

Animal Death

1. Happy Farms: Those who are convinced of the wrongness of purchasing factory-farmed meat often continue to believe that it is nevertheless permissible to purchase *humanely raised* meat (i.e., meat from an animal that was raised happily, and then killed quickly and painlessly). Is that correct? Is it permissible to eat cruelty-free meat?

It will be helpful to begin with a human case:

Human Organ Farms Presently, over 100,000 people are on a waiting list, in need of a life-saving organ transplant. In response to this problem, we start a farm. 100,000 human beings are raised from birth, in a happy, fun-filled setting. The children are fed the best foods, given daily massages, lots of time to play outdoors, and so on. Then, on their 18th birthday they are quickly and painlessly killed in their sleep (and then their organs are harvested).

Is it morally wrong to run a happy human farm such as this? Or wrong to purchase organs from them? Clearly, YES. Such a farm would be a moral atrocity.

But, note: You think it's wrong to run a happy human organ farm for the benefit of SAVING HUMAN LIVES! Meanwhile the benefit of a happy animal meat farm is merely gustatory pleasure! So, clearly, the latter should be even HARDER to justify morally... unless we can identify a morally relevant difference between humans and animals which would render them permissible, even while happy human farms remain morally wrong.

A Prima Facie Case for the Wrongness of Killing Animals

1. The death of a happy animal is **bad** for that animal.
2. If death is bad for a happy animal, then killing a happy animal **harms** it.
3. We have a prima facie **duty** to do no harm (i.e., non-maleficence).
4. Therefore, we have a prima facie duty not to kill happy animals.

2. Against P2: Does Killing an Animal Harm It?: One common sentiment is that to HARM an animal is to put it into a positive state of SUFFERING. But, humane farms merely put them into a state of NON-EXISTENCE. Maybe that's not a harm.

Okay then, let's start by considering a *human* case:

Yorick Yorick is 22 years old. He is very happy, and has many hopes and dreams about his future. One day, he is accidentally hit and killed by a drunk driver.

Doesn't the driver HARM Yorick in this case? Seemingly, YES. So, what does it mean to 'harm' something? Here's a plausible answer:

Harm To make something worse off than it otherwise would have been.

Okay, what does it mean to make something 'worse off'? Well, 'WORSE off' literally means 'MORE BADLY off'. And that seems to be the key: Whatever it is that makes a life GOOD—the drunk driver TOOK THAT AWAY from Yorick. So, the driver harmed Yorick, since his death deprived him of a LOT of goodness—and therefore made him much **worse off than he otherwise would have been**. In the actual world, he died at age 22. But, had he not died, he would have lived a long life filled with good things. Living a long, good life is much better than being dead. Therefore, Yorick was harmed.

[Note: Some don't think it's possible to compare non-existence to existence. "You can't compare being dead to being alive!" they'll say. But, we needn't do so in order to see why Yorick's death was bad for him. For, either way, it's still clearly true that a good life of only 22 years is much worse than a good life of, say, 80 years.]

Contrast this with Oliver's death:

Oliver Oliver is 91 years old. He has lived a very good life. Now he has a terminal illness, and lays in a hospital bed suffering from incurable pain. The only dose of morphine strong enough to relieve the intense pain is one that will also kill Oliver. The doctors administer the painkillers at Oliver's request and he dies.

Did the doctors HARM Oliver? No. They did not make him worse off than he otherwise would have been. If anything, they made him BETTER off than he otherwise would have been, since, had Oliver not died when he did, he would only have lived on to experience intense suffering. Okay, so far, so good.

But, then, we can say the same for two cases involving *animals*. Now compare:

Spot Spot is a happy puppy living a good life. One day, while frolicking in the woods with his owner, he is accidentally shot and killed by a drunken hunter.

Rover Rover is a 15 year old dog, who has lived a very good life. Now Rover is dying and in extreme pain. Rover's owner takes him to the vet, where he is painlessly put to sleep.

If you thought that the drunk driver deprived Yorick of many goods, then you should say the same about the drunken hunter and Spot! Indeed, it seems that the hunter harms Spot, while the vet does not harm Rover. Indeed, the alternative for Rover (namely, laying there in extreme pain) is SO bad, that we'd likely consider you a monster if you told the vet that you'd prefer that Rover not be put down. So it seems that:

The Badness of Death Death is bad for an individual, S, to the extent that it results in S's life containing less good than it would otherwise have contained.

Given this and our account of 'harm', both Yorick's and Spot's killers have **harmed** them.

3. Against P1: Is Animal Death Bad?: Wait a second. We seem to have just assumed that the death of both humans and animals is bad. Sure, both Spot's and Yorick's lives being cut short makes them contain "less GOOD" in them if you have a HEDONISTIC account of good (where what makes a life good is happy or pleasurable experiences). But there are other, competing accounts of what makes a life good. And, perhaps on some of them, death is bad for humans, but not for animals. Here's one example:

Desire Satisfaction (DS) An event is bad for an individual, S, only if it frustrates the satisfaction of a desire that S has. (In the case of death, S's death is bad for S if it frustrates S's desire to continue living, to achieve certain goals, etc.).

If that is true, then this would seem to entail that—while death is bad for HUMANS—it is not bad for ANIMALS. For, only humans (and perhaps some of the other higher mammals) have the appropriate desires to continue living, to achieve future goals, etc.

This even seems to be Peter Singer's position! He writes,

"taking the life of a person will normally be worse than taking the life of some other being, since a being which cannot see itself as an entity with a future cannot have a preference about its own future existence."

Objection: But, imagine a depressed person who has no future-oriented desires. She has no plans, no goals, no desire to continue living, and so on. However, IF they were to continue living, one day soon their life will begin to get better, and they'll end up living a long and happy life. Now, imagine that this person steps in front of a bus. Isn't their death still bad for them? If you could save them, wouldn't you be doing something GOOD for them? (*Norcross gives the example here of Thelma Thoughtless who doesn't want to go to the dentist, and asks if going to the dentist is bad for her.*)

Reply: Saving this person frustrates a PRESENT desire and fulfills no PRESENT desires. However, it does ultimately fulfill many FUTURE desires that they WILL have (i.e., someday, this person will be happy and have many, many desires fulfilled, and THAT is why their death is bad for them). In short, we should modify DS as follows:

Desire Satisfaction* (DS*) An event is bad for an individual, S, only if it frustrates the satisfaction of a desire that S has, or *will have*. (In the case of death, S's death is bad for S if it frustrates S's any desires—that it either has presently, or *will have* in the future—to continue living, to achieve certain goals, etc.).

Objection: We COULD make this move. However, now it seems that animal death IS bad. For, even if animals do not presently have future-oriented desires (i.e., desires about their future lives), surely they WILL have PRESENT-oriented desires. Even a pig enjoys PRESENT pleasures and dislikes PRESENT pains. So, a pig's death is bad because many, many future desires will go unfulfilled (e.g., the desire to wallow in mud, eat slop, etc.).

Reply: Ok, but there are other accounts of goodness. Perhaps we could propose:

Preservation of Autonomy (PA) An event is bad for an individual, S, only if it prevents S from making autonomous decisions. (In the case of death, S's death is bad for S only if it erases future autonomous decisions which S would have otherwise made.)

Many suppose human beings to have a certain sort of control (or free will) over their lives which animals lack. Maybe the death of a human is uniquely bad for humans because it removes future free choices, while the death of an animal does no such thing.

Objection: But, consider a case like Oliver's:

Suffering Patient Alastair has an incurable terminal illness. He is in immense, unrelievable pain and wishes for death. While he is in pain, he makes many autonomous decisions. But, in the night, he suffers a stroke and dies.

On the present account, Alastair's death was BAD for him! (because it removed many of his future free choices) But, that's absurd. In all likelihood, we'd say that his death was rather a blessing. For, he was able to escape the excruciating pain.

Reply: Perhaps the hedonist is only PARTIALLY right. Maybe we could suggest that both future free choices AND future pains and pleasures can make a life better or worse?

Rebuttal: We COULD make this move. But, notice that NOW we've admitted that death IS bad for animal. Maybe SLIGHTLY LESS bad than the death of a human (since the death of a happy animal only prevents its future happy experiences, while the death of a happy human prevents both future happy experiences AND future free choices). But, still bad.

(Furthermore, as Norcross notes, in the case above, when one's future contains both free choices and intense suffering, we STILL consider it an overall BAD future. So, if free choices DO have value, they must not have a LOT of value, since their goodness is easily overridden by intense pain.)

4. Personhood: Revisiting P1: Okay, consider the following case:

Amnesia Surgery: You have a terminal illness. There IS a cure, but it requires a surgery which will erase your mind. You are given two options: (A) Live 5 more years of a painless, happy life and then die painlessly of the disease. During those 5 years, you keep your memories, personality, etc. (B) Have an operation right away, which will cure your body of its illness so that your body will live 50 more years of a painless, happy life. However, your mind will be erased such that, when your body recovers, it will not remember any of your current friends or family. It will retain the ability to read and write, drive a car, etc., but is unlikely to develop the same personality, opinions, preferences, goals, or desires. Your body on the other side of the surgery may or may not end up behaving NOTHING LIKE you currently do.

Would you prefer to have the surgery or die in 5 years? Norcross believes that—if you care only about YOUR OWN well-being—you ought to refuse the surgery (and live only 5 more years). Why? Because the person, or “self”, that is YOU does not survive the operation! Simply put, our survival into the future is dependent upon having the appropriate sorts of PSYCHOLOGICAL CONNECTIONS to our future selves.

So, while it would be nice of you to go into surgery, you’d really just be giving a stranger 50 years of life with your sacrifice. It would not be a good outcome for YOU, personally. We should only be happy to know that the operation succeeded in the same way that we would be happy to know that someone else’s life was saved after you died in a car accident and your organs were transplanted into them.

[Do you agree? If not, it might help to ask: (a) If your loved ones said they’d have your favorite meal ready for the person who wakes up after the operation, would it be rational for YOU to be excited about YOURSELF eating it? (b) If you committed a crime just before the operation, would it be fair, or just, for the police to capture and imprison the person who wakes up after the operation? We generally consider it unjust to punish someone for committing a crime that they didn’t commit—i.e., that was committed by another person.]

Side Note on Abortion: Some argue that abortion is wrong because it deprives the fetus of its valuable future. Norcross disagrees. Fetuses do not have valuable futures.

Now, we’ve said that you can harm an individual by causing it to suffer, presently; or, you can harm it by *taking away* some good that it presently has. Imagine an adult human being, Ardbeg. Killing Ardbeg harms him because you took away a good thing that he had. Before he died, he had a good future ahead of him. But note that this can only be true if ARDBEG—this very man, this subject of experiences—both PRESENTLY exists AND will STILL exist in the future. Otherwise, how can HE have a good future ahead of him if he doesn’t even EXIST at any later times?

Ok, but now consider the 'person' that you are; i.e., the self-aware, thinking SELF that is YOU, the subject of experiences that you find when you look inward and realize, "I think, therefore I am." Now ask: Was that thinking 'self' ever a fetus? Arguably, NO.

Rather, fetuses are biological organisms that will one day be HOSTS to thinking persons, or 'selves'. But, in the womb, they are not yet thinking, self-aware persons.

But, then, fetuses are not the sorts of things whose lives matter TO THEM. Killing a fetus deletes future happiness, to be sure. But, this deletion is not something that matters TO THE FETUS; i.e., the fetus doesn't care; it has no personal significance FOR THE FETUS.

Do you remember being a fetus? No. There are no psychological connections between you and the fetus that you came from. As such, the goodness of your life is not a good FOR THAT FETUS—no more than the 50 years of life that the survivor of the surgery in case B is good for pre-operation YOU. If you choose to undergo the surgery, it will be good for some OTHER person, but not for you. Similarly, if a fetus is carried to term, rather than aborted, it will be good for some LATER person, but not good for the fetus. Norcross writes,

an abortion may have an effect on the total amount of well-being in the world, but it doesn't personally deprive the fetus of well-being in the same way that murder personally deprives an adult victim of well-being. ... The significance of the deprivation of a future to a victim clearly differs between persons and nonpersons.

Norcross views animals in the same way that he views fetuses. That is, he believes that, while the death of an animal DOES remove future well-being, this deprivation does not affect the animal PERSONALLY (since the animal is not cognitively the sort of thing that is appropriately connected to its future, psychologically).

Norcross draws a distinction between those animals that are the **continuing subjects of a life** (i.e., those with a "self", or identity, that persists over time), and those that are **merely sentient** (i.e., merely capable of experiencing pleasure and pain). He writes,

Merely sentient creatures can suffer and enjoy, and such sufferings and enjoyments are clearly significant. Subjects-of-a-life also have lives that are important to them. It is possible for more to matter to them than merely avoiding pain and experiencing pleasure. Their *lives* matter to them.

He continues,

A merely sentient animal's life contains well-being. Its enjoyments contribute positively and its sufferings negatively to its well-being. The death of such an animal may prevent future enjoyments or future suffering. It may thus make a negative or positive difference to the net amount of well-being in the world. In this sense, the death of any merely

sentient animal has significance. But it's not clear that it has significance *to the animal*. Whether a merely sentient animal lives or dies has, *to the animal*, the same kind of significance as whether procedure B succeeds or fails has *to me*. If a merely sentient animal continues to live, there will be more of whatever well-being that animal experiences, but there won't be personally significant connections between the animal now and the animal later. Likewise, if procedure B succeeds, there will be more of whatever well-being that later person experiences, but there won't be any personally significant connections between me and that person.

In short, the death of Spot makes THE WORLD worse off, in virtue of making it contain less doggy happiness (or desire satisfaction, or whatever). But, it does not make SPOT worse off—because those future goods would never have been experienced by Spot. Rather, they'd be experienced by some other dog. Roughly, **any particular dog only exists in the present moment, and no other**. He writes,

But, in order for the future individual who would have existed to be the SAME individual as the present individual who dies, that individual must have (i) an identity that (ii) persists through time. Only persons meet criteria (i) and (ii). Therefore, the death of a person is morally worse than the death of an organism that lacks personhood.

5. Conclusion: Norcross's conclusion is that, while the death of a non-personal animal is bad (because it subtracts from the total quantity of happiness in THE WORLD), the death of a personal animal is much worse, morally (because, in addition to subtracting from total happiness, it is also morally significant TO THE INDIVIDUAL WHO DIES). He writes,

The death of a merely sentient animal may prevent the existence of well-being, and is thus morally significant. The death of a self-conscious animal is, in addition, *personally* significant.

Objections: (1) Human infants don't seem to be persons. Does this view entail that the death of a baby is much less morally significant than the death of a typical adult?

(2) Clearly, human beings have many strong psychological connections with their younger individuals (e.g., consider your 10 year old self), and clearly oysters do not. But, there seems to be some gray area in between. Maybe dogs and cats (and pigs, which are as smart as dogs) DO maintain some degree of identity over time. After all, they seem to have some rudimentary form of memory of the past, and anticipation of the future, and so on. Are their deaths PERSONALLY significant? Perhaps. If so, then it is still morally wrong to, say, eat cruelty-free bacon (but at least this would take care of the baby objection above). Or, how about cows? chickens?)

In short, it is not clear that Norcross avoids "the problem of marginal cases".

(3) Imagine a horse with a terminal illness. It will suffer intensely for several months and then die if we do nothing. But, I can perform a surgery on it which will cure the horse, but will cause the horse to suffer intensely for a short while during the surgery. Clearly, it is PERMISSIBLE to perform the surgery.

But, on what I'll call this "No-Survival" view of animals, the present experiencing subject which is the horse is not the sort of thing that continues to exist over time. There will be *A* horse in the future—but THIS experiencing subject doesn't have the right sorts of psychological connections with any later horse to count as sufficient for its survival. So, in effect, by performing the surgery you'd be HARMING one horse in order to prevent a more severe harm to some OTHER horse. But, if that were true, then it seems WRONG to perform the surgery. (In human contexts, it would be clearly wrong. Imagine me stealing your kidney to give it to a stranger who is dying of kidney failure.)

Elizabeth Harman thinks that the only way to explain the obvious permissibility of this surgery is to admit that the horse—this very horse—has an interest in getting the surgery! He has an interest in living a long happy life! (Note that interests don't need to be *conscious desires*. You can have interests that you don't know you have.) But, that could only be true if horses ARE the sorts of subjects of experience that DO continue to exist over time!

[Alternatively, the utilitarian could immediately get the intuitively correct answer by pointing out that the surgery would maximize utility.]