016).

To reduce suffering, it is unavoidable that exotic and wild animal cafés must no longer be legal. If an owl cannot fly, sleep during the day, or interact with others of its kind, it is being forced to act in a manner contrary to its wild nature. This is not necessarily a given for domesticated animals. Domesticated animals within cafés suffer not by their captivity intrinsically. Rather, they suffer because of the conditions of their captivity. They suffer because of

abuses such as minuscule enclosures, improper nutrition, dehydration, harsh handling, and lack of medical care (McGee 2018). Additionally, animals are subject to excessive human contact, often during hours counter to their natural sleep schedules. For example, though cats are nocturnal, cat cafés typically operate with daytime business hours; consequently, the cats are subject to sleep deprivation. These practices constitute harm to the animals, whose health is jeopardized for commercialization.

However, with proper regulation and enforcement, there is no reason why the domestic animal café could not maximize benefits for both animal and human. Indeed, some animal cafés shelter rescue animals exclusively, allowing visitors to adopt the “employees”; others donate proceeds to animal shelters. These cafés have the potential to provide immense psychological benefits to humans while saving the lives of animals in one fell swoop. To achieve this, though, we must gather a government panel of veterinarians, bioethicists, and lawmakers, who may review each domesticated species' necessary and sufficient conditions for maximum welfare in a café. This panel must establish uniform guidelines for each species' treatment in their respective cafés – be they dogs, cats, or even small rodents. These guidelines must be specific, enforceable, and created in the best interest of animals; for insofar as they suffer, they bear moral validity within our society.

For non-domesticated wild animals, the case is even more dire. We must first subsume the abuses from the domesticated animals' captivity – otters, owls, and other wild animals are subject to similar malnourishment, caging/chaining, manhandling, medical neglect, and sleep deprivation (International

Organization for Animal Protection 2017; World Animal Protection 2019). Unfortunately, the harms against them are compounded, and there are no regulations which may render exotic cafés appropriate. Firstly, it is impossible for a wild animal to have proper handling or enclosures in a café context. Resources, limited space, and human interaction jeopardize their health and manifest a harmful state Bill Travers coined as *zoochosis*. This is the obsessive, abnormal, and impulsive behavior typically seen in zoo animals as a result of captivity (Born Free Foundation 2020). Note that this is most poignant in wild species whose natural states are perverted in captivity. Zoochosis subsumes behaviors such as pacing, bobbing, biting, over-grooming, self-mutilation, vomiting, and playing with or consuming fecal matter. The condition is linked to disruptions of natural behaviors and environments; the latter impairs the brain and forces animals to develop coping mechanisms (Mason 2006, 327-339). A café context, much like a zoo, is not equipped to provide animals with appropriate care. Thus, we see the exhibition of zoochotic behaviors in wild animal cafés (Reuters 2017).

Moreover, wild, exotic, and non-domesticated café animals must either be poached or bought from illegal alternative economies. And rather than quenching visitors' desires to interact with exotic animals, their presence in cafés inspires further demand for poaching, as markets open for these animals' adoptions; this in turn incites more cafés, more adoptions, and a terrible feedback loop of poaching, bottoming out in the endangerment of these wild species (Kerr 2017; World Animal Protection 2019). As these animals' presence in the wild things, the environment suffers with the removal of keystone

species, spelling danger for all other species in the affected regions, including humans. This process serves only to fatten the wallets of poachers, breeders, and the crime syndicates facilitating them both.

The case of the rising otter café is a perfect illustration of the harms of cafés featuring non-domesticated, wild, and exotic animals. Otters have gained social media traction due to visual and behavioral similarities to domesticated house-pets. Unfortunately, demand for their captivity has led to the previously described feedback loop of harm – cafés inspiring demand and in turn fueling illicit practices such as poaching and exotic breeding, which only grow with otter cafés' increased popularity (World Animal Protection 2019). Poaching of young otters spells the deaths of their mothers, who die defending their young, as well as the collapse of their ecosystems, which die in the absence of otters' key environmental roles. Once in captivity, it is impossible for the otter's needs to be sufficiently met; because it is wild, the otter requires vast space to hunt, socialize, and play. If its lack of space were not enough, in some cafés, otters are painfully de-toothed to protect café visitors, and are manhandled by employees; one snapshot depicts an otter gripped by its throat (World Animal Protection 2019). They are then forced to interact with humans for unduly long shifts contrary to their natural rhythms of sleep. Because they are wild animals, they in turn suffer from zoochotic effects.

In response to this argumentation, a reasonable interlocuter might object that captivity minimizes animal suffering even within cafés, as it is preferable to dangers present in nature, such as predation, disease, and starvation. One might argue that if we are to truly consider the animal's utility, then

exposing it to the dangers of the wild is sufficiently worse than harms incurred within a café. However, I rebut this objection on two grounds.

Firstly, we cannot conflate safety with lack of suffering. A non-domesticated animal, wild or exotic, is genetically, physiologically, and psychologically inclined to live in its natural environment – dangers included. This is what distinguishes it from a domesticated animal. A caged owl's safety from a bobcat does not justify nor outweigh the harms of its captivity, because in its captivity, its very nature has been subverted. This subversion can constitute what is, as per the definition of zoochosis, a form of psychological torture. The latter is only avoided when the animal lives in a manner consonant with its physiological inclinations. For an owl, this means flying, hunting, and sleeping nocturnally. Evolution has provided the owl with means of avoiding predation, and these behaviors, too, are part of its natural inclinations. Exposing animals to those dangers is not as much an offense as it is a part of natural life. Additionally, captivity may be a barrier to natural dangers, but it fundamentally interferes with the animal's ability to express its own nature, and this safety in and of itself can induce suffering. For example, a mouse's burrowing behavior aids it not just in habitat-building and transportation, but also in the avoidance of predation; the animal does not question why it has this behavior, only feeling that it must express it. When we put that mouse in a cage, it can no longer tunnel as it would in the wild. In the wild, those tunneling behaviors would have saved its life, but in captivity, when the natural environment has been removed, these compulsions do not dissipate. Rather, the unnatural environment induces stressors unto the animal. Now, let us say we provide that single mouse

with an enormous cage where it can burrow to its heart's content without a snake or bird in pursuit – have we solved the issue? Perhaps for the mouse. But not every animal is as small or easily accommodated. This leads me to my second point.

My second rebuttal to the objection rests on the grounds of feasibility. It is simply not feasible to accommodate the needs of wild and exotic animals in an animal café. To properly accommodate the birds of prey alone, a café would need a veritable arena for a simulated forest with simulated hunting. The same would be necessary for raccoons. For otters, a café would need all of that, as well as a large body of water. At that point, it is not a café, it is a nature preserve. While animal cafés can affordably accommodate dogs, cats, and small household mammals like hamsters, wild and exotic animals simply cannot satisfy their natural functions in the café setting. Therefore, without fulfillment of these natural functions, what the café provides in baseline safety is outweighed by the physiological and psychological harms of subverting the animals' biology. In sum, harms exist for the animals in both captivity and the wild. In the animal café, they are unavoidable, restrictive, and adverse to the animal's nature; in the wild, they are avoidable, natural, and an aspect of the animal's nature. The latter is far preferable.

IV. Conclusion

There *is* a solution to the concern of animal cafés, but it is not a light enterprise. To combat the powerful economic forces pushing for the cafés' survival, government action is imperative. A governmentally supported team of experts must gather extensive research on the care appropriate for domestic

animals in a café context, and devise guidelines as well as a method for their enforcement. These guidelines must include standards for nourishment, housing, healthcare, visitor interaction, work versus rest time, and handling. Furthermore, this team must determine how to transit to a society free of exotic, non-domesticated, wild animal cafés, such that the currently captive animals are not harmed, and so that there is not a significant economic blow to communities reliant on café businesses. A recommended path would be the transfer of animals to appropriate nature preserves, with buyouts and stimulus packages allocated to former wild animal café owners. Of course, the recommended framework for this panel is the business of another, more extensive essay.

Ultimately, our ambition must be to conduct ourselves in a morally praiseworthy manner. We must reduce the suffering of our animal counterparts; we must restore wild animals to their environments; and we must invest in the mitigation of harms done unto them. If we are to respect animals' moral worth, then the wild animal café will be a thing of the past – and the owls will once again fly free.

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