

On the Irreplaceability of Animal Life

As animal rights becomes a fashionable topic of debate within the academic community, we see a spate of arguments emerging which deny or conflict with the fundamental moral principles of equal consideration of interests.¹ Whatever the motivation for such arguments, the practical result is the putative justification of the continued use, abuse, and slaughter of non-human animals for man's own purposes--purposes which are by no means consistent with the *telos* of the animals themselves.

One example is the so-called "replacement argument," the very name of which calls attention to the traditional view of animals as mere *things*, interchangeable from the point of view of human utility. The replacement argument derives from classical utilitarianism,² but has been recently revived with various modifications.³ Such an argument could only have emerged within the context of a world view which takes it for granted that animals exist primarily for the benefit of human beings. The argument may be outlined as follows:

Provided that:

1. an animal's life is on the whole "worth living," i.e., involves more pleasure than pain,
2. the animal would not have existed at all had it not been deliberately brought into existence by man, and
3. The animal will be replaced after its death by another animal for whom conditions #1 and #2 hold true,

Then:

the person or persons who brought that animal into existence may use and kill it as they see fit.

Now the fundamental principle of

utilitarianism, in all its varieties, is that pleasure is a good and pain an evil. In the argument above, conditions #1 and #2 are intended to guarantee that the animal is "compensated" for any pain inflicted upon it. Condition #3 is intended to guarantee that "the world" is "compensated" for any pain inflicted upon it as a result of the killing of the animal.

But is such a compensation in fact possible? Can the *unnecessary* infliction of pain and death on non-human animals be morally justified? My aim here is to demonstrate that rigorous (but undogmatic) adherence to the principle that pain is an *intrinsic evil* entails the rejection of the replacement argument.

I shall also try to show that, while developed within the framework of utilitarian thinking, this argument is inconsistent with utilitarianism, as well as our ordinary moral intuitions.

Finally, I shall consider how the argument would have to be modified in order to square with classical utilitarianism, the premise that pain is an intrinsic evil, and our ordinary moral intuitions. If the assumption that pain is an intrinsic evil is correct and my reasoning is sound, then we are morally obliged to desist from the overwhelming majority of practices and uses of animals to which we are presently accustomed.

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What does it mean for something to be an *intrinsic evil*? If something is evil *in itself*, that means that it is not evil relative to something else. Consequently, it can't be justified by any good which may result from it, nor be

weighed against resultant good in determining how we should act.

If, then, pain is an intrinsic evil, under what conditions, if any, is it morally justified to inflict it? Let us consider several possible cases. In each case we shall ask whether the infliction of pain is justified in terms of our premise that pain is an intrinsic evil, in terms of classical utilitarianism, and in terms of our ordinary moral intuitions. Examination of these various cases will enable us to judge whether or not the replacement argument is valid.

1. *No pleasure bestowed or resulting; no resultant relief of pain* Where pain is inflicted which results neither in pleasure nor the relief of pain, and the being is not "compensated" by the subsequent bestowal of pleasure, it is analytically obvious that such conduct is morally wrong, if pain is an intrinsic evil. It is also wrong according to utilitarianism, since to so act is in no way to promote the balance of pleasure over pain. Finally, it is in obvious violation of our ordinary moral intuitions.

2. *Greater pleasure bestowed* In this case, the animal is "compensated" to some degree for the infliction of pain by the subsequent bestowal of greater pleasure. The pain, however, is in no way *necessary* to the enjoyment of the pleasure. If pain is intrinsically evil, it obviously cannot be cancelled out by the unrelated bestowal of pleasure. Utilitarianism would also reject this case as immoral, since in inflicting the pain one is *not* acting in such a way as to maximize pleasure. Our moral intuitions confirm these conclusions. Most of us would be unwilling to operate on the principle that it is morally right to wrong provided one does more right than wrong.

3. *Resultant greater pleasure* This case is based on a strong version of the principle that the end justifies the means. Here the infliction of pain results in greater pleasure: for the "world," other individuals, or the being himself. If pain is an intrinsic evil, however, it is not commensurable with pleasure, i.e., cannot be cancelled out by, or weighed against resultant pleasure in determining the moral value of a particular act. Where the totality of pleasure in the world is increased as a result of the infliction of pain, it is theoretically possible that the individual level of happiness of all the beings concerned might be reduced. For example, by reducing the level of individual comfort in an ameliorated factory farm, the farmer may be able to house more chickens under conditions which preserve a slight balance of pleasure over pain for individual chickens, while at the same time creating a total level of happiness which is greater than before.

Consequently, not all versions of utilitarianism would accept such conduct as morally justified. It would be inconsistent, for example, with Bentham's principle of "the greatest happiness of the greatest number." Our moral intuitions confirm that it is not justified to inflict pain on someone else to increase the world's total level of happiness or pleasure.

Where it is other individuals, rather than "the world," who experience an increase in pleasure as a result of the infliction of pain, classical utilitarianism would, in principle, accept such conduct as morally justified since it promotes a balance of pleasure over pain. As in the previous case, our ordinary moral intuitions, and the premise that pain is an intrinsic evil tell us that it is morally wrong to inflict pain on one being to promote pleasure in another.

Even where the infliction of pain results in greater pleasure for the being himself, the premise that pain is an intrinsic evil would prohibit such conduct as morally unjustified. An individual may indeed choose to suffer lesser pain for the sake of enjoying greater pleasure, but if pain is intrinsically evil, then no one else has the right to presume that he would make this choice, or to inflict pain on a being "for his own good." Utilitarianism, of course, would regard such conduct as morally justified since pain and pleasure can be weighed against each other. Our ordinary moral intuitions appear ambiguous in this case. If no problematic examples are cited, most of us would probably regard the principle expressed here as justified. Counter-examples, however, easily come to mind. We may admit that the pleasure which eventually results from a child prodigy's being coerced by his parents into long, grueling hours of practice at the piano is greater than the pain the child suffered as a result of being deprived of the normal joys of childhood, without being willing to acknowledge that the parents' actions were morally justified. The price of suffering the pain may be "too great" even where the pleasure that results is greater.

4. *Prevention or relief of greater suffering in others* This case is by far the most difficult and problematic, and the one upon which the issue of animal abuse principally turns. The legitimacy of deliberately inflicting lesser pain to relieve greater pain in others is based on a weak version of the principle that the end justifies the means. If pain is an intrinsic evil, then it would seem obvious that we should attempt to eliminate as much of it as possible. It might therefore seem that if we can eliminate greater pain by inflicting lesser pain, we should do it. On the other hand, if pain is intrinsically evil, then it would also seem that we should *never* inflict

it, that even relief of greater pain could not justify deliberate infliction of an intrinsic evil. The principle that pain is an intrinsic evil thus does not seem, in and of itself, to provide any clear solution to the question. There are, however, several relevant considerations which will help lead us to a solution.

First of all, is the infliction of the lesser pain the *only* means of relieving the greater pain? If not, it seems quite clear, in terms of both utilitarianism and the principle that pain is an intrinsic evil, that such conduct would be morally wrong.

Secondly, is the failure to prevent or alleviate pain as morally wrong as the deliberate infliction of it? If not, then the greater seriousness of deliberately inflicting pain might counterbalance the weight of the greater pain which is not relieved, so that infliction of the lesser pain would be morally unjustified.

Thirdly, is the being upon whom the lesser pain is inflicted in any way *responsible* for the greater pain which is being relieved or prevented? Self-defense would be a typical instance of this case. It seems clearly justified, for example, to inflict lesser pain on an animal, by whom one is being attacked, in order to prevent suffering greater harm, assuming, as already mentioned, that there is no reasonably safe alternative method of preventing the greater harm.

The same reasoning would apply (with perhaps somewhat less force) to the case of inflicting lesser pain on a being to prevent greater harm to someone else whom that being is threatening.

It would appear, therefore, that we can at least delimit three subcases where the legitimacy of inflicting

lesser suffering to relieve greater suffering is determinable. It is never morally justified to inflict pain to relieve it if the latter pain could have been relieved in some other way. It is always morally justified to inflict lesser pain on a being in self-defense in order to prevent greater pain from being inflicted on oneself, where there is no other way of preventing it. Finally, it will in most cases be justified to inflict lesser pain on one being to prevent him from inflicting greater pain on someone else, again provided that this is the only means of preventing it.

Where it is a question of deliberately inflicting pain on a being who is *innocent*, i.e., in no way responsible for the greater pain one is attempting to prevent or alleviate, things are, of course, much more difficult, and here our moral intuitions appear to be ambiguous. The smaller the pain inflicted is in relation to the pain relieved, the more we will be inclined to regard it as justified. The greater it is, the less likely that we will regard it as justified. It may be that we would want to draw the line at some point, maintaining that if the ratio between the pain inflicted and the pain relieved is *great enough*, then the principle is morally valid, but otherwise not. Such a position would, of course, entail enormous, perhaps insuperable pragmatic difficulties in properly calculating the pain ratio in given concrete moral situations, but is a coherent position in theory. Whatever we decide, however, the principle must be applied consistently if we are not to be guilty of moral hypocrisy.

Most of us are perfectly willing to accept this principle without qualification as a maxim for action in the world so long as it is a non-human who suffers the pain and a human whose pain is relieved. Few of us would be willing to apply it without

qualification to human beings. Fewer still would acknowledge that it is morally justifiable to conduct painful experiments on a human being to find a cure for parvo in dogs. Yet why not? Is there a relevant difference between human and non-human animals which would justify this preferential treatment? It seems quite clear, at least in the case of the vast majority of non-human animals, that there is not. There seems to be no morally valid ground for not consistently applying the principle that relief of greater suffering justifies infliction of pain, and indeed, to demand, for the sake of such consistency, that humans be made to suffer equally for the benefit of dogs and other non-human animals.

If, on the other hand, for some reason we are unwilling to subject humans to such suffering, then we must also refrain, if we do not wish to be guilty of moral hypocrisy, from inflicting it on non-human animals.

It would therefore seem that although this principle is clearly consistent with utilitarianism, and not clearly inconsistent with the principle that pain is an intrinsic evil, it involves consequences which the vast majority of us would be unwilling to accept.⁴

If this is so, then the only infliction of pain on animals or anyone else which we may accept as morally justifiable is for defense or for the benefit of the being himself. This conclusion effectively eliminates as immoral the overwhelming majority of our uses of animals.

Having examined, from the standpoint of these three viewpoints, the various possible cases of inflicting

pain, let us now look at the necessary conditions cited in the replacement argument for the moral justifiability of inflicting pain on non-human animals.

There are two kinds of benefits which proponents of this argument believe compensate the animal. The first is the benefit of being able to live out at least a portion of his natural life in a condition in which there is a preponderance of pleasure over pain (premise #1). The second is the "benefit of existence" (premise #2). A little reflection upon these supposed "benefits" reveals that in most cases they are no benefits at all. Permitting an animal to lead a semblance of his natural life, rather than *totally* thwarting his physical, psychological, and behavioral needs--which is what is usually meant by allowing the animal to have a life "worth living"--is in no way to bestow a *benefit* upon him, but merely to refrain from a greater evil. What unabashed pretension on the part of the "concerned" farmer and the "humane" experimenter (not to mention the college professor who supports them) to claim that they are doing the animal a *favor* by allowing him to live in somewhat the manner he would live anyway, under natural conditions, apart from their interference and exploitation. As Dale Jamieson has pointed out, animals don't need to be *protected* by man; they simply need to be *left alone*. To allow animals to be what they are is not *magnanimity* on man's part; it is simple *justice*. To do so is merely to give animals their due. Were it not for the fact that we live in a world in which gross institutionalized abuse of animals is the rule, rather than the exception, such action would not even merit commendation.

While the replacement argument as given would, of course, *allow* a person to treat animals in a way which is morally justified according to the premise that pain is intrinsically evil,

it in no way *requires* him to do so, and indeed permits conduct of the worst sort (i.e., case #1) as analyzed above. For example: it is perfectly compatible with the replacement argument to wantonly and sadistically engage in the periodic beating of a dog which one has deliberately bred, provided that such treatment does not occur so often as to make the dog's life on the whole more painful than pleasurable. The replacement argument does not require that *any good whatever* result from the infliction of pain, whether for the animal or anyone else. It does not even require that one "compensate" the animal for the useless pain inflicted upon it (case #2). It is sufficient that the animal's life is on balance "worth living," even though one may have reduced that animal's level of happiness well below what it otherwise would have been without thereby increasing in the slightest anyone else's happiness, or relieving anyone's pain.

The objection might be made that the replacement argument's second premise--that the animal would not have existed at all were it not for the person who brought him into existence--guarantees that the satisfaction of the first premise--that the animal's life is on the whole "worth living"--is due, at least indirectly, to the person who inflicts the pain and that therefore case #1 is excluded by the replacement argument. The bestowal of pleasure, in other words, which "compensates" the dog for the infliction of pain, even if provided directly by others, is indirectly provided by the "owner," insofar as he brought the dog into existence and thereby made it possible for others to bestow benefits on him.

As ludicrous as this objection appears, let us suppose it is justified. It would still be perfectly possible for someone to inflict pain on an animal

without directly bestowing *any benefit whatever* upon it himself, so long as there were others who were sufficiently concerned to provide such benefits, or the animal *himself*, due to otherwise favorable conditions, was able to preserve the balance of pleasure over pain in his own life. All that the replacement argument requires, in other words, for the infliction of pain on animals, is satisfaction, in the weakest possible sense, of the criteria cited in case #2. But that case, as we have seen, must be rejected as immoral if we believe that pain is an intrinsic evil, if we are utilitarians, or if we abide by our ordinary moral intuitions.

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So far as the "benefit of existence" is concerned, that product of skewed logic has already been adequately refuted by Peter Singer in *Animal Liberation*,⁵ more recent attempts to resuscitate it notwithstanding.⁶ As Singer has pointed out, there is no being upon whom the "benefit of existence" may be conferred. The root of the error is a confusion between being alive vs. being dead, and existing vs. not existing. Aliveness and deadness are both forms of existence. When a being which was alive dies, it still exists, although the form of its existence has changed. It is a lifeless body rather than a live body. It is perfectly reasonable to speak of the state of being alive as preferable to the state of being dead, since in both cases something exists which is the "subject" of those states. From the vantage point of life, a comparison of being alive with being dead can be made. No comparison can be made between existing and not existing since "a being which does not exist" (a self-contradictory phrase) is not in any *state* which can be compared in its quality to a state of existence. To

not exist is thus neither better nor worse than to exist; it lies entirely outside the realm of values, is absolutely qualityless. Consequently, it makes no sense whatsoever to speak of benefiting a "non-existent being" by bringing "it" into existence.

Singer, however, has come to doubt the truth of his former position on the issue. In *Practical Ethics* he states: "When I wrote *Animal Liberation* I accepted Salt's view. I thought that it was absurd to talk as if one conferred a favour on a being by bringing it into existence, since at the time one confers this favor, there is no being at all. But now I am less confident. After all . . . we do seem to do something bad if we knowingly bring a miserable being into existence, and if this is so, it is difficult to explain why we do not do something good when we knowingly bring a happy being into existence."⁷

This is one of the "assymetrical relations" which has led Singer and others into doubting his former position. The other is: "If you harm a being by ending its life, why do you not benefit it by beginning its life?" Puzzlement over this second relation is more easily resolved than over the first. The reason it is *possible* to harm a being by ending its life is, first, because there *is* a being which has life and can be harmed, and second, because as living beings with experience of dead beings, we are in a position to judge the value of the state of aliveness as compared with the state of deadness. Since all the evidence indicates that it is usually better to be alive than dead, we are accustomed to believing that ending a being's life harms him. In the case of "non-existent beings," neither of these is the case. There is no being who can be benefited by bringing "it" into existence, and there is no basis of comparison, as already noted, between non-existence and a state of

existence.

The second "assymetrical relation" is more complex. The answer to the question, "Why is it not morally good to bring a being into the world which will be happy?" is quite simply that *prima facie*, it is good to bring such a being into the world (leaving aside such relevant considerations as: how one can be certain the being will be happy, how this might negatively affect the happiness of others already in the world, the overpopulation problem, world hunger, etc.). This is *not* equivalent, however, to saying that one benefits a "non-existent being" by bringing "it" into the world.

It is morally good to bring a being into the world which will be happy because this act provides the possibility for the benefit of happiness to be bestowed upon the being, but it is not *itself* a benefit bestowed upon the being, since there is as yet no being upon which to bestow it.

On the other hand, it is morally bad to bring a being into the world which will be miserable because this act provides the possibility for harm to be inflicted upon the being, but, similarly, it is not *itself* a harm inflicted upon the being, since there is as yet no being upon which to inflict it.

The parallel thus proves that while bringing a being into the world may be a good or bad act depending on whether the being will be happy or miserable, it does not itself either benefit or harm the being, but only provides the possibility for benefiting or harming the being. Thus the benefit of existence premise adds nothing to the replacement argument to justify the infliction of pain or death so far as the animal is concerned.⁸ It does not offset, nor can it be weighed against the animal's pain or death,

since non-existence cannot be measured against a happy existence, nor, for that matter, against a miserable one.⁹ It is neither better nor worse to have existed than to have not existed, for existence, in itself, is neither good nor bad.¹⁰

According to the replacement argument, it would not be justified to kill a deer born in the wild, even if the deer could be replaced by one bred for that purpose and its life on balance was "worth living." Yet how does this case differ from that of a factory farm pig? What has one given the pig which one has not given the deer? The answer, obviously, is "its life." But as we have seen, existence in itself is neither good nor bad. It depends on how the animal is treated *after* it is brought into existence. Giving it its life may even be morally wrong if one intends to ill treat it, for one thereby provides the opportunity for that ill-treatment. Hence giving the pig life is in no sense to bestow a benefit upon it. Consequently, if one treated the pig and deer equally well, there would be no more justification, in terms of the animals themselves,¹¹ for killing the pig than for killing the deer.

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What of the second claim that the replacement argument purports to prove, namely, that given the conditions cited above, the infliction of *death* upon an animal is justified? It is obvious that the replacement argument assumes that the lives of non-human animals have no intrinsic value apart from the animals' capacity to experience pleasure and pain. In this it is consistent with classical utilitarianism, which reduces good and evil to pleasure and pain. The assumption that pain is the only moral issue at stake in the killing of an animal is

grossly counter-intuitive, although a utilitarian would try to show, of course, that all forms of intrinsic value which might be attributed to animals' lives are reducible to forms of pleasure.

The replacement argument as stated, however, quite clearly fails to justify the infliction of death on non-human animals, just as it fails to justify the infliction of pain. In this regard, too, it is inconsistent with the assumption that pain is an intrinsic evil, with classical utilitarianism, and with our ordinary moral intuitions.

In the first place, so far as the animal itself is concerned, it fails to exclude the unjustified infliction of pain in the process of killing. Infliction of painful death, with no good whatsoever resulting for anyone else, is perfectly compatible with the replacement argument, provided that the pain involved is not so great as to make the animal's life as a whole more painful than pleasurable.

One must also take into account the pain of those who may be affected by the animal's death. The most obvious way in which an animal's death could cause pain to others in the world, whether human or non-human, is through their sense of loss or mourning for that animal. It is ludicrous to suppose that this pain can be eliminated by simply replacing the animal with another. Even if one kills the animal painlessly, that killing is unjustified if it results in pain to another unless it also results in the relief of greater suffering for that being. The replacement argument, however, quite clearly permits infliction of incidental pain on someone else as a result of the killing of an animal without relief of greater suffering.

The pain of those affected by the animal's death directly is not what

proponents of the replacement argument are chiefly concerned with, however. They speak instead of a reduction in the "total level of happiness" in the world. To kill a happy being is to reduce this level and thereby indirectly the happiness level of those who remain in the world. The presumption is that the more happiness there is in the world, in a quantitative sense, the happier are the individuals who inhabit it. The dubiousness of this assumption has already been pointed out above.¹² The concept of the "total level of happiness" would seem to be a largely meaningless abstraction. This, however, is the apparent reason for the introduction of the third condition for inflicting pain and death on animals, namely, that it be replaced after its death by another happy animal.

This premise, together with the "benefit of existence" premise, guarantees that the world's stock of happiness will not be reduced by the killing of the animal. For the animal being killed was deliberately added to the world in the first place by the person killing it, and another such animal will be added to the world to replace it when it is gone.

It is obvious, however, that preserving the same level of total happiness in the world in no way justifies the pain inflicted on the world through the killing of animals bred for that purpose. That pain is in no wise an unavoidable means to the relief of greater suffering of the animals themselves or of human beings whose suffering is caused by those animals.

The replacement argument thus permits killing of animals which involves infliction of unjustified pain: to the animals themselves, to others who care about them, and to "the world." Even without raising the question as to whether there are not other moral issues than pain involved

in the killing of animals, it is obvious that the replacement argument fails to justify such killing.

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Assuming we grant that pain is an intrinsic evil, our analysis has shown that the replacement argument as given is insufficient to justify the infliction of pain and death on non-human animals. I have also tried to demonstrate that it is inconsistent with classical utilitarianism, from which it derives, and that if consistently followed, involves consequences which few of us would be willing to accept.

Can the replacement argument be modified in such a way as to square with the assumption that pain is an intrinsic evil, with utilitarianism, and with our ordinary moral intuitions, while still allowing us to use and kill animals for human benefit? Let us recall our conclusions regarding the cases in which the deliberate infliction of pain is morally justified. It is justified, we said, to inflict lesser pain on a being which is threatening us or someone else with greater pain, provided that this is the only way to prevent the greater pain. Secondly, it is justified to inflict lesser pain on a being if it is the only means of preventing greater pain in the being himself.¹³

It should be obvious that these criteria effectively eliminate as immoral all use of animals for human benefit which involves *any infliction of pain whatsoever*. Some uses of animals might still be morally permitted, for example, the keeping of free roving chickens for eggs, and the use of certain animals for farming or other labor, where the animal is not overworked, and is provided with all necessary care, a natural environment,

and the means of satisfying his social, psychological, and physical needs. Study of animals in simulated natural environments and even a limited range of non-painful, non-stressful experiments might also be permitted by these principles. Consumption of the bodies of animals which have died a natural death would also involve no violation of these criteria.¹⁴ Quite clearly, however, the vast majority of our uses of live animals for supposed human benefit would have to be eliminated if my reasoning is correct and we are at all concerned to act morally. Such a fundamental change in our life-style would ideally be a major step toward the ultimate goal of ceasing altogether, insofar as possible, to interfere in the lives of other animals.

What about killing? Since it is extremely dubious whether painless killing is possible (or at least practicable), this requirement alone might prohibit all killing of animals for human benefit.

Let us assume, however, that painless killing is possible. Can the replacement argument be revised in such a way as to circumvent the problem of the incidental pain caused to others and to "the world" by the killing of the animal? So far as the first point is concerned, the suggestion might be made that the animal could be raised in isolation both from humans and from his own kind, so as to avoid the problem of pain caused to others. In the case of many animals, however, this solution would betray the criteria in a different way. For any animals which have social instincts (and how many of them don't?) would surely suffer psychological pain under such circumstances, pain which would not be justified by relief from greater suffering for the animals themselves.

Two other possible solutions, however, come to mind, neither of which would appear to be beyond the

ingenuity of those who are determined to use animals for human benefit. One might breed the animal selectively in such a way as to eliminate the social instinct or to cause brain damage sufficient to make the animal oblivious to his normal social needs. To be sure, this has not yet been done, but there is no reason to presume it is beyond the reach of science. Or one might allow the animal social contact with his own kind (while concealing its existence from humans), but kill them all at slaughter time.

Short of these solutions, any killing of an animal which caused incidental suffering to others could only be justified if it was the only means to the relief of their greater suffering.

What about the pain inflicted on the world? To begin with, this notion is arguably incoherent. It seems clear that "the world" cannot meaningfully be regarded as a super-individual, and that the total level of happiness in the world is no gauge of the average level of happiness of the individuals in the world. Moreover, it seems patently absurd to maintain that a reduction in this total level of happiness in the world will have an impact on the happiness of all the individuals in the world. How could the loss of happiness inflicted on the world through the removal of a single animal possibly filter down to all the other individuals?

It follows from this that the pain inflicted on the world through the killing of animals is, at most, pain inflicted on *some* individuals who are in a position to be negatively affected in one way or another by that killing. But it is difficult to see who these individuals could be unless they are the very beings already discussed, who suffer loss from the killing of the animal. Thus the same conclusions would apply.

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If we presume that animals can be killed painlessly, then it is theoretically possible to modify the replacement argument in such a way as to square with the principle that pain is an intrinsic evil. The modifications necessary, however, would virtually eliminate, or render impracticable, the achievement of its original purpose, namely, to justify the continued use of animals *for human benefit*.

Moreover, the replacement argument would still rest upon other assumptions which are extremely questionable: that animals' lives are intrinsically worthless apart from their capacity to experience pleasure and pain, and that the prevention of an animal's future pleasure is not morally wrong.

All that is necessary to recognize the questionableness of these assumptions is to apply the test of our ordinary moral intuitions to the revised version. Would we be willing to consistently apply this argument to human beings? We may presume that human lives are generally of greater value than non-human lives and that for them pain is not the only consideration. It is equally obvious, however, that not *all* human lives are of greater value than all animal lives. Would we be willing, then, to acknowledge the moral legitimacy of breeding mentally retarded humans for human use so long as they were spared suffering, killed painlessly, and replaced by other defective humans? If not, then I would draw the conclusion to which this whole enquiry has been tending, namely, that while animals' lives unquestionably differ significantly in value, and no doubt are generally inferior in value to human lives, each and every

one is unique. No animal is "replaceable."

George P. Cave

Trans-Species Unlimited

NOTES

¹ Cf. Peter Singer, *Animal Liberation*, Avon Books, N.Y., 1975, pp.1-24.

² Peter Singer, *Practical Ethics*, Cambridge University Press, N.Y., 1979, pp. 100 ff.

³ Cf. *Ibid* and *Ethics & Animals*, V. 2, No. 3, pp. 46 ff.

⁴ To maintain consistency, classical utilitarianism has to admit, *in theory*, the moral legitimacy of inter-species comparisons of utility and the possibility of inflicting lesser pain on humans in order to relieve greater pain in non-humans. Traditionally, however, utilitarians have tried to circumvent these conclusions by appealing to other considerations relevant to the determination of the total quantity of pain involved, e.g., the painful effect on a person's friends and relatives etc. That utilitarians have felt compelled to resort to all sorts of clever means of forestalling the conclusions which follow from their own reasoning confirms the fact that the principle in question violates our moral intuitions, at least once we recognize its full implications.

⁵ *Animal Liberation*, p. 241.

⁶ *Ethics & Animals*, op. cit., pp. 53 ff.

⁷ *Practical Ethics*, p. 100.

⁸ It is, however, relevant to the question of the "total level of happiness in the world." See below, p. 113.

⁹ Even if the conferral of existence were a benefit, however, it is obvious that this benefit does not result from the infliction of pain or death and consequently can in no way justify it.

¹⁰ I am not contradicting here my former claim that it is possible to compare being alive with being dead. The quality of the state of being alive usually makes it better than the state of being dead. Mere existence, however, no matter what state of existence one is speaking of, is not *in itself* good or bad.

¹¹ See below, p. 113.

¹² See above, p. 107.

¹³ With human beings, however, it would also be morally required to obtain their consent. The impossibility of doing so in the case of non-human animals makes our responsibility for being absolutely certain that we are acting in their own best interest in inflicting pain on them all the more grave.

¹⁴ This is not to condone any of these practices, but merely to point out that they are not inconsistent with the assumption upon which the present argument is based, namely, that pain is an intrinsic evil. In my view animals' rights are by no means limited to freedom from unnecessary pain and death, but include, at least to some degree, freedom of movement, satisfaction of behavioral needs, freedom from genetic manipulation, and respectful treatment of their bodies.