Animal Death

1. Happy Farms: Even if we have established that raising animals in the brutal conditions of factory farms is wrong (because they endure terrible pain and suffering while alive in such farms), it remains an open question as to whether farming is ALWAYS wrong. For, surely it is possible to raise an animal in such a way that it does not suffer throughout its entire life, and then end its life quickly and painlessly. So, we must ask: Is it morally permissible to raise a happy animal, and then quickly and painlessly kill it? In other words, is it morally permissible to eat so-called “free range” meat?

Now, it is worth considering a human case:

**Human Organ Farms** Farmers used to breed human beings for their organs in terrible conditions. The human’s cages were cramped and filthy, and they were treated cruelly, and then they would be painfully slaughtered at the age of 18 for their organs, which were then given to other people in need of organ transplants.

After many public protests of this inhumane practice, “happy farms” became common. Humans were raised from birth on happy farms, filled with pleasures. The humans were fed the best foods, given massages and fanned with palm fronds as they lay on comfy couches. They were given everything they desired until the age of 18 when they were quickly and painlessly killed in their sleep (and then their organs were harvested).

Is it morally wrong to run a happy human farm such as this (or purchase organs from them)? Surely the answer is YES. Such a farm would clearly be a moral atrocity.

So, if even HAPPY human farms are morally wrong, then it follows that even happy ANIMAL farms (in addition to factory farms) are also morally wrong—that is, unless we can identify a morally relevant difference between humans and animals which makes the former wrong but the latter permissible.

2. When is Death a Harm?: We will now ask the question, When is ending an animal’s life wrong? First, let’s consider two human cases of pre-mature death:

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

**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.
Both lives were cut short. But, Yorick’s death seems bad, while Oliver’s does not (or, even if one is opposed to euthanasia, surely it still seems LESS bad).

On any plausible account of well-being (when is a life GOOD?), Yorick’s death deprived him of all the well-being he would have had, while Oliver’s did not.

We can capture this sentiment in one of two ways:

(a) Yorick was harmed by death, because it made him worse off than he otherwise would have been (because zero well-being compared to some positive amount of well-being is worse).

(b) Yorick’s death was bad, because his actual life had only 22 years of positive well-being instead of the, say, 80 years that it would have had, had he lived.

Norcross (like Kagan) says that if you have a problem with comparing the welfare of the living with the welfare of the dead (should the dead be treated as having zero welfare?), option (b) will do the job without the need for such a comparison. Now compare:

Spot  Spot is a happy puppy, who, while frolicking in the woods with its owner, is accidentally killed by drunken hunter.

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

Again, Spot’s death seems bad, while Rover’s does not. Norcross proposes this principle:

Well-Being (WB)  Death is bad for an animal to the extent that it results in the animal’s life containing less well-being than it would otherwise have contained.

3. The Desire For Continued Existence: But, Norcross is troubled by the fact that both Jeremy Bentham and Peter Singer seem to think that human death is much worse than animal death—even though, as Utilitarians, they supposedly believe that morality is only concerned with maximizing well-being.

One suggestion: While it is true that the world would be better if Spot lived on (simply because it would contain more doggy happiness), perhaps it would not be better FOR SPOT. And this is because, perhaps Spot “lacks a conception of itself as a living being with a future” (Singer’s words). Human beings are “persons” in the philosophical sense. That is, they have a sense of self (they are self-aware), and they have goals for their own futures, and (in most cases) a desire or preference to continue living. Arguably, most animals lack such personhood. So, we might suggest that:
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. (Singer)

In short, while the premature death of both happy humans AND happy animals results in less total happiness in the world (and so is for this reason bad), the premature death of a human ALSO constitutes a frustration of the desires or preferences of that human (e.g., the desire to continue living). By ending the life of an animal, one does not go against that animal’s preferences, or deny it the fulfillment of its goals. One simply ends its sentience. Killing an animal is an IMPERSONAL wrong, while killing a human is a PERSONAL wrong. Here is a proposal:

**Desire Satisfaction (DS)** An event is bad for an individual to the extent that it frustrates the satisfaction of the desire that that individual has. (In the case of death, death is bad because it frustrates the individual’s desire to continue living).

While the death of an animal is bad according to WB, it is NOT bad according to DS.

**Objection:** Note that DS says that death is bad because it frustrates a desire that the individual HAS—not WILL HAVE. But, consider two cases:

**Franny Forethoughtful** Franny has a toothache. The dentist needs to do some tooth-drilling. Franny doesn’t want to experience the pain of getting dentist-work done, but she also does not want to experience the future pain of having cavities.

**Thelma Thoughtless** Thelma has a toothache. The dentist needs to do some tooth-drilling. Thelma doesn’t want to experience the pain of getting dentist-work done, and she never considers the future. She lives “in the moment” and so has no desires whatsoever concerning future tooth pain.

Note that if the dentist fixes Franny’s cavity, she frustrates a PRESENT desire not to have her teeth drilled. But, the dentist FULFILLS her desire not to experience a toothache in the future. On the other hand, the dentist ONLY frustrates Thelma’s present desire not to have her teeth drilled (since Thelma has no desires concerning her future). If DS is correct, then Thelma’s trip to the dentist is BAD, while Franny’s trip is not (assuming her desires about the future override her desires about the present). This seems mistaken.

It seems that having the cavity filled is good for BOTH Franny and Thelma. What seems important here is that doing so fulfills desires that they both WILL HAVE (for, the future will one day be in the present, and even Thelma WILL have a desire for her future pains to be stopped, even if she lacks future-oriented desires right now).
What Norcross is implying is that DS ought to be modified as follows:

**Desire Satisfaction** (DS*): An event is bad for an individual to the extent that it frustrates the satisfaction of the desire that that individual has, or will have. (In the case of death, death is bad because it frustrates either the individual’s future-oriented desire to continue living, or the present-oriented desire that it will have for the present happiness that it will experience).

But, if we make THIS move, then animal death now seems to be just as bad as human death. For surely even animals that are not self-conscious and do not have future-oriented desires surely still 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.).

Even if we try to say that human desires are somehow more morally important, or more numerous, etc., and this is why human death is worse than animal death, it is not guaranteed that this is the case. For, in that case, humans would have not only more desires FULFILLED, but also more desires FRUSTRATED (i.e., unfulfilled).

*Philosopher John Stuart Mill (a student of Jeremy Bentham’s) famously asked: Is it better to be a satisfied pig or a dissatisfied Socrates?*

**4. Autonomy:** Perhaps the morally relevant difference between humans and animals has to do with autonomy. Many suppose human beings to have a certain sort of control (or free will) over their lives which animals lack. We might propose:

**Preservation of Autonomy (PA)**: An event is bad for an individual to the extent that it removes one’s ability to make autonomous decisions. (In the case of death, death is bad because it erases all future autonomous decisions which the individual would have made.)

Norcross notes that, in order for PA to justify animal killings, it would need to be the case that the preservation of autonomy was much more morally important than the preservation of well-being or desire-satisfaction. Consider the following juxtaposition of these features:

**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.
Was Alastair’s death unfortunate in this case? We might say that it was rather a blessing. For, he was able to escape the excruciating pain. And yet, it ALSO deprived him of all of the remaining autonomous decisions that he would have made, had he lived. So, if we agree that Alastair’s death was a GOOD thing, then the fact that his death deprived him of several autonomous decisions must not be very important, morally.

Norcross concludes that, even if the preservation of autonomy is morally important, it is not VERY important. What seems to be far more important is well-being. And, as we have already noted, the death of a happy animal certainly deprives it of this.

5. Personhood: Perhaps the morally relevant difference between humans and animals has to do with identity. Recall a case we discussed during the unit on personal identity:

- **Amnesia Surgery:** You are diagnosed with a fatal disease. The doctor lets you know that there IS a cure, but the surgery required will erase your mind. She gives you two options: (A) Live 5 more years of a painless, happy life and then die of the disease. During this 5 years, you keep your memories, personality, etc. (B) Have an operation later this week. The operation 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 likely will not develop the same personality, opinions, preferences, goals, or desires. Your body on the other side of the surgery may or may not end up acting NOTHING LIKE you act currently.

Would you prefer to have the surgery or die in 5 years? Norcross claims that it is quite clear that—if you care only about YOUR OWN well-being—that you ought to refuse the surgery (and live only 5 more years). Sure, it would be nice if someone got to live for 50 more years because of your sacrifice, but it would not be a good thing for YOU. The positive well-being that the person who wakes up from the operation would experience would not be YOUR well-being. It would be someone else’s. As such, we would 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.

_Side Note on Abortion:_ Norcross applies the lesson here to Marquis’s argument against abortion. Fetuses are not “persons” in the philosophical sense. For, they have no psychological connections to the person that is you (you have no memory of being a fetus, the fetus has no self-awareness, no goals or desires or beliefs, and so on). Your biological ORGANISM was once a fetus, to be sure, but the PERSON that you are was never a fetus (since fetuses are not persons).
As such, the continued existence of the fetus is not good FOR THE FETUS—that is, it does not affect the fetus personally. Its survival will be no more good for it than the survival of the person who undergoes the operation in case (B) of Amnesia Surgery. 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 seems to view animals in the same way that he views fetuses. That is, he believes that, while the death of an animal DOES deprive it of future well-being, this deprivation does not affect the animal PERSONALLY (since the animal is not a person). 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.

Norcross’s final proposal is as follows:
Well-Being of Persons (WB-P)  Death is bad for an individual to the extent that it results in *that individual*’s life containing less well-being than it would otherwise have contained.

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.

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.

Worries: (1) Does this proposal still have the same problem that Warren and Marquis’s had? Namely, does WB-P entail that the death of a human infant is much less morally significant than the death of a normal adult?

(2) Does WB-P entail that it is morally permissible to eat, say, a happily raised pig? Norcross seems to suggest that the death of such an animal is just a LITTLE morally significant (and so perhaps the wrongness of killing it is overridden by the fact that it increases our own well-being, fulfills our desires, etc.).

Now, 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. For instance, dogs and cats seem to maintain some degree of identity over time (as do pigs, who are as smart as cats and dogs). Are their deaths PERSONALLY significant? Perhaps. The good news would be that that the death of a human infant would also be “personally significant”. The bad news would be that it is still morally wrong to, say, eat cruelty-free bacon.

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