

“OUR FELLOWS IN MORTALITY”: KINDNESS TO ANIMALS IN
THOMAS HARDY’S *JUDE THE OBSCURE*

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A Thesis Submitted to the Faculty of
The Wilkes Honors College
in Partial Fulfillment of the Requirements for the Degree of
Bachelor of Arts in Liberal Arts and Sciences
with a Concentration in Psychology

Wilkes Honors College of
Florida Atlantic University
Jupiter, Florida
May 2010

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This thesis was prepared under the direction of the candidate’s thesis advisor, Dr. Hilary Edwards, and has been approved by the members of her/his supervisory committee. It was submitted to the faculty of The Honors College and was accepted in partial fulfillment of the requirements for the degree of Bachelor of Arts in Liberal Arts and Sciences with a concentration in English Literature.

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ACKNOWLEDGMENTS

I thank first and foremost, my thesis advisor, Dr. Edwards; this thesis would not exist without her. I also thank my mother, who never let me forget that animals love and suffer just like we do. I thank my friends and little sister for putting up with me at the end, when I was so scared and stressed. I thank Dr. Harrawood for being my second reader and being so patient with me in getting in a draft. Lastly, I thank the amazing teachers I have come across at the Honors College, who have taught me so much. I am grateful to have been able to come to this school and to have such wonderful and trying experiences; I hope I am a better person because of them.

ABSTRACT

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Title: “Our Fellows in Mortality”: Kindness to Animals
in Thomas Hardy’s *Jude the Obscure*

Institution: Harriet L. Wilkes Honors College
Florida Atlantic University

Degree: Bachelor of Arts in Liberal Arts and Sciences

Concentration: English Literature

Year: 2010

In *Jude the Obscure*, Thomas Hardy depicts characters who are especially sensitive to the suffering of all living creatures and thus engages his novel in the topic of animal rights. In this project I examine the human-animal relationships in Hardy’s novel in terms of the ideas of two different philosophers: Peter Singer and Cora Diamond. I argue that, while Singer at first seems to provide a useful model for understanding these relationships in *Jude*, Diamond’s account of these relationships is ultimately a more helpful tool for understanding Hardy’s ideas about animals. Diamond helps us see that Hardy believes people should help all living creatures in pain, no matter the cost to themselves, not because they recognize their suffering, but because they recognize a shared commonality with all sentient creatures.

DEDICATION

To all of the farmed animals that live and die unknown and unloved

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Introduction

One is struck by Thomas Hardy's ability to express sympathy for the suffering of animals in *Jude the Obscure* when he is writing so long before the contemporary animal rights movement. Many literary critics have focused on the animals in *Jude* simply as symbols or foreshadowing of the plights of Jude and Sue. For example, Jude and Sue can be understood as being like the rabbit trapped in a gin in being trapped by marriage laws. While the animal scenes in the novel do serve this purpose, this is by no means their only function in Hardy's novel. Throughout his entire life, Hardy had an "unwavering passion for the welfare of non-human animals...[and] in his writing, both personal and creative, Hardy returns again and again to the insoluble problem of animal pain" (Evers 18). From the time Hardy was a boy, he empathized with animals and he clearly is not writing about animals' pain simply as a symbol for his human characters. As Arthur Mizener, points out in "*Jude the Obscure* as Tragedy", Hardy would not have represented animal suffering "if he had not thought their dilemma terrible in its own right" (407); for Mizener, as in my argument, the "primary meaning" of Hardy's scenes of animal suffering is still "their naturalistic meaning". Though Hardy's animals do represent their human counterparts, they also are literal representations of the plights of animals. Hardy decries the suffering of the rabbit in the gin as being horrible in its own right. In scenes like this one, he sought both to complain about the unnecessary suffering of animals and to compare their plights to Jude and Sue.

In the argument that follows, I begin by giving a brief overview of what critics have said in regard to animals in Thomas Hardy's work. The purpose of this critical debate is to explain how other critics have analyzed the use of animals in Hardy's works

and also to point out that none of them have attempted to use contemporary animal rights philosophy to explain the viewpoint Hardy was espousing on animals in his fiction. In Chapter Two, I go on to analyze the animal scenes in *Jude* according to two animal rights philosophers: Peter Singer and Cora Diamond. Out of all of Hardy's works, I am examining *Jude* both because it is Hardy's last novel and because the animal scenes are particularly prevalent. For instance, we see some animal scenes in another of Hardy's novels, *Tess of the D'Urbervilles*, but not to the same extent as in *Jude*. The first philosopher I discuss, Peter Singer, offers a useful position because he is a prominent animal rights philosopher whose viewpoint is taken up by many animal rights advocates. Reading the novel in terms of Singer is the obvious choice. He takes a utilitarian stance on animal rights. Utilitarianism states that all actions are driven by the desire to maximize pleasure for the greatest number of sentient beings. According to utilitarianism, therefore, the characters in *Jude* help animals because they want to create the maximum amount of pleasure. The second philosopher I look at, Cora Diamond is a well-known philosopher who has written several articles on animal rights. I find that Diamond's philosophy of animal-human relations not only helps us understand the animal scenes in the novel, but also one of its major themes: pity for all living creatures. I am ultimately arguing that in *Jude the Obscure* Hardy is suggesting a non-utilitarian motive for sympathizing with fellow creatures and that Diamond, unlike Singer, helps us see this. The critic Henry Duffin suggests that "Hardy performs the very useful office of clearing away the cobwebs of prejudice, making us aware of new points of view, new standards of right and wrong, and so enabling us to approach questions of morals with unbiased mind and that sympathy which alone gives understanding" (260). Hardy makes us feel for animals'

suffering and this sympathy that he creates in us allows us to remove our past prejudices towards animals. We no longer see animals' suffering as insignificant but as something worth looking into and judging with "unbiased mind". Diamond's philosophy of animal rights explains the way that sympathy leads to understanding; she explains why the characters in *Jude the Obscure* help animals, while Singer's philosophy does not match the true motives behind the characters' actions.

Chapter 1

Hardy and Animals: A Critical Debate

The main focus of Thomas Hardy's works is not animals, so it is not surprising that many critics have ignored his treatment of the animal world. Hardy's use of animals in his fiction, however, is much too prevalent to be overlooked by the entire literary community, and a handful of critics have taken on the task of analyzing it. In "An Affinity for Birds: Kindness in Hardy's *Jude the Obscure*," Alexander Fischler claims that the scenes in which Jude helps animals shows that kindness to animals brings suffering to those who practice it. Unlike Fischler, Jean R. Brooks does not see kindness to other living beings in Hardy's works as resulting in suffering, but rather as the one practice humans can perform to prevent or at least reduce the suffering of animals. Brooks sees this kindness as a responsibility that comes with human beings' heightened sense of self-awareness. Michael Campbell, on the other hand, claims, that human beings in Hardy's works are not responsible for the unnecessary suffering of all living beings (animals and humans) and it is instead a result of indifferent nature. Edward Wagenknecht does not write about responsibility, but rather focuses on how Hardy's writings demonstrate a compassion for all living creatures. D. B. D Asker agrees with the previous critics that Hardy's early use of animal imagery in his writings was driven by his compassion for their suffering, but claims that, later in his career, Hardy began to use animals merely as symbols for his human characters. The importance of this critical debate to my larger argument is twofold: it shows that other critics have seen the importance of animals in Hardy's works and reveals the ways in which my argument differs from theirs. None of these critics have ever tried to use contemporary animal

rights philosophy to understand Hardy's ideas on animals. I am arguing that animal rights philosophy can help us understand Hardy's views on animal and human relations. Animal rights philosophy, and Diamond in particular, explains that we should care about animals both because we are moral beings who can recognize the suffering in others, and because we share with animals in the experience of living.

In "An Affinity for Birds: Kindness in Hardy's *Jude the Obscure*", Alexander Fischler points out the connection between Jude and birds in the novel. Focusing on this bird imagery, Fischler claims that *Jude the Obscure* serves as a cautionary tale against being overly sensitive to the suffering of living beings. Jude's "lifetime of adversity" (252) stems from his strict adherence to Phillotson's words in the beginning of the novel: "be kind to animals and birds" (Hardy 11). Jude immediately follows this advice in Farmer Troutham's field and suffers for doing so. Fischler argues that Hardy's work is full of bird imagery and that birds in his work commonly symbolize "the harshness and the vulnerability of living creatures" (252). According to Fischler, the bird imagery in *Jude* comes down to this "simplistic argument: kindness does not pay" (261). Jude is kind to the rooks and suffers because of it. He is then kind to the bird-like women in his life and also suffers immensely for this kindness.

Brooks claims Hardy did not see kindness as human beings' downfall, but as their responsibility as creatures with heightened awareness. Brooks describes Hardy as basing his compassion for non-human animals "on the most valuable lesson he felt was to be learnt from Darwin's theory of evolution; that all 'organic creatures are of one family, including the human species'" (157). According to Brooks, Hardy's work, unlike most literature on animals, is not overly sentimental. While sentimental literature tends to

anthropomorphize animals, Hardy takes a different approach to the relationship between human and non-human animals, emphasizing the point that like animals, humans suffer, but unlike animals, human beings have the ability to prevent unnecessary suffering. Hardy uses metaphors comparing humans to animals, which serve to “direct the reader towards the human condition as an extension of the animal condition” (160). In this quote, Brooks is not suggesting that Hardy is in any way anthropomorphizing his animals. According to Brooks, Hardy is instead, using metaphors between humans and animals to point out that humans are animals, that their experiences are simply different versions of the experiences of animals. Brooks claims that, in Hardy’s works “a shared capacity to suffer defines the human/animal conditions as an experience of useless suffering” (161). Both animals and humans have the ability to suffer and this suffering has no point. The rabbit caught in the gin in *Jude* is destined to suffer a prolonged death, and this incident “adumbrates the protracted agony of Jude’s own ‘unnecessary life’” (161). According to Brooks, Hardy emphasizes the physicality of animals in order to contrast it to the subjective self-awareness of humans. Highlighting this difference, Hardy writes of the responsibility that comes with humans’ “self awareness and moral consciousness” (158). Due to their heightened intelligence, humans have a responsibility to all creatures to prevent unnecessary suffering (158-159). Thus, according to Brooks, Tess acts out her duty to the ‘lower’ animals when she breaks the necks of the wounded pheasants. Though Brooks does not address the question of whether Tess and other humans would be better off if they had someone who could end their misery, he does suggest that, according to Hardy, human beings are worse off than animals because their self-awareness brings them heightened pain. The sharp contrast between the self-aware

human and blissfully ignorant animal is made explicit in *Jude* by the juxtaposition of Father Time and the playful kitten.

Fischler and Brooks focus on the significance of human beings' actions towards animals in Hardy, but Campbell provides a different argument about Hardy's scenes of animal cruelty, suggesting that indifferent nature, and not human kind, is to blame for such unnecessary suffering. Campbell describes Hardy as having "a natural interest in and sympathy for animals" (61), which was supported by the work of Darwin and Huxley. This scientific evidence proved that human beings were just one among many species of animals and convinced Hardy that the Golden Rule of doing unto others as you would have them do unto you (Mathew 7:12) should be extended to the entire animal kingdom. Science proved that there was no sharp divide between the animal and human world, therefore Hardy saw no logical reason why we should not treat animals as humanely as we should treat other humans. Hardy felt that humans and animals both experienced "frustration and suffering at the hands of an indifferent universe" (64). Campbell is in agreement with Fischler and Brooks that Hardy believed animals suffered unnecessarily at the hands of humans. Campbell adds that Hardy also saw this suffering as inevitable "because of nature's harshness and indifference" (65). Campbell states that in the pig-killing scene, Hardy is not decrying the cruelty "of Arabella, but that of a world in which man must kill conscious and sensitive creatures in order to live" (66). According to Campbell, then, human beings are not ultimately responsible for the cruelty they inflict on animals because it is instead "the natural product...of a machine-like universe working through mechanical laws" (66). Campbell claims Hardy's characters' actions and opinions towards animals suggest the kind of people they are. This means that

characters who are kind to animals will be kind people in generally and vice versa (characters who are callous to animals will also be so in other areas of their life). Hardy uses the relationship between humans and animals in his works, according to Campbell, “to define an idealistic sensitivity toward life that he observes in some people but not in others,” and to imply “that one’s attitude toward animals contains in embryo his attitude toward people, the world, and life in general” (68). Campbell does not explicitly address whether or not Hardy saw any value in this “idealistic sensitivity”, but the fact that he uses the word “idealistic” does suggest he believed Hardy placed a certain value on this sensitivity.

Like the previous critics, Wagenknecht agrees that Hardy’s writings show that he had a respect for the suffering of all living creatures. From this all-encompassing pity or respect for suffering, according to Wagenknecht, Hardy developed his position that human beings should not model their behavior on cruel nature, but should instead practice sympathy towards all living creatures. Wagenknecht stresses this sympathy in arguing that Hardy was no misanthrope; he had pity for human and non-human animals alike.

Similarly to Wagenknecht and the other critics, Asker claims that Hardy depicted animals realistically in order to push humans to have added respect for them, but he differs from other critics in his claim that, towards the end of Hardy’s career as a novelist, these images become overtly symbolic. According to Asker, the purpose of Hardy’s animal imagery was originally to make humans aware of animal suffering, but later the animal imagery served only to represent characteristics of the humans in his works. Asker explains that Hardy originally depicted animals’ suffering and humans helping them in

order to show that “ethical considerations were the only meaningful force for amelioration” (218). The term “ethical considerations” refers to humans acting morally in the face of indifferent Nature. Asker is saying that Hardy believed human beings should approach a situation (say a rabbit in pain) and not act according to Darwin’s survival of the fittest but according to morality. Using the rabbit in pain example, to follow the rules of the survival of the fittest, one may ignore the rabbit’s suffering and leave it to die because only the strong should survive. While if one were to treat the rabbit ethically, one would try to relieve the rabbit’s pain. Asker goes on to explain that this force “cannot eliminate the pain that is brought about as a consequence of being alive in a world where Nature is indifferent to human sentiment, but it can help to do away with man-made pain” (218). Some pain is inevitable, but humans can reduce or eliminate the pain caused by other humans. Asker claims, that towards the end of Hardy’s career as a novelist he no longer used animal scenes to necessarily decry the suffering of animals but to “convey significance beyond the literal action and point to truths embodied in symbolic form” (218). According to Asker, these “truths” are about Hardy’s human characters and not the actual animals in the scenes. Like Campbell, however, Asker shows how Hardy’s characters’ actions towards animals reflect who they are. Jude and Sue’s kindness to animals reveals them as excessively sensitive and empathetic and like Fischler, Asker sees that Jude and Sue’s tragic end is proof that being kind leads to suffering. Asker claims, however, that the novel has a shred of optimism still, for Jude’s “character is vindicated by the reader’s preconception that such attitudes are the only ones that lend dignity and worth to man” (229). In *Tess of the D’Urbervilles*, Tess is continually characterized as a trapped animal. Her situation parallels that of the wounded pheasants

she encounters. Both have been “caught” by society (Tess by the laws of society and the birds by a hunting party) and are destined to die as a result. Unlike Campbell, Asker claims the wounded pheasants in *Tess* show that it is “man rather than cruel Nature who are at fault” (221) for unnecessary suffering. Tess perhaps would not have taken the fateful course she did if she had not felt so guilty for being impure in the eyes of society and the pheasants would not have even existed if not for the petty whims of humans.

I will now give a brief summary of these critics to demonstrate how my own analysis fits in with this critical debate. All of the critics discussed here attempt to explain the purpose Hardy’s depictions of animals serve in his fiction, and all concur that one of the main purposes of these depictions was to promote compassion to all living creatures. Fischler, however, believes that Hardy saw human beings who possessed this compassion as being doomed to suffer for their sensitivity. Brooks takes a more positive outlook and claims Hardy represented this all-encompassing compassion because he saw it as human beings’ responsibility to prevent the suffering of all living creatures. Campbell sees humans in Hardy’s works as not responsible for other living creatures, but, like other animals, victims to indifferent nature. Wagenknecht claims that Hardy’s works are a plea to humans not to base their actions on amoral nature but to instead practice kindness towards all living creatures. Asker agrees that Hardy’s depictions of animals served to promote kindness to them, but claims that, towards the end of Hardy’s career as a novelist, they served more as symbols for his human characters. I agree with Asker that Hardy used animals in his works to support the idea that animals were worthy of moral consideration and show that human beings have a responsibility to prevent suffering whenever possible. I therefore disagree with Campbell that Hardy put the brunt of the

blame for human and animal suffering on indifferent nature. Yes, Hardy believed nature was amoral, but he also knew humans were moral beings and believed that they should exercise this morality in order to help all sentient beings. Though animals also serve as symbols in Hardy's works, I do not believe they lose their realness towards the end of his career as Asker claims. Even in Hardy's final novels, the animal scenes still point out that animals suffer unnecessarily.

Many of these critics support my claim that Hardy's views on animals are not utilitarian. Campbell, Fischler, and Asker all point to the fact that this kindness towards animals and humans does not reduce the suffering of Hardy's characters, but rather increases it. None of these critics, however, pick up on the way in which animals rights' philosophy explains and helps account for Hardy's depictions of animals. Implicit in his depictions of animals is a system of beliefs about how the human world should approach the non-human world; animal rights philosophy and in particular the ideas of Singer and Diamond provide a powerful tool for understanding this system.

Chapter 2

Animal Rights and Hardy: A Perfect Match

In *Jude the Obscure*, Thomas Hardy shows many of his characters to be sensitive to the suffering of all living creatures. By writing about a relationship between human and non-human animals¹ in which humans feel for and help animals, Thomas Hardy engages his novel in the topic of animal rights.² Underlying Hardy's scenes with animals and people are his beliefs about how humans should treat animals. Animal rights philosophy can help us understand what responsibilities Hardy believed humans have to non-human animals. For instance, one could easily analyze Hardy's animal scenes in terms of the philosophy of Peter Singer. Reading *Jude* in terms of Singer adds to an analysis of the novel because it reveals that the way some of the characters treat non-human animals is a form of discrimination, speciesism. Just as Hardy wrote about class and sex discrimination in his novels, a Singerian reading reveals that he also was interested in discrimination based on species type. Singer's stance on animal rights is utilitarian; he believes that an action is morally right when it maximizes pleasure for the greatest number of sentient beings. According to Singer, we would say the characters in *Jude* have a responsibility to help animals in order to create the most amount of pleasure for all beings involved. The pleasure created by an act should always outweigh any resulting pain; otherwise the action should not be performed. Singer's explanation of why

¹ I occasionally refer to human and non-human animals, rather than animals and humans, to emphasize human beings are also animals.

² In using the term 'animal rights', I am not making a claim about whether or not animals deserve rights. In this paper, "animal rights" will serve to indicate a set of beliefs according to which animals have a moral standing somewhat comparable to that of humans. People have an equal moral obligation not to cause gratuitous suffering to humans or animals.

humans should treat animals humanely, however, doesn't satisfactorily account for the compassion we see demonstrated in *Jude*. In order to account for and understand the motives behind these characters' actions we need to turn from Singer to another philosopher, Cora Diamond. It is worth noting, that as far as I know neither Diamond nor Singer has read Hardy. I am independently applying their philosophies to *Jude the Obscure* because, as I said, I find their ideas are useful for understanding the kindness the characters show towards non-human animals. Diamond argues the reason humans treat other humans and animals humanely is because they have certain moral conceptions of them that make mistreatment of them a breach of their conscience. I find that applying her idea of moral conceptions to the novel actually takes into account the words of the novel to explain why the characters are kind to animals while Singer's approach is not able to do this. In this chapter I will show how, if Singer were to analyze the major animal scenes in *Jude*, he would claim Jude's acts were morally right because they resulted in a sum total of pleasure higher than the sum total of pain for the creatures involved. In other words, though Jude's acts may have resulted in some suffering, the majority of creatures experienced an increase of pleasure rather than an increase of pain. This reading would make *Jude* to seem like a book in which suffering is a bad thing, something which should be avoided whenever possible. Yet the fact that the main characters, Sue and Jude, suffer so much takes one to the conclusion that Hardy may place a certain value on suffering. Diamond accounts for this suffering and asserts that humans treat other humans (and some animals) humanely, not because they seek to minimize the sum total of suffering, but because they recognize a shared commonality with animals, which allows humans to attach certain moral concepts to them. In *Jude the*

Obscure, Hardy is also suggesting that humans help other animals because they recognize them as fellow living creatures, as individuals whose suffering matters. The word individual is good to focus on here; utilitarianism does not generally focus on the individual but instead on the group (sum total of pleasure). Hardy's characters do not help animals because they see it resulting in some greater good, but because they feel for the animal's suffering and want to help that particular animal or animals in question. In the pages that follow I will examine the four major animal scenes in *Jude* according to Singer and Diamond. These four scenes are as follows: in the beginning of the novel, Jude's job is to scare away the rooks from Farmer Troutham's field, Arabella and Jude must slaughter the pig they have been keeping, Jude mercifully kills a trapped rabbit, and towards the end of the novel, Sue must sell her pet pigeons. I will examine each scene first according to Singer to demonstrate that an analysis according to him helps us understand the novel in terms of speciesism and also to demonstrate what such an analysis leaves unexplained. I will then look at these scenes in terms of Diamond to show that her account explains aspects of the text, which Singer's cannot. I look at all four scenes because each one is an example of a different moral concept. The scene with the rooks represents charity, the pig scene illustrates justice (or lack thereof) and pity, the rabbit scene is a pure example of pity, and the pigeon scene demonstrates the human-pet relationship (the pig scene also points out this connection but not to the same extent as this scene). In order to demonstrate the larger utility of Singer and Diamond's arguments as tools for interpreting Hardy's novel, I will also examine Phillotson's actions towards Sue in light of them. By understanding Hardy's animal scenes in terms of Diamond, one

gains not only a better understanding of his views on animal rights, but also a clearer understanding of one of the main themes of his novel: pity for all living creatures.

In a Singerian account, Jude feeds the rooks in Farmer Troutham's field because he is taking their interests into account. Jude's job is to scare away the rooks but he feels for the birds and finds himself unwilling to do this. The birds have an interest in not starving. By considering the rooks as being as worthy of the food as any human is, Jude is not being speciesist. According to Singer, "the speciesist allows the interests of his own species to override the greater interests of members of other species" (21). When one is being speciesist, one only considers the interests of one's own species and these interests always override any interests of another species. Jude believes "Farmer Troutham can afford to let...[the rooks] have some." (14), so everyone will get to eat. Maybe Farmer Troutham will make slightly less money, but he will not starve. Jude will thus cause the least amount of pain among animals and humans overall by feeding the rooks: the rooks will not starve and neither will the humans. Everybody wins so Jude is being a good utilitarian (maximizing pleasure, minimizing pain).

Farmer Troutham and Jude's aunt are being speciesist in their feelings towards the rooks. According to Jude "there was a good crop in the ground...and [Farmer Troutham] wouldn't miss it" (15) if some portion of it were fed to the birds, so the sacrifice Troutham would have to make in order to let the birds eat would be minimal. Troutham sees feeding the rooks as throwing away his crop, but he would presumably see the value of feeding a starving human. Jude's aunt is quick to tell Jude that "of course" he was "wrong" (16) in feeding the birds. The fact that she says "of course" shows that she sees the right action in this situation as being obvious: Jude should have scared away the birds

so Farmer Troutham could have his crops in entirety. She sees no merit in helping them. Presumably she too would understand Jude's reasoning more if he was feeding starving people.

Jude feels a connection to the birds that has nothing to do with their "interests". He does not feed them to keep them from dying, but because he sees a similarity between himself and them, because he sees the birds as "gentle friends and pensioners" (14) who feel rejected by their fellow creatures just as he does. Jude, who is only a burden to his aunt, can relate to being unwanted and so he cannot bear to continually scare them away. Jude also talks of how "a thread of fellow-feeling united his own life with theirs" (14). Jude's feeling of oneness with the birds allows him to extend the moral concept of charity towards them. He extends the food to them as a gift just as he would to a fellow-human. Jude's feeling of connection with the plight of the birds has nothing to do with their Singerian interest in not starving.

According to Diamond, Jude sees a commonality, a fellowship, between his own life and the birds. He lets them eat because he feels empathetic towards their suffering. Diamond describes the fellow-creature response as not referring to an animal as "something with biological life [but rather] a being in a certain boat... which may be sought as company" (102). This metaphorical boat is the boat of life in which all sentient creatures experience joy and pain. Jude can seek the company of and relate to the birds because they both share in the experience of living³.

³ It is interesting to note that Hardy is also interested in the 'same boat' metaphor. He refers to it in *Tess of the D'Urbervilles*, saying of Tess and her siblings, "All these young souls were passengers on the Durbeyfield ship" (15). This point further illustrates that Diamond is a good tool for understanding Hardy because she seems to be thinking in similar terms to him.

Like the scene with the rooks, Singer would analyze the pig scene in terms of speciesism and interests. In this scene, Jude and Arabella must slaughter the pig they have been fattening because the pig-killer has not arrived. Jude is hesitant about doing this and wants to put it off, but Arabella insists it must be done. Jude's anxiety about killing the pig seems to be motivated by a utilitarian desire to reduce the pig's suffering, while Singer would describe Arabella as being speciesist. Jude first discovers Arabella's attitude toward the pig when, as I mentioned, he tries to put off killing it and Arabella tells him:

“Can't be put off...He ate the mixing o' barleymeal yesterday morning.”

“Yesterday morning? What has he lived on since?”

“Nothing.”

What—he has been starving?”

“Yes. We always do it the last day or two, to save bother with the innerds. What ignorance, not to know that!” (53)

By not feeding the pig, Arabella is saved work; she only considers this, and not the fact that in the interim the pig would have to starve. She then tells Jude to not stick the knife in the pig too deep because

The meat must be well bled, and to do that he must die slow. We shall lose a shilling a score if the meat is red and bloody...every good butcher keeps unbleeding long. He ought to be eight or ten minutes dying, at least. (53)

Once again her thinking process never considers the suffering of the pig. To “die slow” would be agonizing for the pig, prolonging his pain, but Arabella only thinks of how it will result in more money than killing it quickly will. In this scene, Arabella's interest in making money, overrides the pig's interest in not suffering. Jude, unlike Arabella, takes into account the interests of the pig. He does not even want to kill the pig, let alone make it suffer.

Based on my reading of Singer, he would be unsure whether to classify Jude as a speciesist. From a letter Singer wrote to Michael Pollan, he says that it is wrong to kill an animal that “has a sense of its own existence over time and can have preferences for its own future” (Pollan 10). In other words, if an animal is aware of its existence and can have desires which reach beyond its immediate presence, then it is wrong to kill that animal. Pigs are very intelligent creatures so they must likely be aware of their existence and have wishes for the future. Therefore, Jude is being speciesist in killing the pig. If pigs do not have this ability, however, then Jude is not being speciesist because he is killing the pig painlessly.

Diamond helps us account for the aspects of this scene that Singer cannot. Reading this scene according to Singer leaves us unable to account for or comment on three crucial aspects of Jude’s feelings for the pig: the physical connection Jude feels to the pig (“a creature I have fed with my own hands”), the pity Jude takes on the pig, and the sense of injustice Jude feels after he has killed the pig. She explains that humans, as moral beings, generally feel a connection to all living creatures that causes them to attach certain concepts to them. I use the word ‘generally’ here, because Diamond’s “approach...is not usable with someone in whom there is no fellow-creature response” (105). In other words, Diamond’s argument is only relevant for people who already feel a connection with non-human animals and not for people who feel indifferent to non-human animals. The argument cannot create feelings that are not there, but uses feelings that are present in most of us to outline an argument for why we should care to treat animals humanely. Jude feels a relationship to the pig, like one between owner and pet. He feels pity for the pig, because he sees it as “his fellow-mortal” (55). According to

Diamond, pity involves hearing the moral appeal of another creature to have mercy on its suffering. On looking at the “white snow, stained with...blood” (55), Jude feels a sense of injustice because he sees it as his inaction towards the pig’s moral appeal. Jude feels it is unjust that he took the life of this fellow-creature who shared in life just as he does.

In the scene in which Jude mercifully kills the wounded rabbit, Singer would say Jude killed the rabbit because he recognized its desire not to be in pain. The rabbit could not be saved, so Jude put it out of its misery. The person who set the trap is being speciesist. He is ignoring the rabbit’s interest to be out of pain. As Jude makes clear both a ‘good’ and ‘bad’ catch involve suffering for the rabbit.

Jude does not simply recognize the rabbit’s pain; he literally imagines all “the agonies of the rabbit from its lacerated leg” (169). The rabbit’s suffering is almost his own and he feels impelled to help it. This is a clear example of what Diamond claims Singer’s philosophy ignores: pity. If she were to read this scene, she would say Jude kills the rabbit because he is “hearing...[its] moral appeal” (Diamond 106). The person who set the trap does not consider the rabbit a fellow creature because he has placed the rabbit into the class of “vermin”. We know the trapper has placed the rabbit into this class because he has set a trap with the sole purpose of killing the rabbit. The rabbit’s life and suffering is of no consequence to the trapper, he only cares about getting rid of the rabbit so it will no longer be able to eat away at the crops. This classification of the rabbit as vermin allows the trapper to treat it with less respect than he would possibly give to other animals.

According to Singer’s philosophy, Sue releases the pigeons she has just sold to the butcher because she recognizes their interest not to die. This analysis is problematic,

though, because Singer only has a problem with suffering, not death. The birds most likely have no conception of death so they would not care about dying as long as it did not involve pain. In this case the poulterer is not being speciesist if the birds do not have an awareness of their existence or desires for the future as long as he kills them painlessly. Killing the birds, actually could cause the most amount of pleasure. By selling the birds, Sue and Jude gain money and also help the poulterer who profits if he is able to sell the birds and whoever buys the birds will be satisfied with “a nice pie...for next Sunday dinner” (242), In contrast, by Sue releasing the birds, she and Jude lose money, the poulterer does not make a profit, whoever would have bought the birds is deprived of the pleasure of eating them, and the birds “must take their chance” (243), meaning even though the birds have been saved from being murdered, there is still no guarantee that they will fare any better in the wild.

Diamond would claim that Sue releases the pigeons because “[t]hey were [her] pets” (242). By having the birds as pets, we can assume, though Hardy does not tell us, that Sue most likely feeds and takes care of them. Sue is not the only one giving in the relationship, however; in exchange for her care, the birds probably show some affection to Sue or she is at least rewarded by seeing them thrive. She cannot bear to know that “her dears” (242) will be killed for food. Diamond explains the special status we give to the animals we call pets. Humans attach the same moral ideas to a pet that they would to perhaps a child or friend. The idea of someone one cares being made into a pie, rather than being respected as an end in itself, is distressing. Sue cannot bear to let this happen to her pet pigeons.

Phillotson's act of kindness towards Sue would be difficult for Singer to analyze from a utilitarian standpoint. This difficulty, along with the difficulty of reading the pigeon scene according to Singer, points out that though Singer can be helpful in understanding *Jude*, it is not the best tool because it leaves some aspects of the novel unexplained. Singer could try to argue that Phillotson's guilt in keeping Sue outweighed him forcing her to stay. Phillotson, never, however, mentions any feelings of guilt; he instead acts because of a conviction that to not help Sue; would be morally wrong. Does Phillotson's conviction that, in letting Sue go, he "did only what was right, and just, and moral" (250), outweigh the monetary and emotional costs he incurs as a result of it? Phillotson admits he has "suffered for my act and opinions [and that] her loss was a loss to me in more ways than one!" (250) He feels morally justified in his release of Sue but he is in no way enjoying the lonely life he is left with as a result of his convictions. Therefore, just like the preceding examples in regards to animals, Phillotson's act results in more pain for himself. The pleasure Phillotson gives to Sue in setting her free of her marriage to him also seems to be minimal compared with the great tragedy she suffers due to living with Jude. Nobody seems to win in this instance and utilitarianism leaves us feeling like Phillotson's act of kindness was ultimately pointless.

Diamond would more thoroughly account for Phillotson's act towards Sue. She would see Phillotson's release of Sue as the result of his conception of human beings in general. Phillotson sees Sue as a fellow-creature and concludes "that it is wrong to so torture a fellow-creature any longer; and I won't be the inhuman wretch to do it, cost what it may!" (182) Phillotson sees that by forcing Sue to remain married to him, he is torturing her. She cannot bear to be physically and emotionally tied to a man whom she

does not love. Phillotson's act towards Sue involves two concepts that Diamond discusses: charity and pity. Phillotson exercises charity towards Sue because he was not required to release her. In fact, as Arabella tells him, in forcing Sue to stay, he has "got the laws on [his] side" (251). Phillotson pities Sue because he sees how much she genuinely suffers as his wife. She literally jumps out of a window so she will not have to touch him. According to Diamond, pity is hearing the cry of another to relent. Phillotson tells Gillingham that Sue "has pleaded for release... knelt to and implored indulgence of" (183). This indulgence is the extreme kindness or charity, required of Phillotson willingly to release Sue. She, unlike an animal, is able to speak and so can literally ask Phillotson to release her. When humans pity animals, according to Diamond, they are imagining that they are begging, as Sue is, for mercy.

Hardy did not believe in the balancing act of utilitarianism, where the pleasure of the action should outweigh the pain. For example, even if the pain Jude incurred from feeding the rooks was less than the pleasure the rooks gained by eating, this would not make up for Jude's suffering. According to Hardy, no amount of pleasure can make up for the suffering of another. In a letter, Hardy expounds on this point:

Pain has been, and pain is: no new sort of morals in Nature can remove pain from the past and make it pleasure for those who are its infallible estimators, the bearers thereof. And no injustice, however slight, can be atoned for by her future generosity, however ample, so long as we consider Nature to be, or to stand for, unlimited power. The exoneration of an omnipotent Mother by her retrospective justice becomes an absurdity when we ask, what made the foregone injustice necessary to her Omnipotence? (*The Life of Thomas Hardy* 315)

Hardy is saying pain exists as something unchangeable, "pain has been, and pain is". No hidden morality of Nature can take away pain that someone has felt in the past and turn it into "pleasure" for someone else. The idea of pain being a fixed entity also applies to

individuals. Nature cannot inflict pain on a person, “however slight”, and make up for it later by being particularly generous to that person. He claims Nature cannot do this because she is “omnipotent”, therefore, she had the ability to prevent the pain; there was no legitimate reason for Nature with “unlimited power” to have inflicted the injustice in the first place.

Conclusion

*“Though I give my body to be burned, and have not charity, it profiteth me nothing.”
--1 Corinthians 13.3*

Hardy is suggesting throughout the novel, that we should not help animals or people for utilitarian reasons (to increase pleasure for oneself or others), but because it is the right thing to do. Jude and Sue are both people who are incredibly sensitive to the suffering of animals, and because of this sensitivity they too must suffer. After Jude has been beaten for feeding the rooks, the narrator tells us that “[t]hough Farmer Troutham had just hurt him, he was a boy who could not himself bear to hurt anything” and that this sensitivity “suggested that he was the sort of man who was born to ache a good deal” (15). Even though Jude suffers for helping the rooks and even though the rooks’ pleasure does not make up for this suffering, Jude does not regret helping them. In her book on Hardy, Virginia Hyman explains the logic behind why one must suffer for being kind in Hardy’s works: “since altruism required giving up one’s selfish desires, it required the necessary sacrifice of hopes for personal happiness” (21). Jude is willing to give up his own happiness, his job, and freedom from being beaten in exchange for helping the rooks. Yet, though kindness to animals causes suffering to those who practice it, Hardy is not telling people to be indifferent to animals’ sentience or to their own pity for fellow creatures.

The language of the narrator consistently implies that he supports Jude and Sue’s sympathy for animals. When describing Jude’s sensitivity towards animals he first refers to it as “this weakness of character,” but then qualifies this label by saying “as it may be called” (15). The phrase “as it may be called” seems to imply that although other people would see Jude’s sensitivity as being a weakness, Hardy does not. During the pig-killing

scene, the narrator refers to the pig not as meat but as “the victim”. This naming of the pig implies that the slaughter of the pig is in reality a murder. The narrator also illustrates the connection Jude feels towards the pig calling it his “fellow-mortal” (55). The spilled blood of the pig is described as being “a dismal, sordid, ugly spectacle—to those who saw it as other than an ordinary obtaining of meat”(54). Once again, in drawing our attention “to those who saw it,” Hardy implies that many people would not see anything wrong with the slaughter of a pig. By asking us to look at the upsetting details of the scene—the pig crying and squealing for its life—Hardy urges us to recognize it as morally problematic and truly an ugly, horrible “spectacle”. Hardy obviously wants his readers to see the pig-slaughter as a moral problem because he describes it in graphically upsetting terms. As the pig is dying, Hardy describes it going through a series of emotional stages: fear, “rage” (53), “despair” (53), and “agony” (54). One could argue that, in attributing these emotions to the pig, Hardy is anthropomorphizing it. While Hardy may or may not be doing so (after all, who can say what a pig feels), the fact is irrelevant to Jude’s empathy for the pig. He feels for the pig before he has attributed any human emotions to it, when he heats the fire to “scald the bristles from...an animal that as yet lived, and whose voice could be continually heard” (52) and also when he discovers the pig has been crying because it has been starving. Hardy thinks Jude is right in his actions and does not see him “as...a tender-hearted fool” (54), though his narrator describes him this way. That Hardy is being ironic here, in espousing the views of society at large, is made clear by the sentence describing Jude’s reaction to seeing the pig’s blood on the snow:

The white snow, stained with the blood of his fellow-mortal, wore an illogical look to him as a lover of justice, not to say a Christian; but he could not see

how the matter was to be mended. No doubt he was... a tender-hearted fool.
(55)

Jude cannot see a solution to his feelings of unrest, and so he concludes he must be overly sensitive. The blood of the pig wears “an illogical look to [Jude] as a lover of justice [and] a Christian” because the slaughter of it is not in agreement with either the tenants of Christianity or justice. Therefore, Jude is not a fool, but just the opposite: someone smart enough to see the contradiction between society’s morals and society’s practices.

Singer argues human beings should be kind to animals because they are the same, while Diamond and Hardy argue it is human beings’ morality, their difference from animals, which makes kindness to them necessary. The ultimate problem with Singer’s argument for animal rights, according to Diamond, is that it attempts to erase the distinction between human and non-human animals and we are left with:

no footing... from which to tell us what we ought to do, because it is not members of one among species of animals that have moral obligations to anything. The moral expectations of other human beings demand something of me as other than an animal. (106)

In other words, the reason human beings should treat animals humanely is not because animals are just like humans. Human beings, unlike animals, can see a difference between something that is morally right and wrong. Hardy and Diamond are asking their readers to take on the added responsibility that comes with heightened self-awareness and intelligence.

According to Diamond and Hardy, part of being a human, means being naturally inclined to feel pity. Diamond explains how the concept of pity “depends upon a sense of human life and loss and a grasp of the situations in which one human being can appeal for pity to another, ask that he relent” (106). Diamond claims that Singer’s utilitarian

claim for animal rights ignores the role pity plays in human beings' relenting (having mercy) towards their treatment of non-human animals. Hardy also discusses the role pity plays in human beings' actions towards animals, though he did not always call it by this name. When his characters help animals, they are often moved to do so by an "impulse" or "instinct" that makes it painful for them not to help. Sue releases the birds from the poulterer because "an emotion at the sight of them...caused her to act on impulse" (242). This idea also applies to humans helping other humans in *Jude* as when Phillotson says he has decided to release Sue because he is "simply going to act by instinct" (183). By acting according to impulse, Hardy's characters seem at first to be embracing what is natural and hence acting according to cruel, indifferent nature. Diamond helps us see that Hardy's characters are not copying nature, but instead responding to human beings' natural instinct to help others. In Hardy's works, "nature is depicted at times as cruel and without sympathy; yet there are repeated suggestions of advocacy of the free play of natural impulses" (Chew 60). This "free play of natural impulses" is human beings' defense against indifferent nature. Though this 'defense' causes suffering for humans, it also asserts their humanity. Human beings are moral beings who can recognize suffering and try to minimize it. In all of the cases where Hardy's characters help animals, they have a gut feeling or impulse that pushes them to help. Diamond's account of why humans should treat animals humanely, embraces this gut feeling by acknowledging the role pity plays in human beings' kindness towards animals, while Singer's ignores the role pity plays. Singer's argument instead attempts to use reason to prove that all people should be opposed to the mistreatment of animals on logical grounds. It is ironic that

Singer's philosophy of animal rights ignores pity, because ignoring pity is the very thing that allows people to abuse animals in the first place.

Singer's solution to ending the inhumane treatment of animals is actually part of the problem. Diamond calls his approach "destructive". By attributing equal rights to all living beings, we do not help animals, but instead erase the reasons we should treat anyone humanely. When people are unable to imaginatively hear the cries of animals to stop, to have mercy, they are able to abuse them without it bothering their consciences. Arabella metaphorically silences this appeal when she cuts the windpipe of the dying pig, making him "instantly silent" (54). According to Diamond, pity is a purely human emotion because it requires imagination. Nobody can know what it is like to be another human or non-human animal; the best anybody can do is remember one's own experiences and imagine how he or she would want to be treated. When we, as humans, see an animal suffering, we are "hearing...[its] moral appeal" (106). Of course, not all humans are able to or want to listen to this moral appeal, but the majority of humans do tend to cringe at the thought of an animal suffering. Those that do not may have learned to ignore such feelings; perhaps this is why Arabella can act so callous towards the suffering of the pig. Her family is in the pork business, so she has seen pigs being slaughtered all her life, she has become desensitized to any feelings she may have originally had towards the pigs' sufferings. Diamond is not saying that by pitying animals, we are claiming that we are equal to animals or that we are giving them human traits (anthropomorphizing). Instead, we are using our awareness of both what it means to die and the agony of pain in order to truly recognize both what we are doing by being

cruel to animals and also why we should stop. This is what Jude is trying to get Arabella to do when he tells her to “have a little pity on the creature!” (54)

Hardy’s ideas on kindness are present in most, if not all, of his works. This idea being, in the words of Hardy, that “pain to all upon it [the world], tongued or dumb, shall be kept down to a minimum by loving-kindness” (Hardy *Apology* 186). In other words, Hardy believed the solution to the indifference and cruelty of nature, was for people to practice altruism towards all living beings. This quote could be read in utilitarian terms, however, it is important here to focus not on the word “minimum” because he did not believe in the utilitarian idea of minimizing pain; that implies that pain can be made up for with future pleasures. He did believe, however, that human beings could improve civilization by caring and helping all living beings and that to act otherwise, “to model our conduct on Nature’s apparent conduct...can only bring disaster to humanity” (*The Life of Thomas Hardy* 315). The only way humans can ever improve civilization as a whole, according to Hardy, is through the act of feeling for the suffering of others and acting on this feeling. The critic John Marks claims that “‘Kindliness’ ... is, it seems, the unassuming, everyday yet supreme human virtue for Hardy” (53). Hardy tried to exercise this intense sympathy or “kindliness” in his own life. The critic Henry Nevinson claims that “if we all felt that sensitive sympathy and imagination, I suppose we should never cause pain to any living creature, certainly not for our pleasure or our pride” (18). The critic J.O. Bailey describes Hardy’s hope “that human actions can make the circumstances of life and life itself better in ethical quality and in happiness than they have been” (570). Hardy’s belief in the betterment of society through human actions proves that contrary to popular belief, Hardy was not a pessimist. Diamond teaches us

that the core of this kindness is pity. Hardy saw Darwin's theory of evolution as proving without a doubt

the necessity of rightness [of] the application of what has been called "The Golden Rule" beyond the area of the mere mankind to that of the whole animal kingdom... While man was deemed to be a creation apart from all other creations, a secondary or tertiary morality was considered good enough towards the "inferior" races; but no person who reasons nowadays can escape the trying conclusion that this is not maintainable. (*The Life of Thomas Hardy* 349)

Human beings and animals evolved from the same common origin; therefore animals deserve the same compassion as humans. Hardy felt for all living beings and saw his books as being "one plea against "man's inhumanity to man"—to woman—and to the lower animals" (Archer 46).

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