



Moral Vegetarianism from a Very Broad Basis

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Abstract

This paper defends a qualified version of moral vegetarianism. It defends a weak thesis and, more tentatively, a strong thesis, both from a very broad basis that assumes neither that animals have rights nor that they are entitled to equal consideration. The essay's only assumption about moral status, an assumption defended in the analysis of the wrongness of cruelty to animals, is that sentient animals have at least some moral status. One need not be a strong champion of animal protection, then, to embrace moral vegetarianism. One need only assume some reasonable view of animals' moral status.

Keywords

animals; factory farms; family farms; meat-eating; moral status; unnecessary harm; vegetarianism

When it comes to the consumption of meat and other animal products, there is a remarkable disconnect between what people do and what makes moral sense. This is true even of philosophers and ethicists, whose job description includes critical thinking about moral issues. Most people, including most philosophers and ethicists, are not vegetarians and apparently don't feel obligated to become vegetarians. Few who live in countries where factory farms predominate try even to abstain from factory farm products—the case for boycotting which is, as we will see, especially strong. Some, of course, have argued against the meat-eating majority in favor of *moral vegetarianism*: the view that we, at least those of us with access to adequate nonanimal food sources, are morally required to be vegetarians (in some sense of this open-textured term). But most supporting arguments depend on highly contestable moral assumptions or theories such as utilitarianism or animal-rights theories.¹

¹ I use the term 'animal rights theories' in the utility-trumping sense of 'rights' so that such theories contrast with utilitarianism (as explained more fully in the text).

Some arguments for moral vegetarianism appeal to a broader basis compatible with both utilitarianism and animal-rights theories: a principle of equal consideration, extended beyond humanity. But even this broader basis is highly controversial and genuinely debatable among reasonable people.

After explaining why the usual mapping of views of animals' moral status is unhelpful in this context, and suggesting a better mapping, I argue for a qualified form of moral vegetarianism from a much broader basis—one compatible, I claim, with *all* reasonable views about animals' moral status. The upshot, and what most distinguishes this paper, is the broadest possible basis for (a qualified) moral vegetarianism. That the latter depends on very weak moral assumptions is a crucial yet neglected insight.²

The Usual Mapping of Views of Animals' Moral Status—and a Better Mapping

Discussions in animal ethics commonly contrast three views: (1) utilitarianism, (2) animal-rights theories, and (3) views according to which animals lack moral status.³ This may be due to certain historical accidents: that the first two works in animal ethics to make academic waves were by a utilitarian and an animal-rights theorist, respectively⁴; that when these works were published ethical theorists regarded the utilitarianism-versus-rights debate as fundamentally important; and that other scholars, in the absence of prominent pro-animal alternatives, tended to contrast these authors' views with traditional human-centered ethics and the status quo of routine animal consumption.

² James Rachels also defends moral vegetarianism on very weak moral assumptions ('The Basic Argument for Vegetarianism', in Steve Sapontzis (ed.), *Food for Thought* [Amherst, NY: Prometheus, 2004], pp. 70-80). But, for all its merits, Rachels' discussion is inexplicit about what his key moral assumption is, offers no insights about how to conceptualize animals' moral status, says almost nothing about family farms, does not address the relationship between institutional wrong and individual responsibility, and provides little documentation for his key factual claims.

³ See, e.g., Tom Regan, *The Case for Animal Rights* (Berkeley, CA: University of California Press, 1983); Carl Cohen, 'The Case for the Use of Animals in Biomedical Research', *New England Journal of Medicine* 315 (2 October 1986), pp. 865-70; Peter Carruthers, *The Animals Issue* (Cambridge: Cambridge University Press, 1992); Evelyn Pluhar, *Beyond Prejudice* (Durham, NC: Duke University Press, 1995); Barbara Orlans et al., *The Human Use of Animals* (New York: Oxford University Press, 1998), pp. 20-30; and Daniel Bonevac (ed.), *Today's Moral Issues*, 5th edn. (New York: McGraw-Hill, 2006), pp. 73-96.

⁴ Peter Singer, *Animal Liberation* (New York: New York Review of Books, 1975 [2nd edn. 1990]); Regan, *The Case for Animal Rights*.

This mapping of views of animals' moral status is unhelpful. First, to stress the contrast between utilitarianism and animal-rights theories is to risk overlooking the extent of their agreement. For both are committed to a *principle of equal consideration*, extended beyond humanity: the principle that we ought to grant equal moral weight to everyone's prudentially comparable interests (regardless of species). Utilitarianism expresses this principle in the dictum, 'Each to count for one, none for more than one', which extends logically to all beings capable of having the states deemed prudentially valuable (e.g., pleasure and freedom from pain, preference-satisfaction). Animal-rights theories offer somewhat stronger protections for animals' interests, generally blocking appeals to social utility in safeguarding those interests. But the two approaches share a commitment to equal consideration. By contrast, traditional human-centered ethical theories (e.g., Kantian ethics, contract theory) attribute no moral status to animals while the status quo of routine animal consumption implies at most very little moral status—suggesting a wide normative gap between utilitarianism and animal-rights theories on the one hand and the human-centered tradition and status quo on the other.

Meanwhile, the standard tripartite division hides significant normative options *between* equal consideration and human-centered ethics. For example, a *two-tier theory* would attribute some nontrivial moral status to animals (or, equivalently, some direct moral importance to animals' interests) while attributing a higher moral status to persons or human beings (giving their interests greater moral weight than animals' comparable interests).⁵ Another possibility between the two poles is a *sliding-scale model* of moral status, according to which all sentient creatures deserve some consideration the degree of which is determined by a creature's level of cognitive, affective, and social complexity.⁶ The model might stipulate that beyond some threshold of complexity such as personhood one deserves full consideration—consistent with two-tier

⁵ See, e.g., Mary Anne Warren, *Moral Status* (Oxford: Oxford University Press, 1997), chs. 3, 4. Another possible representative is Jeff McMahan, *The Ethics of Killing* (Oxford: Oxford University Press, 2002), ch. 3, if the correct interpretation of his approach is that persons are to receive full moral consideration and sentient nonpersons less-than-full consideration. Another possible reading is that while only persons have rights, sentient nonpersons are to receive equal consideration through a utilitarian lens—in which case the moral status ascribed to animals is no less than what Peter Singer attributes to them—entailing a hybrid equal-consideration/two-tier theory.

⁶ I describe this model, without endorsing it, in *Taking Animals Seriously: Mental Life and Moral Status* (Cambridge: Cambridge University Press, 1996), ch. 3 and *Animal Rights: A Very Short Introduction* (Oxford: Oxford University Press, 2002), ch. 2.

theories and the nearly universal assumption that all persons deserve equal consideration.

In addition to the theoretical disadvantages just noted, and most importantly for immediate purposes, the standard mapping of views of animals' moral status has a practical disadvantage: unnecessarily narrowing the moral basis for certain appropriate reforms. As I will argue, for example, moral vegetarianism is defensible from a basis considerably broader than equal consideration. To construe moral vegetarianism's basis more narrowly than necessary sacrifices some available theoretical support and wrongly suggests that to deny equal consideration for animals means denying moral vegetarianism.

I therefore recommend this more helpful mapping:

I. *EQUAL-CONSIDERATION VIEWS*

A. Utilitarianism B. Animal-Rights Theories C. Other views (e.g., hybrids)

II. *UNEQUAL-CONSIDERATION VIEWS*

A. Two-Tier Theories B. Sliding-Scale Model C. Other views?

III. *NO-CONSIDERATION VIEWS* (e.g., Kantian ethics, contract theory)

The language of 'consideration' here focuses on the issue of how much moral importance to attribute to animals' interests in comparison with prudentially comparable human interests. Consider, for example, one's interest in not suffering (to some degree, however measured), an interest shared by humans and animals who can suffer.⁷ The three broad approaches exhibit differing judgments regarding how important animal suffering is *in its own right* (as opposed to its possible negative effects on human welfare). On equal-consideration (EC) views comparable interests have the same moral importance, regardless of what sort of being the interest-bearer is. Unequal-consideration (UC) views hold that animals' interests have some direct moral importance (that is, not merely because how we treat animals often has repercussions on human interests) but less than our comparable interests. And no-consideration (NC) views hold that animals' interests *per se* don't matter at all; their interests matter,

⁷ In this paper I use the term 'suffering' quite broadly to include all unpleasant or aversive experiences including pain, distress and terror. This broad usage is justified by our need for an umbrella term covering all cases of unpleasant experiences inasmuch as unpleasantness is a morally salient feature common to all forms of experiential harm. Elsewhere I have used the term more narrowly to refer to a highly unpleasant emotional experience associated with more-than-minimal pain or distress—and have argued that available evidence suggests that many animals, including the sorts of animals raised on farms, can suffer in this sense (*Taking Animals Seriously*, ch. 5).

when they do, only because they are causally connected with human interests. Switching to the language of moral status, we might say that on EC views humans and animals have equal moral status (with qualifications⁸), on UC views they have some moral status but less than persons or humans have, while on NC views animals lack moral status.

One might wonder whether my suggested mapping of views about animals' moral status doesn't neglect certain theoretical possibilities, such as virtue ethics,⁹ feminist ethics,¹⁰ and the capabilities approach extended to animals.¹¹ My mapping, after all, looks rather principle-based and not all ethical views prominently feature principles, or even make reference to them. But my mapping neglects no relevant possibilities. Any approaches that offer no significant guidance regarding our conduct towards animals are irrelevant to discussions of animals' moral status. All other views offer some significant guidance for our treatment of animals. And the guidance they offer will be compatible with either EC views, UC views, or NC views. These three classes of views exhaust the theoretical territory concerning animals' moral status.¹²

In the sections that follow I argue that all views that attribute at least some moral status to animals—both EC views and UC views—support a version of moral vegetarianism. Thus, the case for moral vegetarianism does not, contrary to some,¹³ depend on animal-rights views. Nor does it depend on equal consideration for animals. Rather, the case for moral vegetarianism is remarkably broad-based. In developing this case for moral vegetarianism, I will argue that NC views are not reasonable options, so any reasonable view about animals' moral status will support moral vegetarianism.

⁸ Champions of EC views have generally acknowledged some morally interesting differences between normal humans and most or all other animals—for example, a stronger moral presumption against killing normal humans than against killing animals. This sort of inequality has been thought consistent with equal consideration because the latter involves attributing equal moral weight to different beings' prudentially comparable interests—and a normal human's interest in staying alive has been thought not prudentially comparable to, say, a cat's. Equal consideration + different interests = some justified differences in treatment, including some that may seem to 'favor' certain beings over others.

⁹ See Stephen Clark, *The Moral Status of Animals* (Oxford: Oxford University Press, 1977) and Cora Diamond, *The Realistic Spirit* (Cambridge, MA: MIT Press, 1991), ch. 13.

¹⁰ See, e.g., Carol Adams and Josephine Donovan (eds.), *Animals and Women* (Durham, NC: Duke University Press, 1995).

¹¹ See Martha Nussbaum, *Frontiers of Justice* (Cambridge, MA: MIT Press, 2006), ch. 6.

¹² The three are also mutually exclusive, except perhaps where significant indeterminacy blurs the boundary between two of them.

¹³ See, e.g., Carl Cohen and Tom Regan, *The Animal Rights Debate* (Lanham, Maryland (USA): Rowman & Littlefield, 2001).

Regarding the sort of moral vegetarianism to be defended, I will argue for a weak thesis and, more tentatively, for a strong thesis. Both focus on financial support for institutions that unnecessarily harm animals rather than on the consumption of animal products per se.¹⁴ The weak thesis is that *all people with ready access to healthful alternatives are morally obligated to make every reasonable effort not to purchase meat, eggs, or dairy products from factory farms.* The strong thesis adds the words ‘*or family farms*’ to the preceding sentence. If even the weak thesis is correct, then most people in developed nations, including most philosophers and ethicists, are morally required to change their lives in a significant way.

A Moral Starting Point on Which All Should Agree

My argument for a qualified moral vegetarianism depends on a modest claim that I will now defend: *Sentient animals (hereafter simply ‘animals’) have at least some moral status.* That is, how we treat them matters morally—and not merely because of indirect effects on human beings. Animals’ interests have some independent moral importance. Stated metaphorically, animals are not mere resources for our use, playthings for our amusement, or even practicing grounds for good behavior towards other humans. They count for something in their own right.

While all sensible people acknowledge that our treatment of animals matters morally, some hold that the importance of decency to animals is only instrumental: We should avoid cruelty to animals so that we don’t foster cruelty to humans.¹⁵ Or we should avoid cruelty to animals in order not to upset the sensibilities of animal lovers.¹⁶ On any such *indirect-duty view*, we have duties only *to* humans so our duties *regarding* animals are ultimately duties to humans. But indirect-duty views cannot adequately explain the wrongness of cruelty to animals. Let’s consider an actual case involving cruelty.

Each Labor Day from 1934 to 1998, a shooting festival took place in Hegins, Pennsylvania before the event was banned. In the event, some 5000 pigeons were released from traps, becoming shooting targets for participants. Most of the birds shot were wounded but not immediately killed. Some would

¹⁴ My position does not oppose, say, the consumption of a dead animal one finds in the woods.

¹⁵ For a classic statement, see Immanuel Kant, *Lectures on Ethics*, trans. Louis Infield (New York: Harper and Row, 1963), p. 239.

¹⁶ Carruthers advances both instrumental arguments (*The Animals Issue*, chs. 5, 7).

be left on the fields as contestants completed their rounds of shooting, while others would escape to nearby woods only to die slowly from their wounds. After each round, some of the participants collected injured birds and killed them by ripping off their heads, stomping on them, smashing them against barrels, or tossing them into barrels to suffocate among other dead or dying pigeons.¹⁷

No morally serious person would deny that at least some of the participants' actions in this festival of cruelty were wrong. I claim, further, that the pigeons themselves were wronged independently of whether their treatment might have a negative causal spillover on human beings. The most salient reason for the judgment of wrong is that the pigeons themselves were harmed—massively, even grotesquely—for no compelling reason. The point seems generalizable to all animals who can clearly be harmed, sentient animals: To cause massive unnecessary harm to sentient animals (or animals who can be harmed) is wrong and, in particular, wrongs the animals. This judgment entails that animals have at least some moral status. Their interests matter morally in their own right.

Have I asserted too quickly that cruelty to animals wrongs its victims? Maybe such cruelty is wrong only because of likely or possible negative spillover for humans. To see how implausible this claim is, consider another case of cruelty that graphically focuses on a single animal. Imagine that a contemporary of Descartes, rejecting his implausible claim that animals are incapable of sentience and consciousness, performed hours-long surgery on a living, unanesthetized dog—without any veterinary or medical motive. Maybe the surgeon was a sadist and enjoyed the dog's indications of suffering; or maybe he was merely indifferent to animal suffering and curious about canine anatomy. Either way, knowingly to cause so much unnecessary suffering to a dog is wrong. This moral judgment is breathtakingly obvious. But the empirical claim that such treatment of dogs poses some threat to human interests is highly speculative and is therefore a poor basis for moral judgment. And doubting the empirical claim doesn't seem to undermine the judgment of moral wrong. The fact that the latter judgment is phenomenologically independent of the empirical claim reflects the insight that the cruelty is wrong for at least the reason that it wrongs the victim by causing her so much unnecessary harm. Such pointless cruelty would seem wrong even if the human agent knew himself to be the last person on Earth.¹⁸

¹⁷ The festival is described in Michael Markarian, 'Victory at Last: Perseverance Pays Off for Pennsylvania Pigeons', *The Fund for Animals* 32.3 (1999), pp. 4-5.

¹⁸ Robert Nozick makes essentially the same point (*Anarchy, State, and Utopia* [New York: Basic Books, 1974], p. 36).

Animals have moral status. That means that some approach among EC or UC views is correct. Accordingly, we may assume that *it's wrong to cause extensive, unnecessary harm*. While this principle may seem self-evident, here we make explicit that it applies not only to humanity but to all beings who can be harmed.

The Condemnation of Factory Farms

Factory farms dominate meat, egg, and dairy production in the United States, Canada, Great Britain, and many other industrial countries. Because factory farming in the United States implicates the most consumers and affects the most animals, the discussion that follows will concentrate on the U.S.¹⁹ Readers in Canada, Great Britain, and various other developed nations will find that much of the description of American factory farming applies to their nations as well. And the most general points about factory farms and the extensive harm they cause to animals will apply to factory farming wherever it occurs.

Since World War II, factory farms—which attempt to raise as many animals as possible in the smallest possible space in order to lower costs and maximize profits—have driven more than 3 million American family farms and millions more in other countries out of business. Considering the numbers of animals involved and the extent to which they are harmed, *factory farming causes more harm to animals than does any other human institution or practice*. Well over 8 billion animals are raised and slaughtered in the U.S. each year, a figure that does not count the over 900 million who die on farms or in transit to the slaughterhouse.²⁰ The vast majority of these animals are raised in factory

¹⁹ My description draws from the following sources: Michael Fox, *Farm Animals* (Baltimore, MD: University Park Press, 1984), Part I; Singer, *Animal Liberation*, 2nd edn., ch. 3 (which draws mainly from trade journals and magazines of the farm industry); Bernard Rollin, *Farm Animal Welfare* (Ames, IO: Iowa State Press, 1995); Karen Davis, *Prisoned Chickens, Poisoned Eggs: An Inside Look at the Modern Poultry Industry* (Summertown, TN: Book Publishing Co., 1996); Jim Mason and Peter Singer, *The Way We Eat: Why Our Food Choices Matter* (New York: Rodale, 2006); Melanie Adcock and Mary Finelli, “The Dairy Cow: America’s “Foster Mother””, *HSUS News* (Winter 1995); Melanie Adcock, “The Truth Behind “A Hen’s Life””, *HSUS News* (Spring 1983); Marc Kaufman, ‘In Pig Farming, Growing Concern’, *The Washington Post* (18 June 2001): A1, A7; Marc Kaufman, ““They Die Piece by Piece””, *The Washington Post* (10 April 2001): A1, A10–A11; and the following webpage and brochures from the Humane Society of the United States: ‘Factory Farms’ (2005) (http://www.hsus.org/farm_animals/factory_farms/), ‘Farm Animals and Intensive Confinement’ (1994), and ‘Questions and Answers About Veal’ (1990). Additional sources will be cited for several specific points.

²⁰ See United States Dept of Agriculture (USDA), National Agricultural Statistics Service (NASS), *Poultry Slaughter* (Washington, DC: USDA, 1998), p. 15; and NASS, *Livestock*

farms.²¹ American farm animals have virtually no legal protections. The most important federal law is the Humane Slaughter Act, which doesn't cover birds—most of the animals consumed—or rabbits, is rarely enforced, and has no bearing on living conditions, handling, or transport.²² In order to get some sense of the experiential horror of factory farms, consider the lives of three hypothetical, yet by no means atypical, farm animals.²³

Hen X begins life in a crowded incubator. After moving to a shed, where she stays until mature enough to lay eggs, she is taken to a battery cage made entirely of wire, where she lives most of her life. (Lacking commercial value, male chicks are ground up alive, gassed, or suffocated.) Hen X's cage is so crowded that she cannot fully stretch her wings. Although important for feeding, exploring, and preening, her beak has been partly cut off, through sensitive tissue, in order to limit the damage caused by pecking cage mates—a behavior induced by overcrowding. For several hours before laying an egg, Hen X paces nervously, instinctively seeking a nest she will not find. At egg-laying time, she stands on a sloped, uncomfortable wire floor. Lack of exercise, unnatural conditions, and demands for extreme productivity—she lays 250 eggs per year—weaken her bones. (Unlike many hens, Hen X is not subjected to forced molting, the withholding of water for one to three days and food for up to two weeks in order to extend hen's productive lives.) When considered spent at age two, she is jammed into a crate and transported in a truck—without food, water, or protection from the elements—to a slaughterhouse, where handling is rough. At her destination, Hen X is shackled upside down on a conveyor belt before an automated knife slices her throat. Because the Humane Slaughter Act does not apply to poultry, she is fully conscious throughout this process.

Like most pigs consumed today,²⁴ Hog Y will spend his life indoors in crowded pens of concrete and steel. At ten days he is castrated without

Slaughter 1997 Summary (Washington, DC: USDA, 1998), p. 1. Cited in Mylan Engel, 'The Immorality of Eating Meat', in Louis Pojman (ed.), *The Moral Life* (New York: Oxford University Press, 2000), p. 867.

²¹ See U.S. General Accounting Office, *Animal Agriculture: Information on Waste Management and Water Quality Issues* (Washington, DC: GAO, June 1995), pp. 2, 47; Humane Society of the United States, 'Factory Farms'; and USDA, National Agricultural Statistics Service (nass@nass.usda.gov).

²² Gail Eisnitz, *Slaughterhouse* (Amherst, NY: Prometheus, 1997).

²³ For details about cattle raised specifically for beef, broiler chickens, and veal calves, see *Animal Rights*, pp. 72-73. See also Mason and Singer, *The Way We Eat*, Part I, which discusses factory farm turkeys in addition to the other animals mentioned.

²⁴ Mason and Singer, *The Way We Eat*, ch. 5. Regarding the number of pigs kept indoors, the authors cite National Animal Health Monitoring System, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, *Swine 2000*, Part I (Washington, DC: USDA), p. 26.

anesthesia. Just two weeks later, Hog Y is weaned and separated from his mother before being taken to a very crowded ‘nursery’. There his tail is cut off, his ‘needle’ teeth are clipped, and an ear is notched—again without anesthesia. Due to poor ventilation, he constantly breathes powerful fumes from feces and urine. Upon reaching a weight of fifty pounds with the help of a growth hormone, he is taken to a ‘finishing’ pen, which has a slatted floor with no bedding. When deemed ready for slaughter, Hog Y is roughly herded into a truck with over 100 other hogs. The day-long journey is unpleasant for Hog Y, who gets into fights with other hogs while receiving no food, water, rest, or protection from the summer sun. At the slaughterhouse, Hog Y smells blood and resists prodding from the human handlers. They force him onto the restraining conveyor belt that carries him to the stunner. Hog Y is fortunate in that the electric stunning procedure works, rendering him unconscious before his body is dropped in scalding water and dismembered. (Although the Humane Slaughter Act requires that animals other than poultry and rabbits be rendered unconscious with a single application of an effective stunning device before being shackled, hoisted upside down, and dismembered, slaughterhouse employees report that violations occur regularly.²⁵)

Although it is natural for cows and their calves to bond strongly for a year or more, Cow (then Calf) Z is taken from her mother shortly after birth to begin life as a dairy cow. (Male calves are taken to begin their short lives in veal crates.) Never receiving her mother’s milk, which would help her fight disease, she lives in a very crowded drylot devoid of grass. (By contrast, some dairy cows are confined for most of each year to a single stall.) Her tail is docked without anesthesia. Cow Z’s diet is heavy in grain—not the roughage that cows digest easily—causing metabolic disorders and painful lameness. And like many dairy cows, she often has mastitis, a painful udder inflammation, despite receiving antibiotics between lactations. To maintain continuous milk production, Cow Z is induced to bear one calf per year. Each year, when her new calf is taken away, Cow Z looks continuously for the calf and bellows for hours. Daily injections of bovine growth hormone—which has been banned in Canada and the European Union—stimulate additional growth and productivity. Her natural life span is twenty or more years, but at age four she can no longer maintain production levels and is considered ‘spent’. During transport and handling, Cow Z is fortunate: Though deprived of food, water, and rest for over two days, and frightened when prodded, she is not beaten. At the

²⁵ Eisnitz, *Slaughterhouse*, Part III. See also U.S. General Accounting Office, ‘Humane Methods of Slaughter Act: USDA Has Addressed Some Problems but Still Faces Enforcement Challenges’, released 30 January 2004 (<http://www.gao.gov/new.items/d04247.pdf>).

slaughterhouse her instincts, unlike hogs', allow her to walk easily in a single-file chute. Unfortunately, the poorly trained stun operator has difficulty with the air-powered knocking gun. Despite stunning Cow Z four times, she stands up and bellows. The line doesn't stop, however, so she is hoisted up on the overhead rail and transported to the 'sticker', who cuts her throat to bleed her out. She remains conscious as she bleeds and experiences some of the dismemberment and skinning process alive.

The three scenarios just presented depict experientially terrible lives. Apparently, however, the lives of veal calves and breeding sows are even worse than those of dairy cows and most hogs—though perhaps no worse than hens' and broiler chickens' lives. The decision not to feature veal calves or breeding sows is motivated by a desire to present scenarios that are highly typical: Hogs raised for meat outnumber breeding sows while dairy cows outnumber veal calves; meanwhile billions of laying hens and broiler chickens are raised annually.²⁶

Now for the crucial point: *Factory farming routinely causes massive harm to animals*. This fact is amply documented in the literature (some of which I have cited) and by eyewitness accounts and video footage. How to conceptualize the harm is, to some extent, a point of disagreement. Some will stress the pain, distress, and other unpleasant experiences the animals must endure, others the horrific deprivations of species-typical functioning. But what is indisputable, and most important to the broad-based moral vegetarianism defended in this article, is the fact of massive harm.

Crucially from a moral standpoint, the massive harm factory farming causes animals is *unnecessary* for most people in wealthy nations because eating the products of factory farms is unnecessary for such individuals.

My reference to 'most people' indicates that the moral vegetarianism to be defended is qualified. It advances no claim about the obligations of all human beings, but rather about those who have readily available to them adequate alternatives to factory farm products. The vast majority of readers of this essay will fall within the targeted group. Second, only the stronger of the two theses I defend concerns the products of *family farms*, by which I will mean farms characterized by traditional animal husbandry.²⁷ The weaker, more certain thesis concerns only factory farm products. Further, I will not address, except in passing, the purchase and consumption of fish and invertebrate seafood. Nor will this paper address the question of whether it might be morally permissible, or tolerable, to make occasional exceptions to the weak, more certain

²⁶ See citations in note 19.

²⁷ As opposed to all family-owned farms. Some massive agribusinesses are owned by families.

thesis—say, when avoiding cheese from factory farms is socially very awkward or inconvenient. This paper will contend that persons with readily available alternatives have a moral obligation to organize their lifestyles in a way that generally abstains from factory farm products (and, in the stronger thesis, family farm products). No one can accuse this qualified moral vegetarianism of inflexibility, perfectionism, or sanctimony.

Do the flexibility and qualifications make the position defended trivial? Hardly. *If my position is correct, then most readers of this essay—and similarly situated people around the world—have culinary lifestyles that are morally indefensible, and a great many among this population (including many philosophers and ethicists) are unaware of this fact.*

Now, in assuming that for many people there are adequate alternatives to the farm products in question, I assume that these alternatives are sufficiently nutritious. Were they not, then abstaining from these products would threaten one's health, undermining the claim that the harms caused to animals are unnecessary. (Remember: We assume only that animals have some moral status, not that they're entitled to equal consideration, which might require us to face significant risks rather than impose extensive harm on animals.) But it is very clear that there are nutritious alternatives. If we insist only on avoiding factory farm products, consistent with the paper's weak thesis, there can be no question that family farm products are equally nutritious. But even if we insist on avoiding products of both factory farms and family farms, consistent with the strong thesis, it is well established that vegetarian diets can be fully nutritious. As vegetarian foods become more mainstream and popular, doubts about the nutritional adequacy of vegetarianism decline.

Suffice it here to make two points. First, nutritional experts support my claim. For example: 'It is the position of the American Dietetic Association and Dietitians of Canada that appropriately planned vegetarian diets are healthful, nutritionally adequate, and provide health benefits in the prevention and treatment of certain diseases'.²⁸ Consider also the official position of the USDA, whose long history of defending agribusiness interests might lead one to expect an anti-vegetarian bias: 'Vegetarian diets can meet all the recommendations for nutrients. The key is to consume a variety of foods and the right amount of foods to meet your calorie needs'.²⁹ As the American Academy of Pediatrics explicitly states, such diets can be perfectly healthful at all stages

²⁸ American Dietetic Association, 'Vegetarian Diets' (http://www.eatright.org/cps/rde/xchg/ada/hs.xsl/advocacy_933_ENU_HTML.htm).

²⁹ http://www.mypyramid.gov/tips_resources/vegetarian_diets.html

of life, including infancy, childhood, and adolescence.³⁰ A second indication that vegetarian diets can be perfectly healthful is the fact that quite a few of the world's greatest athletes in recent decades—including Carl Lewis, Edwin Moses, several triathlon champions, and a bodybuilding champion—have been vegetarians.³¹ Although it is sometimes thought that post-menopausal female athletes cannot meet their nutritional needs with a vegetarian diet, evidence suggests that with the right balancing of plant proteins, and perhaps supplements for iron and vitamin B12, such athletes can enjoy an entirely adequate diet.³²

Let's take stock. *Factory farming routinely causes extensive, unnecessary harm to animals.* Having found in the previous section that it is wrong to cause extensive, unnecessary harm, it would seem that we are in a position to judge that *factory farming is morally indefensible.* But, before accepting this judgment, let us address two important objections.

One might challenge the idea that factory farming causes unnecessary harm by claiming that continuing this institution is economically necessary for nations in which it dominates animal husbandry. Putting factory farms out of business, either through a successful boycott or by legislation, would not only harm agribusiness owners but would also eliminate many jobs and harm local economies. Because such negative consequences are unacceptable, the argument concludes, factory farming is in this sense necessary as is the extensive harm it inevitably causes animals.

In reply to this argument from economic necessity, we may accept the factual premise regarding likely consequences while denying that they are unacceptable. First, the negative costs of ending factory farming would have to be endured only once, whereas maintaining this institution would entail that the harms to animals continue indefinitely.³³ Second, the multiple threats to

³⁰ 'Position of the American Dietetic Association and Dietitians of Canada: Vegetarian Diets', *Canadian Journal of Dietetic Association Practice and Research* 64 (2003), pp. 62–81. On vegan diets—which are entirely free of animal products (including seafood)—for young persons, see Ann Reed Mangels and Virginia Messina, 'Considerations in Planning Vegan Diets: Infants', *Journal of the American Dietetic Association* 101 (June 2001), pp. 670–77 and Tony Peregrin, 'A Successful Diet for Vegan Children Nourishes the Child', *Journal of the American Dietetic Association* 101 (June 2001), p. 669.

³¹ Engel, 'The Immorality of Eating Meat', pp. 873–74. To his list I added Carl Lewis, possibly the greatest track athlete in history, who states that 'my best year of track competition was the first year I ate a vegan diet' (Introduction to Jannequin Bennett, *Very Vegetarian* [Nashville, TN: Rutledge Hill, 2001], p. vii).

³² D. Enette Larson, 'Vegetarian Diet for Exercise and Athletic Training and Performing: An Update' (<http://www.andrews.edu/NUFS/vegathletes.htm>).

³³ See Peter Singer, 'Utilitarianism and Vegetarianism', *Philosophy and Public Affairs* 9.4 (1980), p. 334.

human well-being posed by factory farming—including environmental degradation, inefficient use of food resources, and health risks³⁴—could be avoided if the institution is eliminated (assuming it's not simply replaced by family farming on a similar scale, which would perpetuate some of these problems). Avoiding such risks and harms, not once but indefinitely, would surely counterbalance any short-term economic harm. Finally, it is a reasonable proposition that *there are moral limits to what we may do to others in the pursuit of profit or employment—and causing sentient beings massive harm in making products that are unnecessary for human life or health oversteps those bounds*. These considerations together undermine the argument from economic necessity.

Another challenge to the charge of extensive, unnecessary harm appeals to the goods of meat-eaters' enjoyment, convenience, and tradition. The great enjoyment people derive from eating meat, the convenience of being able to eat it, and the importance of family and cultural traditions such as turkey dinners on Christmas together entail that for many people the costs of becoming vegetarian are unacceptably high. In this sense, the argument concludes, meat-eating and the harms to animals it implicates are necessary. Such reasoning clearly affects many people's decision not to become vegetarian when confronted with considerations favoring vegetarianism.

This argument cannot withstand critical scrutiny. While maintaining certain cultural and family traditions may be important, it is broadly recognized that there are moral limits to deference to tradition. We should not tolerate the sacrifice of a virgin to appease the gods even if the tribe or cultural group in question has been deeply committed to this ritual for millennia. To cause sentient beings extensive harm in order to procure a product that is unnecessary for human life or health cannot be justified by appeals to tradition. Nor are the appeals to enjoyment and convenience persuasive. People who become vegetarian frequently come to enjoy their new diets as much as their previous diets. Even if one enjoys the new diet less than the old, one would surely enjoy much of it—both because it includes many foods included in the previous diet and because vegetarian alternatives to meats are often very tasty—so any loss will be modest. And, while being a vegetarian today entails some inconvenience,

³⁴ See Frances Lappe and Joseph Collins, *World Hunger* (New York: Grove, 1986); David Pimental et al., 'Environmental and Economic Cost of Soil Erosion and Conservation Benefits', *Science* 267 (24 February 1995), p. 1117; Lucas Reijnders and Sam Soret, 'Quantification of the Environmental Impact of Different Dietary Protein Choices', *American Journal of Clinical Nutrition* 78 (September 2003), pp. 664S-668S; A.K. Chapagain and A.Y. Hoekstra, *Water Footprints of Nations*, vol. 1 (Delft, Netherlands: UNESCO-IHE Institute of Water Education, 2004); Center for a Livable Future, Johns Hopkins School of Public Health (2005; http://www.jhsph.edu/Environment/Projects/spira_GRACE/); and Jim Mason and Peter Singer, *The Way We Eat*, ch. 16.

the degree is constantly diminishing as mainstream grocery stores such as Giant and Safeway supply many varieties of veggie burgers, soy-based alternatives to sandwich meats, soy milk, and the like; nearly all restaurants today in the U.S. and similar countries offer vegetarian dishes. Moreover, even if the reduction in enjoyment and convenience were substantial, as seems unlikely for readers of this essay, intuitively it seems that causing massive harm to sentient beings, beings with moral status, can't be justified by this sort of appeal.

Having addressed these important objections to moral vegetarianism, I conclude that factory farming is morally indefensible.

The Bridging Issue

Factory farming is morally indefensible. What follows for individuals' responsibilities? Nothing follows straightforwardly, so we will need arguments to cross the bridge from institutional wrong to individual obligation.³⁵

³⁵ After arguing that animals have moral rights, Regan attempts to derive obligations not only (1) to abstain from buying and eating meat but also (2) to take more positive steps to end animal agriculture as we know it. The present article does not argue that animals have rights. Nevertheless, it is instructive to note where Regan's argument for correlative obligations encounters difficulties. Regan embraces Mill's conception of a right as 'something society ought to defend me in the possession of' (*The Case for Animal Rights*, p. 269). About correlative obligations, 'If I have a right to liberty, for example, then you and society have a duty, in Mill's words, "to protect me in the possession of it". ... What you must not do is violate my rights, and what you must do ... is protect me against others who would violate them. Your recognition of my moral rights thus both imposes certain limits on your liberty and grounds obligations of assistance you have to me' (p. 270, my emphasis). Against Joel Feinberg's claim that rights of noninterference impose only negative obligations, Regan contends that *all* rights entail both negative obligations of noninterference and positive obligations to assist those whose negative rights are unjustly violated (p. 282). On this basis he argues from animals' right to respectful treatment, which grounds a right not to be harmed, to positive human obligations to assist animals who are being treated unjustly in agriculture. But Regan's derivation of positive obligations seems problematic inasmuch as the mere concept of a right (as opposed to a *positive* right) seems incapable of carrying such heavy normative freight. Consider my right to free speech. Person P violates it. It's plausible to assert—and to interpret Mill as asserting—that society must defend me in my possession of free speech insofar as society must ensure that such violations of free speech are illegal and that the negative legal right is enforced. But it's much less plausible, and would require further argument, to claim that individual citizens have an obligation to assist me by trying to stop P from violating my right. Also problematic, though I cannot pursue the point here, is the assertion that while duties of assistance are generated whenever someone's rights are violated, *no duties of assistance are generated by the neediness caused by natural disasters* (where no injustice is involved), as Regan argues. On this last point, see Dale Jamieson, 'Rights, Justice, and Duties to Provide Assistance: A Critique of Regan's Theory of Rights', *Ethics* 100 (1990), pp. 349–62.

The meat-eater might say, 'I'm not harming animals; factory farms are. I'm just eating their products'. Imagine someone saying, 'I'm not kicking cats to death. I'm just paying someone else to do it'. We would reject the claim of innocence, holding the individual responsible for encouraging and commissioning cruelty. Similarly, although meat-eaters may typically feel distant from meat production, and may never think about what takes place in factory farms and slaughterhouses, the buying and eating of these products adds to the demand for them, thereby encouraging the associated cruelties. The consumer is significantly responsible.

Nevertheless, one might resist moral vegetarianism on the basis of an argument from causal ineffectiveness: 'My becoming vegetarian will very likely, by itself, have no discernible effect on the demand for factory farm products; it would be causally ineffective, sparing not a single animal from the horrors of factory farm life. This undermines moral vegetarianism'. But this argument from causal ineffectiveness is itself ineffective.

If we first consider the issue in consequentialist terms, as the argument from causal ineffectiveness does, the situation is as follows. It may be true that a single individual's becoming vegetarian will not sufficiently affect the overall demand for meat as to be noticed by farmers deciding whether to raise a particular kind of animal or how many animals to raise. In that case, some *threshold* of reduced demand must be achieved to have an impact on the number of animals raised. The higher the threshold of people becoming vegetarian needed to make a difference, the lower the likelihood that one's dietary choice alone will actually make that difference. Then again, the higher the threshold, the greater the impact one will have if one *does* make a crucial difference. Suppose meat-eaters consume an average of ten chickens annually and the threshold of new vegetarians needed to make a crucial difference is 1000. A 100 per cent chance of saving ten chickens is no more valuable, in consequentialist terms, than a 1 in 1000 chance of saving 10,000 chickens, making irrelevant the uncertainty as to whether one's own choice will make the crucial difference.³⁶ In slightly different terms, the expected utility of becoming vegetarian is equal regardless of whether in fact one's choice reaches a threshold and actually affects demand.³⁷

At the same time, a reply to the argument from causal inefficiency need not be cast in consequentialist terms. The duty to do one's part in joint ventures

³⁶ Singer, 'Utilitarianism and Vegetarianism', p. 336.

³⁷ Gaverick Matheny, 'Expected Utility, Contributory Causation, and Vegetarianism', *Journal of Applied Philosophy* 19 (2002), pp. 293–97.

requiring cooperation is a duty that deontologists and virtue theorists will acknowledge. (As argued earlier, all moral theories that bear on animals' moral status will fall under the categories of EC, UC, or NC theories; and all reasonable theories will be either EC or UC theories.) Surely nonconsequentialists will acknowledge one's moral responsibility to recycle newspapers, cardboard, glass, and plastic—a joint venture requiring widespread cooperation for success. Similarly with the duty to vote. In the same way, even nonconsequentialists should acknowledge individuals' responsibilities to do their part in reducing the demand that sustains institutions that cause extensive, unnecessary harm. Where, as here, the collective effort aims at bringing down a morally indefensible institution, the duty to do one's share takes the form of a duty to avoid complicity.

How to formulate this duty? The answer isn't obvious because formulations can be either too demanding or too lax. A rule such as 'Never perform any action that in any way supports cruelty' would be much too strict; it is virtually impossible to live in a complex society and not in any way support certain forms of cruelty. For example, I may rent DVDs from a company that carries, among thousands of DVDs, one the production of which involved cruelty to animals. Even if I know this, it would be over the top to suggest that I must stop patronizing this company. The opposite error of excessive laxity is evident in the appeal, rejected earlier, that not directly *causing* the harm in question oneself is morally sufficient. As our reflections indicate, complicity matters—for both consequentialist and nonconsequentialist reasons. But so do the degree of complicity (how much one is supporting the cruelty), the amount of harm or other wrong caused by the cruelty, and the difficulty of avoiding complicity.

In this spirit of moderation, I suggest the following, admittedly somewhat vague rule: *Make every reasonable effort not to provide financial support to institutions or practices that cause extensive, unnecessary harm.* For the sake of simplicity I focus on financial support rather than other forms of support such as consuming the relevant products, socially voicing or implying approval of them, and the like. After all, the universal withdrawal of financial support from animal husbandry would put it out of business. Now routine purchasing of factory farm products by individuals who have easy access to nutritious alternatives clearly violates this rule and is therefore, I maintain, morally indefensible. Insofar as the vast majority of readers of this essay can either buy non-meat substitutes at the very grocery stores at which they currently shop, or at worst buy them at other neighborhood stores, the judgment condemning routine purchasing of factory farm products applies to this audience.

Critique of Family Farms

As noted earlier, most meat, eggs, and dairy products consumed in the United States, Great Britain, Canada, and various other countries are produced in factory farms. But people also eat animal products from other sources, including traditional family farms, which raise animals without the intensive confinement characteristic of factory farms. Aware that traditional family farms are far more humane than factory farms, some consumers make a point of buying only products that appear to have come from the former (although misleading labeling of these products can cause difficulties³⁸).

Do family farms and the choice to patronize them pass moral muster? A qualified ‘No’ is suggested by my strong thesis, viz.: *All people with ready access to healthful alternatives should make every reasonable effort not to purchase meat, eggs, or dairy products from factory farms or family farms.* This requires, for virtually all readers of this essay, efforts to maintain a lifestyle that generally abstains from meat, eggs, and dairy products from factory farms or family farms. But, whereas I regard the case for the weak thesis—which concerns only factory farms—as established *beyond reasonable doubt*, I do not claim the same for the strong thesis. I will argue that the strong thesis is *very likely* correct, but less certain than the weak thesis.

What is the basis for the strong thesis? First, despite being more humane than factory farming, traditional animal husbandry inflicts nontrivial harm on animals.³⁹ For example, cattle undergo dehorning through sensitive tissue, branding, and ear cutting for identification purposes. Both cattle and hogs are castrated. For none of these procedures do the animals receive anesthesia or analgesia. Except in the very rare circumstance in which animals are killed on the farms that raise them—which for cattle and hogs is illegal in the U.S. if the meat is to be sold—farm animals typically experience harms associated with transport to the slaughterhouse, rough handling from farm to truck to slaughterhouse, and the process of slaughter itself (see earlier description of factory farms). Since we don’t need to eat the animal products of family farms in order to be healthy, all these harms are unnecessary.

Now the moral principle driving our analysis, the principle that accords with the thesis that (sentient) animals have moral status, condemns *extensive*, unnecessary harm. One reason the strong thesis is not beyond reasonable doubt is that we might reasonably wonder whether family farms cause *extensive*

³⁸ See Suzanne Hamlin, ‘Free Range? Natural? Sorting Out Labels’, *The New York Times* (13 November 1996): C1, and Singer and Mason, *The Way We Eat*, chs. 3, 8.

³⁹ See, e.g., Singer, *Animal Liberation*, p. 145.

harm to their animals. I believe they do, but there is room for disagreement, especially where largely benign treatment limits most or all of the significant harms to those incurred in transport and slaughter. One might argue in particular that turkeys and chickens raised in humane conditions, with families intact, and *killed on the farm* have good lives involving very little harm.

One seemingly inescapable harm imposed on all farm-raised animals, inasmuch as they are killed and not permitted to die of natural causes, is *death*. But the harm of death is very controversial. Some claim that death itself—as opposed to any pain or distress caused during killing—doesn't harm beings, such as farm animals, who are not persons.⁴⁰ A few theorists claim that death is no less of a harm for sentient nonpersons than for persons—or, at any rate, that we are in no position to claim otherwise.⁴¹ Between these polar views is the attractive thesis that death typically harms a sentient being, if her life is worth living, but less than it harms a person, and that other things equal the harm of death varies roughly with the psychological complexity of the being in question.⁴² I will briefly defend this moderate thesis about the harm of death.

First, it is most reasonable to assume that the lives of sentient beings, even those who are not persons, have value for those who live those lives. The value of a cow's life, for example, might be understood in terms of the enjoyments and satisfactions that the life makes possible, as a hedonistic value theory would suggest. Another leading possibility is that the value of a cow's life is to be understood in terms of the species-typical functioning that the life permits: living, through various activities, a characteristically bovine life. Or we might understand the value of a cow's life in terms of some hybrid between the hedonistic and functioning-based accounts. On any of these conceptions, death harms an animal in normal circumstances by depriving him of the valuable opportunities that continued life would make possible. That animals can be deprived in this way and harmed by death does not depend on their grasping the concept of death and consciously valuing their lives. At the same time, to suggest that the harm of death to sentient nonpersons is typically equal to the harm of death to persons is highly counterintuitive. It is more plausible, and sufficient for our argumentative purposes, to hold that death typically harms sentient nonpersons, but less than it harms persons. Naturally, these

⁴⁰ See, e.g., Allen Buchanan and Dan Brock, *Deciding for Others* (Cambridge: Cambridge University Press, 1989), pp. 197-99.

⁴¹ See, e.g., S. F. Sapontzis, *Morals, Reason, and Animals* (Philadelphia: Temple University Press, 1987), ch. 9.

⁴² I attempt to provide this thesis a strong theoretical foundation in 'The Harm of Death, Time-Relative Interests, and Abortion', *The Philosophical Forum* 38.1 (2007), pp. 57-80.

generalizations about the harm of death apply only in cases in which an individual's life is worth living; loss of a life that is not worth living does not harm the individual in question.

These reflections suggest that death harms farm animals if their lives are worth living, though typically less than it harms persons, and—we may plausibly add—some animals (e.g., hogs) more than others (e.g., turkeys). When we add the harm of death to the other harms associated with family farms, the case improves for claiming that the total harm is extensive—as well as unnecessary.

'Wait a minute', one might respond. 'Death harms an animal only if her life is worth living. In counting death a harm, you imply the animals had worthwhile lives. How can that square with your claim that we should boycott the animal products of family farms? If we all boycott, and loss of demand puts family farms out of the animal husbandry business (leaving them only to grow crops), then many animals who would have worthwhile lives will not come into existence. How can that be good?'

To this fair question my tentative reply is as follows. We have no obligation to bring anyone, human or animal, into existence. One condition on the permissibility of doing so is that it be reasonable to expect that the individual's life will be worth living; it is *prima facie* wrong knowingly to cause to exist an individual who will surely have a miserable life. Now, once we bring a sentient animal or human into existence, we should not cause her extensive, unnecessary harm. For, as we found earlier, one of our considered moral judgments is that it is wrong to cause extensive, unnecessary harm. That point applies to all sentient beings—even where such harm would be compatible with a worthwhile life.

My position assumes there is no obligation, or even any significant moral reason, to bring into existence animals (or persons) who are likely to have good lives. Intuitively the assumption seems right. On the other hand, we believe it wrong to bring a predictably miserable, languishing being into existence. The conjunction of this belief and the assumption creates what McMahan, following Parfit, calls the *Asymmetry*: 'the view that, while the expectation that a person's life [the point also applies to animals] would be worth living provides no moral reason to cause the person to exist, the expectation that a person's life would [not be worth living] does provide a moral reason *not* to cause that person to exist'.⁴³ Like McMahan, I accept the

⁴³ McMahan, *The Ethics of Killing*, p. 300. Derek Parfit coined the term (*Reasons and Persons* [Oxford: Clarendon, 1984], p. 391). See *Reasons and Persons*, Part IV, for much of the reasoning that motivates this problem along with various quandaries in population ethics and in connection with the 'non-identity problem'.

Asymmetry while recognizing that it generates theoretical puzzles.⁴⁴ If I am right in accepting the Asymmetry, then I can appeal to the judgment that it's wrong to cause extensive, unnecessary harm in my critique of family farms.

But even this won't do, one might insist. For the harms imposed in family farming may be necessary in the sense that the farmers in question wouldn't raise their animals without planning to harm them in the ways described earlier. Without these harms, these animals would not have the worthwhile lives they have. So such relatively humane family farming does not, in fact, violate the principle that we must not cause extensive, unnecessary harm.

But this challenge to my view assumes the denial of the Asymmetry, begging the question of its status, while facing its own difficulties. One such difficulty is that, by suggesting that a *worthwhile-life* criterion for when we have moral reason to bring someone into existence is preferable to my position, the present challenge apparently implies that we have moral reason to increase substantially the population of humans and sentient animals, if they would have worthwhile lives, even if doing so would greatly lower average quality of life—what Parfit calls *the Repugnant Conclusion*.⁴⁵ I agree with the adjective and what it implies morally. To deny the Asymmetry, then, is intuitively implausible on its face and apparently generates implausible implications.

One might reply, however, that I have unfairly saddled my opponent with the view that it is obligatory, or at least that we have moral reason to bring animals and persons into existence when they are expected to have worthwhile lives. Rather, one might continue, the issue is the *permissibility* of bringing such beings into existence. The claim is that it is permissible to bring an animal into existence with the plan of killing her for meat, even though death will harm her, provided (1) the animal's life is likely to be worthwhile and (2) she never would have had that life except within a practice of raising and killing animals for meat. In short, it is permissible to impose the harm of death on a farm animal when that harm is necessary for the animal's good life.

What emerges, then, is a dispute about criteria of necessity. All parties can accept that it is wrong to cause extensive, unnecessary harm. But my opponent and I disagree on whether killing farm animals (and perhaps imposing other harms mentioned earlier in this section) is necessary. I appeal to the criterion of *being necessary for human life or health*—necessary, that is, for continuing a human life already begun and maintaining its health. I hold that the harm in question is not necessary in this sense because eating meat is not

⁴⁴ Regarding the puzzles, see the McMahan and Parfit discussions just cited.

⁴⁵ Parfit, *Reasons and Persons*, ch. 17. Parfit addresses the problem only in connection with humans.

necessary for human life or health. My opponent appeals to a criterion of *being necessary for an animal to have a worthwhile life*, holding that the harm in question is necessary by that standard. Can we break this impasse?

We can. While death and perhaps certain other harms may be necessary for a farm animal's worthwhile life, *that worthwhile life isn't necessary in the first place*. How so? First, again, the animal's life is not necessary for human life or health. Second, the animal's life is not necessary by any other appropriate moral criterion—unless, that is, it is obligatory to bring that life into existence. But, if it is morally obligatory to bring that life into existence, that contradicts the claim that the real issue is permissibility, not obligation, and reopens the door to citing the Asymmetry and the Repugnant Conclusion, which my opponent's argument tries to disavow. Apparently, then, we have a convincing basis for the claim that the harms imposed on family farm animals are unnecessary and for rebutting the appeal to these animals' worthwhile lives.

But perhaps, despite all this, I have erred in reasoning. Or perhaps, while I am right that all harms caused to family farm animals are unnecessary, I am wrong that they add up to *extensive* harm. While it seems to me very unlikely that the harms I have catalogued—including those incurred on the way to and in the slaughterhouse as well as death itself—together fall short of extensive harm, one might (1) stress that the harms other than death can in principle be avoided (suggesting a critique of current practices rather than a critique of animal husbandry in family farms per se) and (2) claim that the harm of death is relatively minor. Although I find this strategy of replying to my critique unpromising, I note it as a possible ground for doubting the strong thesis.

Before concluding, a word on fish and invertebrate seafood is in order. I take no position here on eating these forms of meat. In earlier works I argued that the sentience of fish, but (with few exceptions) not invertebrates, was empirically well established.⁴⁶ However, some recent scientific findings and the absence of a cerebral cortex—a layer of neurons, rich in synapses, that covers the cerebrum—in these animals have provoked some doubts about their sentience.⁴⁷ I believe the balance of evidence, including a study suggesting

⁴⁶ See, especially, *Taking Animals Seriously*, ch. 5.

⁴⁷ See, e.g., James Rose, 'The Neurobehavioral Nature of Fishes and the Question of Awareness and Pain', *Reviews in Fisheries Science* 10.1 (2002), pp. 1-38. The point that fish lack a cerebral cortex should not be confused with the (incorrect) assertion that they lack a cerebrum, a pair of cerebral hemispheres.

both pain sensitivity in fish and relief from morphine, indicates fish sentience.⁴⁸ But the issue of seafood must await another occasion.

Conclusion

This paper has defended a qualified version of moral vegetarianism. It has defended a weak thesis and, more tentatively, a strong thesis, both from a very broad basis that assumes neither that animals have rights nor that they are entitled to equal consideration. The essay's only assumption about moral status, an assumption defended in the analysis of the wrongness of cruelty to animals, is that sentient animals have at least some moral status. Thus the broad basis for the version of moral vegetarianism defended includes all equal-consideration (EC) and unequal-consideration (UC) views. One need not be a strong champion of animal protection, then, to embrace moral vegetarianism. One need only reject no-consideration (NC) views, which we found indefensible. The upshot is that, on any reasonable view of animals' moral status, one must accept a form of moral vegetarianism.⁴⁹

⁴⁸ Lynne Sneddon, V.A. Braithwaite, and M.J. Gentle, 'Do Fish Have Nociceptors? Evidence for the Evolution of a Vertebrate Sensory System', *Proceedings of the Royal Society* 270(1520) (2003), pp. 1115-1121; discussed in Singer and Mason, *The Way We Eat*, p. 131.

⁴⁹ Drafts of this paper were presented at the Columbia University School of Law on 2 December 2005 and for the Department of Philosophy, George Washington University on 17 February 2006. Thanks to participants in both sessions—especially Peter Singer, Jeff McMahan, Christine Korsgaard, Jeff Brand-Ballard, Michele Friend, and Paul Churchill—for their feedback. Thanks also to Singer, Martha Nussbaum, Gaverick Matheny, Paul Shapiro, and Colin Allen for comments on drafts.