

# **Principles of animal ethics in Scandinavian animal welfare legislation and governance**

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## Preface

This report is written at the request of the Athena Institute at the Free University of Amsterdam and describes how principles of animal ethics are expressed in the legislation and in the governance system in Scandinavia. The task had four elements:

- 1) Is there a set of normative principles that can structure the entire animal welfare discourse?
- 2) If so, how are these principles positioned in national legislation on animal welfare?
- 3) What types of governance instruments and structures have been erected to guarantee that these ethical principles are applied and implemented in various animal practices?
- 4) How do these governance instruments function in practice? What are explanatory reasons of good or bad functioning?

Laboratory animal use was not to be discussed in this report.

Rather than starting with identifying principles of animal ethics in moral theory and then see how these might be applied in practice I have chosen to start with the principles manifested in legislation and policy. It should, however, be clear that policy is influenced by moral theory. This is clear from, for instance, the 2002/03 *Report to the Parliament on Animal Welfare and Animal Husbandry*, where current developments in animal ethics are discussed. At the same time the principles of animal ethics will be influenced just as much from the common morality (Tranøy 1998, Gert 2004). In fact one may state that the system of moral theory, legislative principles of animal ethics and the common morality will be a dynamic system moving towards a wide reflective equilibrium (Rawls 2001, Daniels 1996). However, not all discussions in the philosophical animal ethics literature have immediate practical implications. I therefore found it convenient to start with those principles of animal ethics that are found in policy and legislation and then try to structure these into a more general ethical framework. Thereafter I present the most important aspects of the governance system, and end with some general reflections on the public debate on animal ethics and animal welfare issues.

The main focus of the report will be on the Norwegian situation, but some reference will also be given to the other two Scandinavian countries. The practical constraints of the project have necessitated limitation of the extent of the information search and the depth of the analyses.

All translations to English are mine, unless otherwise is noted.

# 1 Introduction – historical developments

Cruelty against animals has been forbidden in Norway since 1842, but Norway did not have a separate act on protection of animals until 1935. With this act Norway became one of the most progressive countries in this area. Still, in the 1960ies the technological development in animal husbandry necessitated a revision of the law. In 1974 the *Act on Animal Protection* was established, and even though it has been revised on several occasions, this is still the law regulating this area. The general provision of the Act is that: ‘Animals are to be treated well and the animal’s instincts and natural needs shall be considered so there is no risk that it suffers without cause.’ In addition there are a number of other acts and regulations (26 regulations per 2002/3).

The current legislation is under revision. The reason is that there have been major changes over the last 30 years. Society’s attitudes towards animals have changed, the structure of agriculture production has changed, new production species have been introduced (fish, ostriches, deer, etc.), the knowledge of animal behaviour has increased, etc. Norway wants to be in the forefront internationally with regard to animal welfare, and the new *Act on Animal Welfare* is to reflect this. The change of name from *Animal Protection Act* to *Animal Welfare Act* implies a stronger focus on the individual animal. The new Act has been on hearing and is to be discussed in Parliament during the winter 2008/2009. The new Act builds on the Parliamentary white paper *Proposition to the Storting No 12 (2002-2003) Animal Welfare and Animal Husbandry*.<sup>1</sup> In this paper a concern is voiced that the current act’s concept of ‘unnecessary suffering’ is not sufficiently precise. In the white paper an explicit ethical platform was developed:

- Animals have a value of their own. Handling of animals shall be carried out with care and respect for the species. This involves having extensive consideration for animals’ natural needs and to actively prevent sickness, injuries and pain.
- Persons who have animals in their care shall have knowledge about the animal’s behavioural needs and its needs concerning nutrition, social and physical environments. Persons who have animals in their care have responsibility for the

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<sup>1</sup> In the work on this white paper 5 open hearing meetings were held and the government received 199 contributions from individuals, institutions and organisations. The work was done by a work group of four, a steering group and a resource group with members of different competencies.

animals' basic needs being taken care of, and that they receive correct treatment in the event of sickness and injury.

- Animals shall be kept in environments which give them a good quality of life.
- Healthy functioning animals – physical and mental – shall be a condition for all types of breeding.
- Before new technological solutions are taken into use it must be proven probable that these solutions do not reduce animal welfare. New operational methods must have as little negative impact on animals as possible.<sup>2</sup>

The hearing draft of the new Act included most of the ethical platform from the white paper. In the hearing proposition it was stressed that the goal is to 'enhance the respect for animals by strengthening their position in society' (1.5.1). The paragraph stating the purpose of the Act said: 'The purpose of this Act is to facilitate good animal welfare and respect for animals.' The third paragraph stated: 'Animals have an intrinsic value irrespective of the usable value they may have for man. Animals must be treated well and protected against danger of unnecessary stresses and strains. Consideration shall be given to the animal's physical and mental needs on the basis of the animal's distinctive character and its ability to have positive and negative experiences.' This showed a tendency towards strengthening legislation. After the hearing was concluded a law proposition was presented to the Parliament November 28<sup>th</sup> 2008. An important change in the revised proposition was the change in § 3, which now states only: 'Animals are to be treated well and be protected against danger of unnecessary stresses and strains.'<sup>3</sup> The Minister stressed that this was not a weakening of the Act, and that intrinsic value was still an assumption for the formulations in the Act. The new Act is still a strengthening of the protection of animal welfare, even if some of the most radical formulations from the hearing document were not taken in. As there is at the moment a majority government in Norway it is likely that the proposed Act will be passed without major changes.

This legislative strengthening is, however, not necessarily accompanied by increased animal welfare. According to Frøslie (2000 p. 51) there has been an increase in production related

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<sup>2</sup> [http://www.regjeringen.no/upload/kilde/lmd/bro/2002/0003/ddd/pdfv/246168-parliamentary\\_report\\_number\\_12\\_on\\_animal\\_husbandry\\_and\\_animal\\_welfare\\_recovered.pdf](http://www.regjeringen.no/upload/kilde/lmd/bro/2002/0003/ddd/pdfv/246168-parliamentary_report_number_12_on_animal_husbandry_and_animal_welfare_recovered.pdf)

<sup>3</sup> See a more detailed discussion below. This translation is an unofficial translation by the Ministry of Food and Agriculture.

diseases, for instance mastitis<sup>4</sup>, in production animals. There is pressure on Norway by the WTO on increased competition which will be a driver for increased pressure on efficiency and cost reduction. This may have an adverse effect on animal welfare. Moreover, there has been an increase in family and sports animals used, where families without adequate competencies or experience (there are no licences required for the acquiring or keeping of such animals) take responsibility for animals. These animals may experience stress and a lack of competent care. However, there are no reports or studies that can indicate anything in general about the development of animal welfare in Norway. Most likely, one can simply state that welfare has improved on some factors, but that new welfare problems has arisen.

## **2 Principles of animal ethics in Norwegian legislation**

### **2.1. The structure of norms in the current and coming Act**

The current Act has been amended several times at different times with different contexts. It is a mixture of very general principles and very specific directives. The body of regulations accompanying the Act is also quite diverse, and the same concerns are formulated in slightly different ways in the different regulations. The new Act will be more generic and the body of regulations will be reviewed and adjusted to be more internally coherent, so that the whole legislation gets more a systematic structure. There is also an intention of reducing the number of regulations, for instance by combining the regulation of all production animals into one regulation with specific chapters on the specific species. The goal is to have a logical system starting out with the Act's purpose and general provisions stating the overarching principles, which are then translated into general principles in the Act and more specific directives in regulations.

### **2.2. Basic moral principles in the current Act**

In the 1974 *Animal Protection Act*, the paragraph of purpose states that: 'Animals are to be treated well and the animal's instincts and natural needs shall be considered so there is no risk that it suffers without cause.' The earlier Act had been similar, but without the clause of

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<sup>4</sup> A 21 % increase in mastitis from 1975 to 1994.

considering the animal's instincts and natural needs. The paragraph uses the phrases 'without cause' and 'shall be considered'. This modifies the content of the sentence and makes it clear that the norms given in the paragraph should be considered *prima facie*. This means that these moral principles hold unless there are other moral principles that make it justified to violate them.<sup>5</sup>

There are three moral norms expressed in the paragraph:

- a) avoiding suffering
- b) treating animals well, with care, in a positive sense
- c) considering natural needs and instincts

The three *prima facie* principles must be balanced with other *prima facie* principles not specified in the act. Such moral principles will typically be principles that protect the interests of human beings. This balancing of the *prima facie* principles must be justified *all things considered*. The phrases 'without cause' and 'shall be considered' therefore state a principle of balancing.<sup>6</sup>

We may also add a principle d) which is a principle of caution implied by the word 'risk of suffering without cause'. However, I will not address this in depth, as it here simply seems to be a sharpening of principle a).

Below, I will treat the three *prima facie* principles separately in order to highlight the different aspects of the Act, but this is in some sense artificial. For instance, the way the Act describes accommodation probably refers to all three: 'Persons who own, or have in their charge, livestock, pets, or animals kept in captivity in other ways, shall ensure that an animal has fully adequate accommodation, with enough room, suitably warm, with sufficient light and access to fresh air etc., in accordance with the needs of the animal species in question.' (§ 4)

As we will see, all these principles are also to be found in the proposed Act, although with slightly different focus. We can note that the three *prima facie* principles, as well as the balancing principle are included in the legislation in all the three Scandinavian countries<sup>7</sup>:

Sweden:

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<sup>5</sup> Ref. Ross 1924 and Beauchamp and Childress 2001, p. 14).

<sup>6</sup> Note that this is a *metaethical*, and not a *legal* analysis.

<sup>7</sup> There are many similarities between the Scandinavian countries with regard to animal welfare. One reason is the cultural closeness of the three countries. Moreover, Norway needs to cooperate with Sweden and Denmark in order to have a stronger influence on EU policy (which applies to Norway through the EEC agreement) than what is possible through the EEC mechanisms.

Section 2, (1) Animals shall be treated well and shall be protected from unnecessary suffering and disease.

Section 4, (1) Animals shall be accommodated and handled in an environment that is appropriate for animals and in such a way as to promote their health and permit natural behaviour.<sup>8</sup>

Denmark:

§ 1: ‘Animals are to be treated in a justified way and are to be protected in the best possible way against pain, suffering, anxiety, injury of a permanent character, and substantial disadvantage.’

§ 2: ‘All keepers of animals shall make sure that they are treated with care, included that they are housed, fed, watered and taken care of with consideration to their physiological, behavioural, and nutritional needs in line with acknowledged practical and scientific experience.’

### **2.3. Avoiding suffering**

With regard to the principle of avoiding suffering the Animal Protection Act specifies special provisions, for instance in paragraph 11 (Certain ways of handling animals which are forbidden):

‘It is forbidden:

1. To drive animals too hard.
2. To move animals tied to a motor vehicle, including tractors or snow-scooters, in such a way that they run a risk of suffering.
3. To put animals out to graze with hobbles, tied to logs etc., unless seen to daily.
4. To use a training collar on a dog at other times than when the animal is actually being trained.
5. To keep a dog permanently tied up on a leash less than 10 metres long.
6. To put spectacles or the like on poultry to avoid birds pecking each other.’

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<sup>8</sup> Unofficial translation by the Swedish government:  
<http://www.regeringen.se/content/1/c6/09/03/10/de7ea843.pdf>.



These specifications are formulated at different levels of generality. The first specification is quite general, while the others are quite specific. There is no general norm in the law formulating these six concerns into one, except the very general one of avoiding suffering.

In the new proposed Act ‘suffering’ has been replaced by ‘stresses and strains’<sup>9</sup> The reason is to protect animals against situations that perhaps don’t make them suffer in a strict sense, but that are still uncomfortable physically or mentally. The intention of the proposed Act is to avoid technical provisions in favour of more general norms. However, for instance § 14 (Special prohibitions) shows a similar variation in degree of generality:

‘It is prohibited to:

- a) expose animals to violence
- b) put animals in a helpless state
- c) have sexual relations to, or perform sexual acts to, animals, and
- d) use living animals as feed or bait’

c) and d) are quite specific, while a) and b) need further interpretation and judgement.<sup>10</sup> The Act here allows for developing regulations with additional specific prohibitions, for instance on actions that ‘provoke common ethical reactions’. The specific prohibitions in the Act have been defended by a number of organisations, which appreciate that concrete actions are prohibited in the Act, and not only in regulation.

## 2.4. Treating animals well

It is not only the case that animals should not suffer; they should also in a positive sense be treated well. Admittedly, the formulation of the *Animal Protection Act* might seem to suggest that animals should be treated well only in order to avoid the risk of suffering. However, it is probably right to say that there has been a development towards giving the concern of treating animals well a more independent significance. The new focus on ‘animal welfare’ is a result of this development. The term animal welfare does not necessarily imply more than protection from suffering and allowing natural expression of behaviour (ref. the Brambell commission’s 5 principles of animal welfare). But in Norwegian legislation it is indicated that a focus on animal welfare is a focus on treating animals well. In the comments to the draft Act an

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<sup>9</sup> In Norwegian: påkjenninger og belastninger.

<sup>10</sup> Here again we see that these points are not necessarily specifications of one and the same general principle. a), b) and d) may refer to the principle of avoiding suffering, while c) explicitly (in the commentary) refers to respect.

explanation of animal welfare is given: ‘Animal welfare is to a large extent synonymous with quality of life, only quality of life seems to be less temporally determined.’ (p. 64). In the Animal Protection Act the concept ‘animal welfare’ is not used, but through regulation animal welfare has been introduced and seems to have strengthened the legal protection of animals. In 2006 regulation on the welfare of production animals was issued. Here it says that ‘the regulation shall contribute to good health and satisfaction in production animals’ (§ 1 Purpose).<sup>11</sup> Similarly, regulation on horse welfare was issued in 2005: ‘The purpose of the regulation is to facilitate good health and satisfaction for horses and secure that the horse’s natural needs are considered.’ (§ 1 Purpose). § 4 says: ‘It holds for all keeping and use of horses that consideration shall be given to the horse’s behavioural, social and physiological needs, and that the horse shall be protected against risk of unnecessary stress, pain or suffering. [...]’

As we have seen welfare is related to quality of life. It seems that the welfare of an animal (or human being, for that sake) may vary from day to day, while the general quality of life is more stable. Quality of life is specifically mentioned in paragraph 9 (Medical and surgical treatment), but not further operationalised. I have not been able to find any specific criteria for what good quality of life amounts to. Most likely, the criteria will simply be the directives given in regulation for the different kinds of animal use.

A specification of what treating animals well might mean can be found in § 24 of the proposed Act (supervision and care). This paragraph mentions e.g. providing feed, pasture and water of good quality. Even more specific instructions are given in regulations. It should be noted that treating animals well is the purpose of the law, but only violations of avoiding unnecessary suffering will be punished (see also discussion below).

## **2.5. Considering natural needs and instincts**

The formulation of the whole paragraph 2 in the current Act may indicate that natural needs and instincts should only be considered to the extent that violation of these leads to animal

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<sup>11</sup> My translation. ‘Satisfaction’ is my translation of the Norwegian term ‘trivsel’. ‘Trivsel’ may also be translated as ‘welfare’, but I have not done this here as ‘animal welfare’ would be translated into ‘dyrevelferd’. The similarity between ‘dyrevelferd’ and ‘trivsel’ is pointed out in the white paper. Satisfaction may therefore be interpreted as more or less identical to welfare.

suffering. However, this does not seem to be the right interpretation in light of more specific regulation. An example may be regulation on the keeping of pigs. § 1 in this regulation states: ‘The purpose of this regulation is to facilitate good health and satisfaction among pigs, and ensure that consideration is given to the natural needs of the animals.’ In § 21 it is stated specifically that pigs always shall have adequate rooting material available, and specific materials are recommended. Even if one may argue that a lack of rooting opportunities may cause the pigs to suffer, it seems that the justification of this paragraph refers to what is said in § 1 about natural needs. In general ‘natural needs’ are specified in more specific paragraphs in different regulations.

Also the concept of ‘natural needs’ can be related to the concept of welfare (in fact, it is one of Brambell’s five freedoms). The parliamentary white paper discusses behaviour in the section where the welfare concept is discussed. It seems from the discussion there that ‘natural behaviour’ refers to behaviour that can be studied in wild relatives, or in the animals when placed in natural or semi-natural environments. (p. 28-29)

In the version of the new Act that was sent on hearing § 3 said: ‘Consideration shall be given to the animal’s physical and mental needs on the basis of the animal’s distinctive character and its ability to have positive and negative experiences.’ This is excluded from the version presented to the Parliament in November 08. In the commentary it is said that these concerns are included in the requirement that animals are to be treated well, and are also included in the other material instructions in the Act. (p. 24). However, in my opinion, something is lost when this is not stated explicitly.

The new Act will be a functional Act with a stress on indicators for animal welfare. Such indicators can be expression of natural behaviour, avoidance of stereotypic behaviour, etc., linking to principle c) above. Important research is carried out on developing welfare indicators for different species. A special challenge in this regard is to develop welfare indicators for fish, the animal that is the most common (by number) in animal husbandry in Norway. The FSA is in the process of developing welfare indicators for fish, but much work remains before it is implementable.

## **2.6. Respect for the animal’s value of its own (intrinsic value)**

The first bullet point of the ethical platform states that animals have a value of their own and that handling of animals shall be carried out with care and respect for the species. It is not entirely clear whether the following sentence ('This involves...') is meant to restrict the first two sentences, or whether it is simply an example of what respect and value of its own may mean.

The hearing version of the new Act included the statement of 'value of its own' in the general provisions in § 3: 'Animals have an intrinsic value which is irrespective of the usable value they may have for man.' The purpose of the Act was described in § 1: 'The purpose of this Act is to facilitate good animal welfare and respect for animals.' This formulation is kept in the actual proposition to the Odelsting.

I tend to interpret the statement on the animal's intrinsic value and the Act's purpose to facilitate respect animals as referring to one and the same principle: respect for intrinsic value. It can be argued that the principle of respect for intrinsic value simply is a way to accord animals legitimate moral standing, i.e. that they are morally considerable. This may imply that they have moral rights or at least confirms that some general ethical principles apply to animals. It is made clear, however, that the proposed Act is not intended to accord animals rights and that the statement of respect for intrinsic value may have practical implications. The hearing document explains more about the interpretation of this: 'The act shall contribute to animals being recognised for their own characteristic properties and as having intrinsic value. The requirement to show respect for animals implies restrictions on use and killing of animals that exceed those that follow from pure welfare considerations.' (p. 17). Thus the principle is intended to accord moral protection over and above both avoiding suffering and treating animals well. An example here may well be the protection of animals against bestiality. It is argued that even if this practice does not harm the animal, it violates the animal's integrity. A different example may be to genetically modify an animal just for entertainment. Even if this would have no negative welfare consequences for either the modified animal or the animals that were used to develop this variant, it would violate the integrity of the animals.

In the proposed Act presented Nov 28<sup>th</sup> 08 the sentence about intrinsic value is excluded. Apparently the reason was that the Ministry of Justice did not think this sentence could be operationalised, and that it therefore was inconvenient to include it. In the commentary to the

proposed Act it is said that the Ministry of Food and Agriculture ‘has chosen to retain the concept as an important basis for the law and its purpose’ (p.23), even if it is not included in the text of the law.

## **2.7. The principle of balancing and justification**

As we have seen, there are some actions that are forbidden and there are a number of functional and technical requirements that are given by regulations. There are many regulations that guide the use of judgement when determining what is ‘unnecessary suffering’ and this alleviates the use of judgement. Still, as all situations cannot be regulated, judgement must in many cases be used. This is for instance necessary for new technology development in breeding, production methods, etc. In these cases, all-things-considered judgements must be made with regard to whether or not the suffering is justified.

The whole concept of ‘justified suffering’ has been debated: critics have objected that Norway has a law that defends the suffering of animals. It seems that the Danish law provides better protection of animals: ‘Animals are to be treated in a justified way and are to be protected in the best possible way against pain, suffering, anxiety, injury of a permanent character, and substantial disadvantage.’ However, it is explained that this positive formulation of our obligations towards animals is not supposed to have practical implications (ref. Frøslie 2000). It is therefore not certain to what extent the Danish law is stronger than the Norwegian law in practice. We may here also note that the Swedish law is more similar to the Norwegian: ‘Animals are to be treated well and be protected against unnecessary suffering and pain.’

In the commentary to the proposed Act the Ministry’s understanding of the concept ‘unnecessary’ is explained: ‘The Ministry is of the opinion that the law cannot protect animals against all burdens and stresses. The most important is that one seeks to hinder danger of burdens or stresses that are unnecessary or unacceptable, and that can be avoided.’ (p. 23) Adding two more relative concepts does not necessarily facilitate anything, though.

It may be interesting to consider some examples of such balancing in Norway. The Council for Animal Ethics advised in 1998 the government not to allow catch and release sports fishing from ethical reasons. The activity does indeed not seem to be necessary. The former

Animal Health Authority also stated that this was in conflict with the Animal Protection Act. Still, in May 2008, the Ministry of Fisheries and Coastal affairs notified the interested parties that there would be no sanctions of catch and release fishing. The Ministry stated that they will not use catch and release as a strategy for managing river fish stocks, but will allow private persons to practice this form of sports fishing. Critics say that the Ministry here was more interested in protecting the economic interests of land owners in the districts, and that they hesitated to make a decision that would be unpopular amongst a quite substantial share of the population (voters).

An example that shows differences in the Scandinavian countries is the keeping of fox for fur. Fur production is also an activity that does not seem to be necessary and cannot therefore justify the kind of suffering that there is evidence that the foxes experience. In Denmark new legislation was introduced in 2007 where the minimum size of the cages was increased. However, this year the Danish Minister of Justice reported that the welfare of the foxes could not be secured even with this legislation and is therefore preparing to forbid keeping of fox for fur production. In Sweden fox fur production is allowed, but there are extremely detailed and strict regulations that imply that it is in practice not possible to engage in fox fur production without breaking the rules. In Norway fox fur production is allowed. New regulations will take effect for all fur production from Jan 1<sup>st</sup> 2009, but these regulations are already under revision. There may be a new assessment of the welfare situation in fur production after these new regulations have been implemented.

## **2.8. Other ethical clauses**

In both the current and the proposed Act there is a clause that breeding shall not provoke common ethical reactions. It is the responsibility of the FSA to make a judgement on this, and this judgement shall also take into account the scientific evidence on welfare consequences. Specific issues related to this clause will also be of interest to the Council on Animal Ethics. The Council on Animal Ethics has decided to address the issue of breeding in 2009.

Above I mentioned the principle of caution. This may also be interpreted as an ethical principle. It is not clear if this is identical with the precautionary principle. Many of the hearing letters stressed that the precautionary principle should apply in this area. I think the

principle of caution here should be interpreted as an instruction, in cases of doubt, to err to the advantage of the animal.

### **3 Common ethical principles to structure animal welfare issues**

In this chapter I will discuss whether there might be a common ethical framework that might incorporate the principles of animal ethics, as identified in legislation. With the given focus on principles of animal ethics in this report I find it appropriate to consider the general *principlist* approach in practical ethics as a starting point. Most prominent here is Beauchamp and Childress' principle based ethics in biomedical ethics. Their book *Principles of Biomedical Ethics* (2001, first published in 1979) is a book where the authors explicate the meaning and possible application of four moral principles they find fundamental in moral reasoning in the biomedical field. The authors also develop a methodological framework for solving concrete problems. The four principles in biomedical ethics are:

(1) respect for autonomy (a norm of respecting the decision-making capacities of autonomous persons), (2) nonmaleficence (a norm of avoiding the causation of harm), (3) beneficence (a group of norms for providing benefits and balancing benefits against risks and costs), and (4) justice (a group of norms for distributing benefits, risks, and costs fairly). (p.12)

Although there will be a slight difference in what moral issues will be relevant in different moral fields (biomedical ethics, animal ethics, environmental ethics, etc.) the general ethical concerns and ways of reasoning will be similar. There is therefore reason to believe that their four principles can be transferred to the field of animal ethics and that we can take Beauchamp and Childress' principles as a starting point to structure our ethical duties towards animals. We may reinterpret Beauchamp and Childress' principles into animal ethics by relating them to the principles identified in chapter 2. I will consider non-maleficence, beneficence and autonomy first and then go on to consider justice. In the latter part I will describe how the ethical matrix method may assist in doing just balancing decisions.

#### **3.1. Non-maleficence, beneficence, and autonomy**

There should be no difficulty in interpreting non-maleficence into the principle of avoiding suffering. Likewise, the principle of beneficence can be interpreted into the principle of

treating animals well. The principle of respect for autonomy must, however, be reinterpreted slightly. Respect for autonomy is a Kantian inspired principle, where moral subjects' right to self-determination is recognised. This is, according to Kant, where human dignity lies. There is thus a conceptual relation between human autonomy and dignity. Animals cannot be assumed to have human capabilities of moral self-determination, and I think we therefore should avoid using the term 'autonomy' when discussing how animals are morally protected. I think, however, that the term 'intrinsic value' implies recognition of the dignity of animals. I therefore believe we can use the essence of the principle of autonomy here, but understand it as 'dignity' in order to fit better with animals. That individuals have dignity involves that one should respect their individual integrity.

The principle of animal's right to pursue natural needs and express natural behaviour could be understood as either as specification of the principle of beneficence (treating well) or of the principle of respect for dignity (intrinsic value).

### **3.2. Justice or fairness**

Justice is the fourth principle by Beauchamp and Childress. This is closely connected a principle of being able to justify something.<sup>12</sup> Justice or fairness are usually related to distribution of benefits and burdens. Benefits and burdens must not necessarily be distributed *equally*, but they should be distributed in a justified way, for instance taking into account vulnerability, merit, earlier disadvantages, etc.<sup>13</sup> The most important justice consideration in animal ethics is between human and animal parties. This means that it is important to consider systematically how animal and human stakeholders are affected by a decision. We have already a tool for doing this in principlism. Beauchamp and Childress' principles have already been transferred from the biomedical domain to the domain of animal ethics by prof. Ben Mepham and his colleagues at the Centre for Applied Bioethics at the University of Nottingham.<sup>14</sup> Mepham added an original twist when doing this: he structured the principles into a matrix including the affected parties. This facilitates considering the justice of a practice, i.e. to do a justified balancing of what suffering (or stresses or strains) is 'necessary'.

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<sup>12</sup> The etymological roots of justice are latin: justitia "righteousness, equity,". The roots of justify are latin: justificare "act justly toward, make just," from justificus "dealing justly, righteous,".

<sup>13</sup> See for instance Walzer 1983 for a discussion of different distributive principles.

<sup>14</sup> See for instance Mepham 1995, Mepham et al 1996, Mepham and Millar 2000a and 2000b, and Millar 2000. See also Forsberg 2007 for a discussion of the epistemological background of the method.



An example of an ethical matrix from one of Mepham’s projects, constructed for dairy technology issues (Mepham 1995, p. 380), is presented in fig 1:

	Wellbeing	Autonomy	Justice
Dairy animals	DW Freedom from pain and stress	DA Behavioural freedom	DJ Respect for animal ‘telos’
Producers (dairy farmers)	PW Adequate income and working conditions	PA Freedom to adopt or not adopt the biotechnology	PJ Fair treatment in law and trade
Consumers of dairy products	CW Availability of safe food	CA Respect for consumer choice	CJ Universal affordability of food
Biota	BW Protection of the biota	BA Maintenance of biodiversity	BJ Sustainability of biotic populations

Fig. 1

Here we see that the general ethical principles are specified according to each affected party’s situation. They seem to fit well with the principles identified above. A more recent version of the ethical matrix is presented in *Bioethics. An Introduction for the Biosciences* (Mepham 2005). This matrix also regards dairy technology, more specifically, this matrix was used to assess the use of bovine somatotrophin (bST) in dairy farming (2005, p. 54):

	Well-Being	Autonomy	Fairness
Dairy Farmers	Satisfactory income and working conditions	Managerial freedom of action	Fair trade laws and practices
Consumers	Food safety and acceptability. Quality of life	Democratic, informed choice, e.g. of food	Availability of affordable food
Dairy Cows	Animal welfare	Behavioural freedom	Intrinsic value
The Biota	Conservation	Biodiversity	Sustainability

Fig 2

A matrix of this kind gives a starting point for gathering the relevant facts about the issue to be discussed. It must be determined how the technologies or decisions at stake will affect the values described in the specifications. The ethical matrix thus provides a structure for discussing the consequences and trade-offs of a policy option.

The specific content of the cells may be discussed. There could of course be many other specifications in this matrix<sup>15</sup> (there will for instance easily be room for Brambell’s 5 freedoms). The matrix will make the trade-offs between human and animal interests systematic and transparent, and may in this way facilitate making more consistent balancing decisions over time. It is also an advantage that it is a framework that is used also in other areas of practical ethics.

<sup>15</sup> Please not that this is not a so-called ethical matrix in the respect that Mepham and Millar, and Kaiser and Forsberg has developed it.

One should also note that there is a column called fairness. This is a principle addressing inequalities within a stakeholder category, and must not be confused with the overall assessment of justice (balancing) across parties.

The matrices in figures 1 and 2 have beneficence and non-maleficence combined in a common principle of care for well-being. I think that in the context of animal ethics and the current focus on positive welfare criteria that the two original principles should be retained. This has indeed been done in a EU project involving collaboration between the University of Nottingham and the Norwegian Research Ethics Committees. Here a workshop on GM fish was carried out.

	Increased benefits	Reduced harm	Dignity	Fairness
Fish producers	Income and working conditions	Dependence on natural resources, place and supplies	Freedom to choose	Fair trade conditions
Consumers (present and future)	Nutritional quality	Food safety	Respect for the consumer	Affordable products and general availability
Treated fish	Resistance to diseases	Animal welfare	Freedom to move	Respect for natural properties
Environment	Protection	Pollution	Sustainability of biological diversity	Regional sustainability
Research community	New themes and funds	Dependence of industrial funding	Choosing one's own research	'Undefined'

Fig. 3. Ethical matrix for GM fish (see Kaiser et al 2006).

There cannot be made one generic ethical matrix for the whole of the animal ethics domain, because different kinds of issues will require different kinds of stakeholders. For instance, for pet animals, consumers would not be a relevant category. However, the principles, as well as a number of the most important concerns, can probably be kept for all issues. If an ethical matrix is used as a policy tool, the content of the matrix should be discussed in committees or workshops that include the public or affected parties in order to gain wider legitimacy.

When applying the law one do not only make trade-offs between moral values. In most cases it will be between moral values and economic values. Some economic values can have moral justification (for instance making it possible for indigenous people to retain their traditional way of life), and in those cases they will probably carry considerable weight. In other cases, however, the economic values will not carry much moral weight. An example of this may be introduction of even more intensive animal husbandry methods, where this probably won't

affect the continued existence of agricultural production in general and where it probably won't make a difference to consumers (in terms of more affordable food). Still, in these cases, decisions may be made (for instance because of political bargaining, pressure from lobby groups, etc.) where the concern for the animal will have to yield. However, in such cases one may be justified in objecting that this indeed is not 'necessary suffering'. I believe that an ethical matrix may help decision makers and advisory boards make more transparent judgements on what is unnecessary or necessary suffering.<sup>16</sup> This may facilitate comparison across the different domains of animal use, i.e. sports, food production, entertainment, etc.

## **4 Governance structures**

In this chapter the practical control system will first be presented, followed by a brief introduction of national advisory boards. Finally, there will be a brief reference to governance through attitude building.

### **4.1. The Food Safety Authority and local Animal Welfare Committees**

Over the last ten years there have been a number of changes in the governance structure in Norwegian animal welfare legislation. Earlier animal protection was secured by the Norwegian Animal Health Authority and a network of local and regional inspectors that at the same time had commercial veterinarian practice. This allowed the inspectors to gain information about animal health in their area from their work in the field and from their customer contact. It may also have made them less independent. In 2004 the Animal Health Authority was merged with other related authorities into the Norwegian Food Safety Authority (FSA). The animal welfare inspectors of the FSA are no longer veterinarians with a private practice and it has been claimed that they have more limited resources than earlier. The FSA claims that the fusion has not been to the disadvantage of animal welfare, and that there would likely not have been more resources available if the separate authority had been retained, but this is disputed. Being an animal welfare inspector is now a full time position and the number of inspectors is therefore reduced and each inspector's region has increased. Still, there has been an increase in the number of inspections carried out.

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<sup>16</sup> The new council for animal ethics has in fact decided to try using an ethical matrix as a support to their deliberations.

In addition to the inspectors there are also local animal welfare committees that inspect and can take immediate action if they receive notice of animal abuse or neglect. In each FSA region there are one or more animal welfare committees. These are supposed to do the inspection where there are no strict, technical requirements in legislation and where judgement therefore is crucial.<sup>17</sup> The reason for establishing such lay people committees is that the use of judgement (for instance on what is unnecessary suffering in a given case) should not be strictly expert based, but in touch with common sentiments in the population and among the stakeholders. The committees have 3 (or in some cases 5) members who are all supposed to have practical knowledge of animal husbandry, the keeping of animals, and knowledge about and interest for animal protection. They are to keep oriented about the keeping of animals in their district and are to perform unannounced inspections. If they have been given reason to believe that animals are suffering without cause, they are to immediately investigate the situation. If the situation is not satisfactory the committee is to guide the owner or they can issue injunctions. The FSA allocate funds to the animal welfare committees, functions as the secretariat of the committees, provide veterinarian and legal advice, and provide training of the committee members.

The animal welfare committees have only limited resources and have to prioritise their work in accordance with the general inspection strategy, which is risk based. This implies that they will focus on the situations where the risk of violation of the law is greatest. This is in general where there are grave situations of animal abuse or neglect, i.e. unjustified suffering, at the expense of following up the principle of treating the animal well in the broader sense and the principle of allowing the animals to express natural behaviour. However, there is also a tendency in legislation towards functional requirements rather than numeral<sup>18</sup>, for instance that the ceiling above a horse shall be high enough to allow the horse to stand in a normal position, rather than detailing the number of centimetres required. This focus on functional requirements seems to be compatible with an increased stress on welfare, care and natural behaviour and will thus imply taking principles b) and c) into account. This focus also seems to leave more up to the judgement of the inspectors.

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<sup>17</sup> This is mostly the keeping of pets, but the committees may also inspect farms, etc.

<sup>18</sup> In both Norway and Denmark there is an increasing degree of functional, rather than technical (numerical) requirements. Sweden has a larger set of technical requirements that are to be fulfilled.

The use of animal welfare indicators, like behavioural indicators, is increasing. These indicators may include presence of joy, curiosity, playfulness, etc. and absence of stereotypic behaviour. This may make the inspection more time sensitive; that the animals seem to be well functioning at the time of the inspection does not mean that the welfare is good at other times. However, it is possible to indirectly inspect the ability to express natural behaviour, as well as inspecting whether the animals likely experience satisfaction, by inspecting their housing conditions, etc. Housing conditions, etc. will be a necessary, if not a sufficient, condition for good welfare.

The local animal welfare committees used to have a more informal function of giving advice and helping animal keepers. Now they have delegated authority from the FSA and give injunctions that may end up in court. They may also report offenses to the police. The problem is, according to a representative of the central FSA, that the committees are not adequately trained in justifying their judgements. Taking legal action on anything else than undue suffering is hindered by the requirement to adequately justify the injunctions or the reports to the police. Actions are only criminalised when it is proved that significant harm has been incurred. As Frøslie pointed out, only unnecessary suffering will be penalised and the police or the courts will dismiss the case if it is not thoroughly shown that the suffering is unreasonable in relation to the purpose. In 2007 the FSA and the animal welfare committees carried out in total 7441 inspections. Only in 71 cases were the situation reported to the police. So, even getting legal sanctions for grave cases of suffering without cause is hard enough, let alone getting these for cases of hindering natural expression of behaviour, life quality, etc. A major weakness of the local animal welfare committees is therefore that in spite of the fact that they are in much contact with animal keepers, they seem to have only moderate impact on the situations.

It should be noted that the Animal Protection legislation does not have an internal control requirement, except in aquaculture. This may be changed with the new law. In that case it will be possible to inspect not only the situation at the specific time where the committee or the inspector visits the animal keeper, but also the animal keeper's routines for good animal keeping. In addition, mandatory courses on proper animal keeping are currently being developed for all areas of professional animal use, including transportation. More responsibility is therefore being placed on the individual animal keeper. Agricultural organisations have been complaining that the burden on documentation now imposed on

people involved in animal husbandry is becoming so massive that it is soon impossible to comply in practice.

The control and governance system is organised somewhat differently in the three Scandinavian countries, but are experiencing some of the same problems. In all countries there are not enough financial resources to carry out and follow up on all situations where there is a risk that animals are abused, mistreated or not receiving proper care. In Sweden the control has been the responsibility of the municipalities, but the evaluation of the system showed that there were large differences in the way the control was carried out in the different municipalities. In order to improve this situation the responsibility for the animal protection control will be transferred to the counties from Jan 1<sup>st</sup> next year. A major difference between Norway and the other two Scandinavian countries is that in Norway there are both inspectors and animal welfare committees. In the two other countries there are no similar committees that are supposed to represent lay people's judgements of 'unnecessary suffering'. The new stress on whistle-blowing and the possible trend towards individualising responsibility suggested in the proposed Act seems also to be unique for Norway.

## **4.2. Central advisory committees**

### **The Council for Animal Ethics**

<sup>19</sup>The Norwegian Council for Animal Ethics is an advisory and independent council established by the Minister of Agriculture in 1992/1993 succeeding a debate on animal protection in the Parliament. The function of the Council is to consider and provide guidance on fundamental ethical aspects of animal husbandry and livestock production including farmed fish, pets and wild animals in captivity. The Council may consider the use of biotechnology on animals as well as the need for statutory amendments and changes in administrative practice in the animal welfare area. The Council's terms of reference also include ethical aspects of the consequences for the external environment of modern breeding techniques and animal husbandry as well as the use of pharmaceuticals including the effect on genetic diversity and wild biological resources.

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<sup>19</sup> <http://org.umb.no/etikktvalget/>.

The council consists of 8 members including representatives from agriculture, animal protection NGOs, research organisations, etc., as well as an ethicist. In contrast to similar Councils in other countries there has been an explicit wish to include one or more ethologists in the Council, and not only veterinarians.

The Norwegian council has limited resources, with only a 50 % position for a secretary. It is therefore in no position to take a more proactive position with regard to following up compliance with the ethical principles in the legislation. Still, it has issued 46 statements since its establishment and contributes to public debate on many issues. It seems, however, according to one informant, that these statements have only been influential in the cases where no large economic interests have been at stake. Moreover, the existence of the council is dependent on the good-will of the sitting minister of Food and Agriculture.

In comparison, the existence of the Danish Council for Animal Ethics (Dyreetisk Råd) is included in the *Danish Animal Protection Act*. However, they do not have much more resources than the Norwegian Council, and seem also to have a lower public profile than what the Norwegian Council wants to have. In Sweden the Animal Protection Council (Djurskyddsrådet) seems to be quite anonymous, even if its mandate is broader and more ambitious than the Danish council.<sup>20</sup>

### **Other advisory committees**

In Norway the Scientific Committee for Food Safety, with its scientific panel on animal health and welfare<sup>21</sup> is supposed to provide risk assessment for the government. They only provide advice on the cases where there exist substantial scientific data. For other cases they refer to the Council for Animal Ethics, as well as the FSA's so-called knowledge institutions: the Veterinary Institute and the Institute of Marine Research. In a few cases both the committee and the council have opinions on the same issue. Only on the issue of fur farming have the two institutions come to different conclusions. However, their statements were years apart and the difference may have been caused by improvements in the welfare situation.

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<sup>20</sup> The mandate of the Swedish council is to be advisory in animal welfare issues, initiate investigations and prepare reports, organise meetings and seminars, suggest research, take initiative for animal welfare measures and propose action plans, be a forum for information exchange and an instrument for the development of ethics, education and research in the area of animal welfare. See: <http://www.sjv.se/download/18.677019f111ab5ecc5be800010009/Jordbruksverkets+r%C3%A5dgivande+organ.pdf>

<sup>21</sup> [http://www.vkm.no/eway/default.aspx?pid=266&trg=Main\\_5389&Main\\_5389=5393:0:10,1621:1:0:0:::0:0](http://www.vkm.no/eway/default.aspx?pid=266&trg=Main_5389&Main_5389=5393:0:10,1621:1:0:0:::0:0)

There is also an advisory board for legal matters in veterinary medicine<sup>22</sup>. This gives advice in matters where clients are dissatisfied with the veterinary help received by their veterinarians. The Biotechnology Advisory Board<sup>23</sup> gives advice on ethical and societal issues related to animal biotechnology. There is also a committee structure for ethical evaluation of the use of laboratory animals.

### **4.3. Motivating good attitudes**

The hearing document for the new act repeatedly stressed respect for the animal:

‘The purpose of the act is to enhance respect for animals. This amounts to a difference with regard to what is expressed in the current animal protection act. The act’s purpose with regard to good animal welfare and respect for animals will to a large extent be related. Good animal welfare will be a good foundation for respect. Similarly, respect for animals will contribute to good welfare.’ (p. 17)

This stress on respect implies a focus on attitudes. Of course it is difficult for an inspector to assess animal keepers’ respect for the animals. An important function of the law is therefore simply to strengthen good attitudes among the public and animal keepers. It seems there is a tendency away from state control to building desired attitudes among the public and animal keepers. Whether this will happen simply by stressing it in a law, is of course not obvious, but it is a strong signal to the public.

Along the same lines there is a focus on whistle-blowing in § 5 in the new proposed Act. The local community is encouraged to engage more with animal keepers’ actions, either by complaining to the animal keepers directly or by notifying the police, the animal welfare committees or the FSA. § 4 makes clear that everyone has a duty to help suffering animals. As mentioned before there seems to be an individualising tendency in Norwegian animal welfare policy.

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<sup>22</sup> Det veterinærmedisinske rettsråd: [www.rettssradet.no](http://www.rettssradet.no).

<sup>23</sup> [www.bion.no](http://www.bion.no)



One could argue that an implication of this focus on attitude formation could be that institutions like the Council for Animal Ethics should be strengthened in order to become more of a resource centre for the public and animal keepers, and to be more engaged in attitude formation campaigns. However, there is no information suggesting that such a change is likely.

In their effort to build attitudes, the state is supported by agricultural organisations and the industry. Consumer perceptions that Norwegian animal husbandry involves good animal welfare will be a competitive advantage in a growing segment of the market. There are thus a number of health service institutions for different kinds of production animals offering animal welfare resources for producers. The most important agricultural industry organisations are united in Norwegian Agricultural Cooperative (Norsk Landbrukssamvirke) and have created [www.dyrevelferd.info](http://www.dyrevelferd.info), a webpage with resources for producers and consumers. In some cases, the industry recommends internal standards that are more restrictive than legislation. Pig production is one such area.<sup>24</sup> Consumers may also drive the development of legislation. Denmark experienced that British supermarkets would not import Danish pork because of animal welfare concerns, and a consequently issued new regulations to adjust. Oikos, the national movement of organic producers and consumers in Norway, also contributes to raising awareness and interest for animal ethics. Also organisations for e.g. family or sports animal use are actively involved in attitude formation in their respective fields.

## **5 Public debate on animal ethics**

Through the media it appears that the criticism of the Norwegian animal welfare politics has been more directed towards how the governance system functions in practice, rather than at the legislation. Animal welfare NGOs have complained that the inspectors and animal welfare committees are not in a position to do a good enough job. Farmers (especially small scale farmers), on their side, have criticised legislation for being extremely complex and difficult to comply with in practice.

Animal welfare is increasingly appearing on the public agenda in Norway, but it is not a very hot topic compared to for instance environmental issues. In the media the spectacular cases

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<sup>24</sup> Ref. Parliamentary white paper p. 161.

are being presented: baby seals being beaten to death, wolves or other predators brutally killing sheep while farmers despair, animal tragedies where a lonesome farmer has failed, ugly cases of cats being tortured, etc. There has been some debate on catch and release fisheries and about hunting in general. The Council for Animal Ethics has issued statements on these topics that have been controversial. An issue broadly debated in Denmark has been bestiality. This has not been given much attention in Norway. With the new Act bestiality will be prohibited, while the majority of the Danish Council for Animal Ethics suggested that it was ethically acceptable as long as the welfare of the animals was secured.

In my opinion there is no broad debate about more complex societal issues like the relation between intensive animal agriculture and animal welfare. The new Council for Animal Ethics has agreed on an intention to become more visible in the public in order to engage a broader public debate, even if the economic situation of the Council will seriously restrict its ability to do this. Hopefully, the upcoming debate on the proposed new Act will spur more public debate and public consciousness on animal welfare and animal ethics issues.

## **6 Information sources and literature**

I would like to thank informants in the Norwegian Food Safety Authority. I would also like to thank Cecilie Mejdell, the former secretary of the Norwegian Council for Animal Ethics and Stine Christiansen, the secretary of the Danish Council for Animal Ethics. I've also profited from talking to Guri Larsen (expert in animal welfare law) and Gudbrand Bakken (leader of the Norwegian Council for Animal Ethics). Bo Algiers, Helena Röcklingsberg and Vonne Lund, as well as other members of the Nordic Network for Food and Agricultural Ethics, have also provided important contributions to my understanding of this issues and the different legislation and governance systems in the Scandinavian countries. Thanks also for interesting discussions with Tjard de Cock Buning at the Athena institute, and for important comments on earlier drafts of the report.

All Norwegian Acts and regulations (in Norwegian) can be found at [www.lovdata.no](http://www.lovdata.no).

The Swedish Animal Protection Act: Djurskyddslag (1988:534).

<http://www.notisum.se/rnp/sls/lag/19880534.htm>

The Danish Animal Protection Act: Dyreværnslov.

<https://www.retsinformation.dk/Forms/R0710.aspx?id=59433>

## Literature

- Beauchamp, T. and Childress, J. (2001): *The Principles of Biomedical Ethics*, Oxford and New York: Oxford University Press
- Daniels, N. (1996): *Justice and Justification. Reflective Equilibrium in Theory and Practice*, Cambridge: Cambridge University Press.
- Forsberg, E-M. 2007. *A Deliberative Ethical Matrix Method – Justification of Moral Advice on Genetic Engineering in Food Production*. Dr. Art. Dissertation. Oslo, Unipub.
- Gert, B. 2004. *Common Morality: Deciding What to Do*, Oxford University Press
- Kaiser, M., Millar, K., Thorstensen, E. and Tomkins, S. (2006): 'Developing a User Manual for the Ethical Matrix: Transgenic Fish as a case study', accepted for publication in *Journal of Agricultural and Environmental Ethics*
- Mepham, T. B. (1995): 'Ethical impacts of biotechnology in dairying', Phillips, C. J. C. *Progress in Dairy Science*, Wallingford: CAB International, pp. 375-395
- Mepham, T.B., Moore, C. J. and Crilly, R.E. (1996) 'An Ethical Analysis of the Use of Xenografts in Human Transplant Surgery', *Bulletin of Medical Ethics*, vol. 116, pp. 13-18.
- Mepham, T. B. and Millar, K. (2000a): *Report of a BBSRC Workshop To Assess the Value of the Ethical Matrix: Application to Two Dairy Biotechnologies*, unpublished
- Mepham, T. B. and Millar, K. (2000b): *Report of a BBSRC Workshop. Ethical Analysis of Bovine Somatotrophin Use in Dairying: Application of the Ethical Matrix*, unpublished
- Mepham, T B. (2005): *Bioethics. An Introduction for the Biosciences*. Oxford: Oxford University Press
- Millar, K. (2000): 'Respect for animal autonomy in bioethical analysis: the case of automatic milking systems (AMS)', *Journal of Agricultural and Environmental Ethics*, vol. 12, no. 1, Ot. prp. nr. 15. 2008/09. *Om lov om dyrevelferd*.  
<http://www.regjeringen.no/nb/dep/lmd/dok/regpubl/otprp/2008-2009/otprp-nr-15-2008-2009-.html?id=537570&epslanguage=NO>
- Rawls, J. (2001): *Justice as Fairness. A Restatement*, Harvard: The Belknap Press of Harvard University Press
- Ross, D. (1930): *The Right and The Good*, Oxford: Clarendon Press (2002)
- St.meld. nr. 12. 2002-2003. *Om dyrehold og dyrevelferd*.  
<http://www.regjeringen.no/nb/dep/lmd/dok/regpubl/stmeld/20022003/Stmeld-nr-12-2002-2003-.html?id=196533>

Tranøy, K.E (1998): *Det åpne sinn. Moral og etikk mot et nytt årtusen* Universitetsforlaget,

Walzer, M. (1983): *Spheres of Justice*. New York: Basic Books