

BETWEEN THE SPECIES

Utilitarianism and Replaceability Revisited or Are Animals Expendable?

ABSTRACT

In her very interesting paper, "Peter Singer on Expendability," L. A. Kemmerer re-examines Peter Singer's utilitarian argument implying that some beings are replaceable and the implications of this argument for the issue of treating animals. I attempt to defend Singer, and more generally utilitarianism (including the principle of replaceability), against these objections. I argue that, given a utilitarian outlook, some animals are indeed replaceable. But I also argue that few animals are replaceable in practice.

STEFAN SENCERZ
Texas A&M University, Corpus Christi
stefan.sencerz@tamucc.edu

Volume 14, Issue 1

Aug 2011

© *Between the Species*, 2011
<http://digitalcommons.calpoly.edu/bts/>

Introduction

In her very interesting paper, “Peter Singer on Expendability,” L. A. Kemmerer re-examines Peter Singer’s utilitarian argument implying that some beings are replaceable and the implications of this argument for the issue of treating animals (Kemmerer 2007). She argues that:

Singer’s replaceability argument is flawed because he categorizes lives which are both happy and sad as singularly happy. His acceptance of painless death is problematic because Singer, a preference utilitarian, ignores the preference of almost every living being to maintain existence. Finally, Singer’s replaceability argument does not take into account the effect of killing on the one killed, or on their larger community (2007, 9).

I will attempt here to defend Singer, and more generally utilitarianism (including the principle of replaceability), against these objections. I will argue that, given a utilitarian outlook, some animals are indeed replaceable or, as Kemmerer claims, expendable, at least in principle. But I will also argue that few animals are replaceable in practice.

Utilitarianism and the “Total” Versus “Prior Existence” Views

To put things very broadly, utilitarian theory requires us to bring about the best balance of utility. On this view, an action (or a practice or a policy) is morally right just in case it maximizes utility or intrinsic value or, as contemporary utilitarians sometimes say, the best balance of benefits and harms. That is, on this view, the right action must be such that there is no alter-

native to it that would bring about a better balance of intrinsic value.

Now, this general utilitarian idea requires several qualifications. In particular, it needs to be supplemented with some account of what counts as an intrinsic value and what kinds of things are intrinsically good and bad. Sometimes Singer writes as if he were leaning toward a version of hedonism. For example, he maintains that, from a moral point of view, no suffering of any sentient being can be simply ignored. On other occasions, however, he seems to lean toward a preference satisfaction theory of intrinsic value. On this view, it is good when someone's rational preferences and desires are fulfilled and it is bad when they are thwarted. There are, of course, close connections between sentience (understood as ability to feel pain and pleasure) and what is in someone's interests. As Singer puts it in his seminal *Animal Liberation*:

The capacity for suffering and enjoyment is a prerequisite for having interests at all, a condition that must be satisfied before we can speak of interests in a meaningful way. It would be nonsense to say that it was not in the interest of a stone to be kicked along the road by a schoolboy. A stone does not have interests because it cannot suffer. Nothing that we can do to it could possibly make any difference to its welfare. The capacity for suffering and enjoyment is, however, not only necessary, but also sufficient for us to say that a being has interests—at an absolute minimum, an interest in not suffering. A mouse, for example, does have an interest in not being kicked along the road, because it will suffer if it is (1990, 7-8).

In this paper, we will put to one side a debate between various accounts of intrinsic value, and relative merits of hedonism versus the interests (and preferences) satisfaction theories. It is important to notice, however, that both views seem to have similar implications with regard to the issue of the value of life. In particular, Singer does not think that life *per se* (that is, simply *being alive*) is intrinsically good. Rather, from his point of view, being alive is good only in so far as it allows some being to exemplify states of affairs that are intrinsically good or bad, i.e., feeling pleasure or pain, fulfillment or frustration of one's desires and preferences, and so on.

This aspect of Singer's theory seems to lead him to some difficulties. For it seems to imply that, as long as the total balance of utility remains the same, it is all right to kill someone and replace this being with someone else who exemplifies similar values. To see how these difficulties arise, it will help to distinguish two different interpretations of the utilitarian principle, namely, what may be called the "total" version of utilitarianism and the so-called "prior existence" view.

Singer characterizes the "total" view as requiring us to increase the total balance of utility "irrespective of whether this is done by increasing the pleasure of existing beings, or increasing the number of beings who exist" (Singer 1979, 147). In contrast, the "prior existence" view considers the pleasures and pains only of beings that already exist (147). (Again, let us remind ourselves that this way of introducing the "total" and the "prior existence" views puts emphasis on utility being dependent on pleasure and pain. As we have noticed earlier, ultimately Singer seems to lean toward the preference-satisfaction theory of intrinsic value rather than toward hedonism.)

STEFAN SENCERZ

Kemmerer correctly recognizes that, because of some alleged internal problems with the “prior existence” view, Singer accepts the “total” view. To bring these problems into sharper focus, let us start with the question whether the possible pleasure of a non-existing child (i.e., a merely possible child) is a reason to bring him into existence. Singer observes that, generally, the pain felt by such a potential child is a reason not to bring this child into existence. For example, a woman who knows that her potential child would be extremely unhappy has a good reason not to become pregnant. If we accept, however, that a potential suffering is a reason not to bring this being into existence, then as a matter of symmetry, it seems that the potential pleasure felt by this child would be a reason to bring this being into existence.

Singer reaches a similar conclusion by means of a slightly different argument, summarized in the following passage:

[I]t does not seem wrong for the government of an underpopulated country to encourage its people to have more children so that the population will rise by, say, one million. Yet of this million, we can be sure that at least one will be thoroughly miserable. If it is not wrong to create the million, but would be wrong to create the single miserable being, the obvious explanation is that there is value in the creation of the 999,999—or however many it will be—whose lives are happy (1979, 150).

Kemmerer thinks that Singer’s arguments stem from a mistaken assumption that, except for few who are undeniably miserable, lives are generally happy. So, their happiness outweighs the suffering of the unhappy ones. That is, she attributes to Singer

the view that, for the vast majority of humans, their existence is “an undisputed positive/pleasure” (Kemmerer 2007, 4). Contrary to this view, Kemmerer thinks that it is more reasonable to assign “a neutral or mixed value to life.” That is, she thinks that a not-yet-conceived entity “will most likely find a mixture of both pleasure and pain throughout life” and, furthermore, that “the pain ratio will be higher in the birth of an abnormal child—for the child, the parent, and all involved” (4). All of this seems well justified. This brings her to make the following point against Singer:

If we rewrite Singer’s conundrum, eliminating his assessment of most lives as an automatic (and it would seem exclusive) pleasure, the question looks very different: if the pleasure and pain a normal child is apt to experience is not a reason *for* bringing it into the world, why is the certain increased pain of a defective child a reason *against* bringing it into the world? The question no longer appears asymmetrical or perplexing. If the anticipated mix of pleasure and pain is altered so that increased pain is expected, one might reasonably choose not to parent.

If we do not calculate the average life as exclusively “pleasure,” Singer’s reason for rejecting the “prior existence” view (an asymmetry created by a fallacious assumption) evaporates (Kemmerer 2007, 4).

Now, I fail to see how exactly Kemmerer’s argument is supposed to go. For I fail to see why her way of viewing life, as containing the mixture of both pleasure and pain, helps her to establish her position and her argument against Singer. Thus, I will argue now for two points. First, just like Kemmerer would

like him to do, Singer in fact assumes that lives normally contain a mixture of both pleasure and pain (as opposed to assuming the view attributed to him by Kemmerer, i.e., that lives contain only pleasure). Second, when we recognize the fact that normal lives contain such mixtures, there are still very strong reasons to think that the “total” view is correct and the “prior existence” view is not.

To begin, let us consider two cases that help Singer arrive at his conclusions and which are borrowed from Derek Parfit, who pioneered a serious inquiry into the issue of how we should treat merely potential (as opposed to not yet existing but nevertheless actual future) people and their interests (Parfit 1976; 1984, 367; cf. Singer 1993, 123ff). In the first example, a three months pregnant woman receives from her doctor a bit of bad news combined with a bit of good news. The bad news is that the fetus has a defect that will significantly diminish the future child’s quality of life. However, the child will not be affected so adversely as to make his life utterly miserable, or not worth living at all. The good news is that this defect is easily treatable. All the woman has to do is to take a pill that will have no negative side effect for her or her future children. Parfit claims, and Singer agrees, that the woman ought to take the pill and make sure that she will have a healthy child (Singer 1993, 123). It is important to notice now that, contrary to the view attributed to him by Kemmerer, Singer perceives the life of this child as containing a mixture of both pleasure and pain. Furthermore, let us also recognize that both a handicapped child and a healthy one would have a life that is worth living (i.e., a life in which the child’s pleasure outweighs pain). Singer and Parfit agree, finally, that the woman should take the pill because a healthy child will have a better quality of life and consequently a better mixture of pleasure and pain.

STEFAN SENCERZ

The second case discussed by Singer includes a slight modification. In this case the woman visits her doctor before she becomes pregnant, when she is about to stop using contraception. She also receives a bit of bad news accompanied by a bit of good news. Namely, she learns that, if she conceives a child within the next three months, her offspring will be born with a serious defect. This defect would impact his life in the same way as the defect discussed in the previous case would affect the first child. Unfortunately, and here is the difference from the previous case, this defect is not treatable. That is, the woman cannot simply take a pill and assure that she will have a completely healthy child. Nevertheless, she also receives some good news. Namely, she learns that if she waits only three months, her future child will not have any defect at all and thus will develop normally. Singer again agrees with Parfit that the woman ought to wait three months, i.e., until she can conceive a completely healthy child. He maintains that, if the first woman did not take a pill or if the second woman did not wait three months, each of them would do something wrong. Furthermore, other things being equal (e.g., the waiting period is not harder for the second woman than taking a pill is for the first), each of them would do something that is equally bad or wrong. But why?

The first case can be explained in an easy way. If the woman does not take the pill she will allow her child to be harmed. More precisely, she will make her child worse off than this child would have been otherwise. So far, this case does not lend any support to either the “total” or the “prior existence” view. But, as Singer observes, the second case is not open to the same explanation. For we cannot now argue that, if the woman does not wait, she will make someone worse off than this very being would have been otherwise, i.e., if she decided to wait. The reason for this is that the child does not yet exist. To see this point

STEFAN SENCERZ

more sharply, suppose that the child from the second example grows up and one day claims what follows. “You should have waited three months. If you waited, I would not have been born with this disability and my life would have been significantly better.” The woman could simply respond as follows:

If I had waited three months before becoming pregnant you would have never existed. I would have produced another child, from a different egg and different sperm. Your life, even with your disability, is definitely above the point at which life is so miserable that it ceases to be worth living. You never had a chance of existing without the disability. So, I have not harmed you at all (Singer 1993, 124).

So, what follows from this example? In this case, the wrongness of not waiting three months does not consist in harming the actually existing child, for the actual child has life which is as good as it possibly can be for this very child. But, then, why is it wrong? One possibility is that it is wrong because the woman did not bring into existence the possible child she could have had and would have had otherwise, i.e., if she decided to wait three months. As Singer observes, “this option commits us to the total view, and implies that, other things being equal, it is good to bring into existence children without disabilities” (Singer 1993, 124). There is, however, an even more satisfactory answer to our question about the wrongness of her actions; namely:

the wrong-doing lies... in bringing into existence a child with a less satisfactory quality of life than another child whom one could have brought into existence. In

other words, we have failed to bring about the best possible outcome (Singer 1993, 124-125).

This argument implies, however, that not only the interests of *already existing* beings but also the interests of *possible* beings matter when we make moral decisions. That is, again, this answer seems to commit us to the “total” view as the correct interpretation of utilitarianism.

To sum up, in this section we considered Kemmerer’s objections to Singer’s version of utilitarianism. I have argued that, contrary to her interpretation of Singer, he assumes that typically lives include a mixture of both pleasure and pain (or other beneficial and harmful states). Furthermore, I have revisited Singer’s reasons in support of the “total” view as the correct interpretation of utilitarianism. These reasons seem to be convincing.

From the “Total” View to Replaceability

Suppose that a certain being, X, has on balance an enjoyable life (i.e., a life that overall contains more pleasure than pain, or a positive balance of all things that contribute to the life’s being worth living). Suppose, furthermore, that we can painlessly kill X and replace it with another being, Y, that has an equally enjoyable life. If we replace X by Y, the total amount of utility in the world will remain constant. So, it seems, the “total” view implies that there is nothing wrong in killing X and replacing this being by Y (provided that X and Y have equally enjoyable lives).

Let us now take this reasoning one step further and suppose that X is used by a third party in a way that brings some extra pleasure to the world, and then is killed and replaced by Y.

STEFAN SENCERZ

Suppose that this pleasure could not have been obtained in any other way. Again, it would seem that the “total” view implies that we ought to bring X into existence, use X in the way that generates extra pleasure, and then kill X and replace it by Y. But what does it mean in practice?

Consider a case involving eating fish. Suppose that a certain fish, X, has an enjoyable life, is caught and killed painlessly, and then is replaced by another happy fish, Y. Suppose also that X is consumed by someone who likes to eat fish and that eating fish generates a surplus of pleasure in this person, pleasure he would not have eating only a vegetarian diet. It would seem that the “total” view implies that, other things being equal, there would be nothing wrong about this sort of practice. After all, the total amount of fish pleasures and pains remains constant, while the practice creates a certain surplus of pleasure experienced by someone who likes to eat fish. So, it would seem, the “total” view would allow for some forms of raising animals for food and eating them. For it seems that, in principle, at least animals like our happy fish are replaceable.

Similar arguments can be made about many other animals and, perhaps, even some humans. This leads, however, to serious difficulties for the “total” view. For example, in one of his papers, Dale Jamieson considers a couple planning to have only a certain number of children. Suppose that one of their children is miserable. The “total” view seems to imply that the couple ought to eliminate this child and replace it with a happier one. After all, such an action would increase the balance of happiness (Jamieson 1983, 142-145). But this result seems highly counterintuitive. Michael Lockwood offers another hypothetical example. He envisages a company, call it “Disposapup,” that breeds pups to provide pets for families. It also takes the

pets back in cases in which someone does not want to have a pet any more or, at least, does not want to have a pet for a while. Thus, imagine that a family wants to take a vacation and that they get bored with a particular dog which had outgrown its cuteness. In such a case, “Disposapup” will accept a return, kill the dog painlessly, and then (when the family is ready after its vacation) provide them with another similarly cute pup. Like Jamieson, Lockwood argues that Singer’s version of utilitarian theory implies that there is nothing wrong with “Disposapup” (Lockwood 1979, 168). It opens doors to many similar repugnant implications for Singer’s version of utilitarianism.

Kemmerer claims that these sorts of results are not really implied by utilitarian theory per se but rather by Singer’s “total” view interpretation of utilitarianism. Because they follow from this view, Kemmerer finds the “total” view unacceptable. Unfortunately, as we have seen in the previous section, her arguments against the “total” view are unconvincing. So, let us consider again the limits and implications of replaceability.

The Limits of Replaceability

Let us recall the considerations offered in the first section. One can conceive a child *now*. In effect, this child will have some defect but, overall, this child will also have a reasonably happy and good life. Alternatively, one can wait few months and conceive a child *then*. In effect, this child will have no defects at all and thus will have a very happy and good life. Under those conditions, it seems that one ought to wait. These sorts of considerations suggest that, at the very least, *potential* beings are replaceable. That is, it seems that we can replace one possible being (i.e., the being who does not yet exist but would exist depending on our actions) with another possible being.

But can we extend this implication to already existing beings? That is, are there any actual (rather than merely potential) beings who are also replaceable? Singer argues that self-consciousness makes a difference and that self-conscious (and not merely conscious) beings are not replaceable. The reason for that is that such beings have some understanding of their future. Hence, arguably, they also have some preferences regarding their future. In particular, other things being equal, such beings would desire to continue their existence in the future, would desire not to be killed in the future, would desire to be free now from worries about the future, and so on. Any act of killing would thwart these preferences. Furthermore, it could also cause suffering resulting from the anticipation of the premature death. Consequently, other things being equal, it would be wrong to kill such a being.

The example regarding a really-miserable child, offered by Jamieson and discussed in the previous section, is a special case. This case raises special questions related to the issue of euthanasia. These questions are too complex to discuss fully here. But I would argue that, in some circumstances (e.g., when suffering is excruciating and cannot be alleviated, and when death is inevitable), euthanasia may be morally permissible. Under such conditions, other things being equal (e.g., putting to one side their own anxiety and misery as well as legal considerations and possible penalties), it may be both reasonable and moral to terminate the life of such a child. I do not see that cases of this sort raise special additional problems for the utilitarian theory and the “total” view. On the contrary, in such cases, the utilitarian theory seems to be in harmony with intuitive considerations. So, I will put such cases to the side.

STEFAN SENCERZ

A much different case would involve a child who has some defect yet this defect is not severe enough to make her life really miserable. I would argue that, if such a child is self-conscious (and not merely conscious), the considerations offered two paragraphs earlier would be pertinent. So, in such a case, the child would not be really replaceable.

This brings us to the final kind of case in which we deal with merely conscious and not self-conscious beings. Recall the company “Disposapup,” described by Michael Lockwood. Let us assume also that small pups are not self-conscious. Suppose that a family gets such a pup, keeps it for a few months, then discards it when the pup outgrows its cuteness, or when they want to go on a vacation, or when they want to have a different pup, or in any similar circumstances. What would be wrong about this sort of practice? It seems that a theory like Singer’s does not have resources to argue that, in principle, small pups, or fish, or perhaps even chickens are not *per se* replaceable. It does not follow, however, that the utilitarian theory has no resources to argue against this sort of practice on other grounds.

Kemmerer herself offers several reasons for thinking that, in practice, what we actually do to animals has devastating results for us, our families, our society, and our environment. Thus, even if many animals are replaceable in principle (or, other things being equal), we may have conclusive reasons not to replace them in practice (for other things are not equal). Some of these reasons will be considered in the next section.

Are Other Things Really Equal?

To begin, let us consider some effects of standard procedures in almost every animal laboratory. Educators repeatedly wonder why prospective doctors and scientists arrive at schools

STEFAN SENCERZ

“sensitive, concerned, idealistic, morally aware, and infused with a desire to promote health and alleviate illness and suffering, yet emerge four years later cynical, hardened, brutalized, and rigid, their ideals and enthusiasm forgotten” (Rollin 1981, 110). As one observer noticed, “once you’ve been here a few days, you lose respect for all living things” (Orlans 1998, 132). The reason why it happens seems to be that human and veterinary medicine requires students to perform extensive and painful experiments on animals. Kemmerer suggests that these unnecessary and frequently cruel experiments challenge the very moral sensibilities of practitioners and, in effect, badly damage the desire and hope to heal animals and treat them with at least minimal level of respect.

Working in the meat industry frequently has even more devastating effects. First, factory husbandry causes animals excruciating suffering. In fact, the animals in factory farms are so miserable that the replaceability considerations simply do not apply. In paradigm examples when these considerations are used, one happy being is replaced by another happy being while, in effect, we generate some surplus of pleasure. Yet animals tortured in factory farms are not happy; on the contrary, they are so miserable that their lives are most likely not worth living. Consequently, if we continue with this practice, we would be replacing one miserable animal with another. Because suffering of animals in factory farms is so enormous, it is hard to see how this way of producing meat is conducive to generating a good balance of utility. Consequently, it’s hard to see how factory farms could be defended on either the “prior existence” or “total” interpretation of the utilitarian theory. (An exception would be cases where the benefits of such a practice outweigh the harms caused to animals and there is no alterna-

tive way to bring about those benefits without causing suffering to animals.)

Second, using up lots of energy and producing many substances that pollute the environment, factory farms also have further very serious negative effects. Finally, and this is a very interesting part of her essay, Kemmerer brings to our attention additional facts concerning how the meat industry affects people who raise animals for food (see Eisnitz 1997). It turns out that even officially sanctioned institutionalized killing for the “benefit of humanity” has serious negative effects on those who do the deed. One of these effects is a dramatic “hardening” of their moral sensibilities. For example, slaughterhouse workers admit to excessive and unnecessary cruelty toward the animals they perpetually kill. One of them reported the following:

The worst thing, worse than the physical danger, is the emotional toll. If you work in that stick pit for any period of time [killing pigs], you develop an attitude that lets you kill things but doesn't let you care. You may look a hog in the eye that's walking around down in the blood pit with you and think, God, that really isn't a bad-looking animal. You may want to pet it. Pigs down on the kill floor have come up and nuzzled me like a puppy. Two minutes later I had to kill them—beat them to death with a pipe. I can't care...

Every sticker [slaughterhouse killer] I know carries a gun, and every one of them would shoot you. Most stickers I know have been arrested for assault. A lot of them have problems with alcohol. They have to drink, they have no other way of dealing with killing life, kicking animals all day long. If you stop to think about

it, you're killing several thousand beings a day (Eisnitz 1997, 87).

Eisnitz discovered also that “with nearly thirty-six injuries or illnesses for every one hundred workers, meat packing is the most dangerous industry in the United States” (271). The long term effect of slaughterhouse work is “a system that places nearly as little value on human life as it does on animal life” (273). Consequently, it causes numerous undesirable consequences for humans. It is very likely that puppy mills, like the one described by Jamieson, would have similarly negative effects on people who work there. They would probably have further questionable implications for those who buy pets from such a company and then dispose of them at the slightest inconvenience.

To sum up, Kemmerer is correct that the utilitarian theory has many resources that can be used to show that, even if certain ways of using animals are not wrong *per se*, because they do not harm animals, they still may be wrong on other grounds. Specifically, they may be wrong because of their negative side effects; i.e., the consequences for us all, other animals, and our environment. She is probably correct in claiming that utilitarians could explore more fully those aspects of their theory. All of this does not add up, however, to an argument that some merely-conscious animals are not replaceable *per se*. That is, I fail to see that Kemmerer has provided convincing reasons to reject the replaceability considerations.

Utilitarianism and the Treatment of Animals Revisited

It is easy to underestimate the nuances of the sophisticated version of utilitarian theory used by Singer. He himself points to some complications in the 2nd edition of his *Practical Ethics* (as well as in other writings), and it is a bit unfortunate that Kemmerer has focused mostly on the first edition of his book. Singer observes, in particular, that one significant change between these two editions includes the distinction between two levels of moral reasoning that he adopted from Oxford philosopher R.M. Hare; namely, the distinction between the everyday intuitive level and the more reflective, critical level (Singer 1993, X; cf. Hare 1976, 1981).

The *intuitive level* of moral reasoning includes our everyday, common-sense morality. This level includes our moral dispositions, attitudes, emotions, and general rules that we apply in most of our ordinary circumstances. R.M. Hare brought to our attention several constraints that such rules must satisfy. As he noticed, we use these intuitive rules when we do not have enough time for critical thinking, or when there are other reasons not to trust our critical skills. To use one example, ordinary people tend to be biased towards their own interests and the interests of their loved ones; e.g., parents making decisions about organ transplants tend to overestimate benefits for their children and also tend to favor the interests of their children in comparison with the interests of other children. So, if they were to make their moral decisions solely on the principle of utility, very likely they might overestimate the value of their actions for them and their loved ones, and underestimate the value of their actions for others. Consequently, they likely might make unfair decisions. To counteract this potential bias, it may be safer to act on more simple intuitive rules requiring that all

humans ought to be treated equally and that people who have conflicts of interests should recuse themselves from making the final decisions. In addition, we tend to show weakness of will (i.e., we do not always do what we think is right). For this reason, it seems as if very complex rules allowing for multiple exceptions would be hard to internalize and follow. Thus, intuitive rules need to be relatively simple and easy to internalize and apply. Furthermore, our knowledge is limited and we do not have indefinite time to make our moral decisions. Again, this provides a reason for not using solely the principle of utility and adopting instead relatively simple and easy to follow rules.

How do we decide, however, which intuitive rules are the correct ones? We do it at the critical level which assumes that an agent has perfect knowledge, is not a victim of weakness of will, is not biased towards his or her own interests, has enough time to think about all relevant matters, and so on. Thus, the critical level has several functions. First, we use it when we decide how to design our intuitive-level rules. Second, we use it when we discover that those principles are in conflict, so we need to adjudicate between them. (For example, we encounter an example analogous to Kant's case of an innocent person chased by bandits and we realize that we cannot save his life without lying. So, we realize we must break one of the intuitive rules and the only relevant question is which rule to break.) Third, we use it when we encounter an unusual case for which those rules are not designed. Finally, we use it when it's clear beyond a reasonable doubt that there are conclusive reasons to depart from intuitive-level rules. (In addition to two levels of normative thinking, Hare proposes also a meta level that allows us to define moral concepts, develop ways of arguing about normative issues, and so on.)

According to Hare, at the critical level but only at that level, we ought to use straightforward utilitarian considerations and base our reasoning on the idea of bringing about the best possible balance of utility. It is rather clear that the question—“what kinds of beings are *per se* replaceable?”—would be addressed at the level of critical thinking. It seems that we have reasons to think that self-conscious beings are not replaceable even in principle. But we also have some utilitarian reasons to think that, other things being equal, merely conscious beings are probably replaceable.

Our job is not finished, however, once these sorts of questions are answered. We still need to address issues about how to apply these considerations in practice or what kinds of rules we should develop and follow at the intuitive level of thinking. Now we have to take into account the fact that these rules must be reasonably simple and easy to internalize and follow; they must counterbalance our bias, prevent the development of bad habits, and so on. Taking all of this into account, it seems that we should assume that, even if some animals are replaceable in principle, many of them are not replaceable in practice. In particular, it seems that, in practice, a company of disposable puppies would not be a good means to bring about a good balance of utility. Let us restate some of the reasons why.

As is stipulated by Jamieson, the employees of this company would be required to kill undesirable pups. If this is the case, however, they would be under the same kinds of pressures as the current workers in animal husbandry. We have already seen how devastating this work is for their moral sensibilities. They are frequently cruel not only to animals but also to humans. In fact, most of them have serious problems with guns, drugs, and alcohol and many are arrested for assaults. In addition, suppose

that we accept for our society a rule that there is nothing wrong about treating a young pup as if he were a mechanical toy not able to feel anything. Specifically, suppose we accept that there is nothing wrong about killing him or her for a mere matter of convenience. Imagine now that young people internalize this rule and start applying it to their own pups. Very likely we would create generations of people who have badly damaged their characters and, in effect, are willing to treat in the same way not only young (that is, merely conscious) pups but also adult dogs, other animals, and perhaps even fellow human beings. Now, arguably, adult mammals are not merely conscious but also self-conscious (even if this is only a rudimentary self-consciousness). Thus, if our considerations from the earlier sections are correct, they are not replaceable even in principle. Similarly, except for very small children and people who are very severely mentally handicapped, human beings are self-conscious and hence not replaceable. Thus, a rule allowing us to treat young pups as replaceable would very likely lead generations of people to abuse animals and perhaps even humans. To wit, a rule allowing for treating pups as replaceable does not seem conducive to producing desirable social utility. We have good consequentialist reasons to reject such a rule.

There are further consequentialist reasons against the practice of disposing of pups for the reason of mere convenience. This practice would be conducive to generating good consequences only if the owners have a very detached attitude to their pets. A more loving attitude would lead them to miss their animals when they are gone, which would count as suffering or disutility. It seems, however, that a detached attitude to pets, including treating them as if they were literally disposable mechanical toys, is not conducive to the well-being of either pets or their owners. To explain why, I am going to rely on my own

STEFAN SENCERZ

example. Some 5 years ago I went to a local animal shelter and adopted my first dog; several months later she “adopted,” with my consent, her playmate, also a rescue. Since then, my life has changed in many quite unexpected ways.

To start with some seeming negatives, our interactions have not been free from some sacrifice on my part. For example, my travels are now less easy than they used to be. Also, I pay their sometimes quite significant veterinarian bills. Furthermore, taking care of my dogs has forced me to totally change my lifestyle. I used to work late into the night and stay in bed until late in the morning. Now, I go to bed early and wake up way before dawn. Initially, those changes were painful to me, painful enough to doubt whether I would be able to accept them if I cared little for my dogs. But motivated by what is good for them, I have adjusted. In turn, our interactions have changed my life in many positive ways. For one thing, I have learned more discipline. In particular, we start almost every day with a long roam through a natural environment (we live close to several parks and bodies of water). Next, I have lost some 70 or 80 pounds and dramatically increased the level of my health and well-being. Finally, my dogs have given me many joys and pleasures that are incomparable with anything I have previously experienced in my interactions with other animals and nature. To put things simply, from a purely self-interested point of view, adopting my dogs was one of the best decisions of my entire life. But this decision is not only very good for me, it is also very good for my rescued dogs which are as happy as any other dogs I have known.

There is a very important factor involved in this story which it is good to emphasize now. Namely, I would not have developed my new habits, leading to the improvement of my weight,

health, and the level of my well-being, if I had treated my dogs as if they were mere disposable mechanical devices. That is, one essential factor in our relationship is that it is based on love and respect, as opposed to treating my animals as mere expendable things that can be replaced as a matter of mere convenience. This crucial element is exactly what has led to overall good consequences both for me and them. Precisely because of this factor, I am not willing to treat my pups as if they are replaceable. In fact, I would not be willing to treat them as such even if, as a matter of principle, they were replaceable. The upshot of this discussion is this. Our loving relations with animals seem more conducive to generating a good balance of utility than relations in which we are more detached and treat them as if they were mechanical toys. But once we establish this sort of relation, it is unlikely that replacing the loved animal would be as neutral for our well-being as Jamieson “Disposapup” example suggests. On the contrary, the practice of replacing animals would cause us lots of suffering. Again, we find strong consequentialist reasons to think that even small pups are not replaceable in practice (even if they can, perhaps, be replaceable in principle).

Are there, however, any animals that are replaceable even at the level of intuitive thinking? I would argue that a reasonably clear line of demarcation could perhaps be drawn at the level of fish and other aquatic life. Animals such as shrimps or mollusks or fish have both very simple mental lives and are easily distinguishable from mammals and birds. There are many people who, rather than practicing pure vegetarianism, eat fish and seafood or even gain pleasure from the practice of catching fish. These people do not develop bad habits like those who work in the meat industry and do not end up abusing birds, mammals, and humans. On the contrary, many of them stick

with their pesco-vegetarian diet and are as respectful of other forms of life as they should be.

Conclusion

To sum up, in this paper I have attempted to address several aspects of utilitarian theory. I have argued that there are convincing reasons to accept the “total” interpretation of this view. I argued, next, that utilitarianism implies that merely conscious beings, but not self-conscious beings, are replaceable in principle. On these two issues I disagree with Kemmerer. I have argued, furthermore, that she has offered many convincing reasons to think that, even if some animals are replaceable in principle, at least from a utilitarian point of view, we should not conclude that they are also replaceable in practice. The reason for this is that, because of various side effects, adopting a rule allowing for replacing them would have an undesirable long run utility. I have suggested, finally, that a reasonably clear demarcation line, allowing to treat some beings as replaceable, can perhaps be drawn at the level of organisms that are currently classified as so-called seafood.

Acknowledgements

My colleagues Andy Piker, Anthony Quiroz, and Robin Carstensen offered very helpful comments on an earlier draft of this paper. I am grateful for their help.

References

- Hare, R.M. 1976. Ethical theory and utilitarianism. In *Contemporary British Philosophy 4*, ed. H.D. Lewis. London: Allen and Unwin.
- 1981. *Moral thinking: Its levels, method and point*. Oxford: Clarendon Press.

- Eisnitz, Gail A. 1997. *Slaughterhouse: The shocking story of greed, neglect, and inhumane treatment inside the U. S. meat industry*. Amherst: Prometheus.
- Jamieson, Dale. 1983. Killing persons and other beings. In *Ethics and Animals*, eds. Harlan B. Miller and William H. Williams. Clifton: Humana.
- Kemmerer, L.A. 2007. Peter Singer on expendability. *Between the Species* VII: 1-11.
- Lockwood, Michael. 1979. Killing humans and killing animals. *Inquiry* 22. 157-170.
- Orlans, F. Barbara et al. 1998. *The human use of animals: Case studies in ethical choice*. New York: Oxford University Press.
- Parfit, Derek. 1976. Rights, interests and possible people. In *Moral problems in medicine*, ed. S. Gorovitz et al. Englewood Cliffs, N.J.
- 1984. *Reasons and persons*. Oxford: University Press.
- Rollin, Bernard E. 1981. *Animal rights and human morality*. New York: Prometheus.
- Singer, Peter. 1979. Killing humans and killing animals. *Inquiry* 22. 145-156.
- 1990. *Animal liberation*. New York: Avon Books (New Revised Edition).

STEFAN SENCERZ

———1993. *Practical ethics*. Cambridge University Press (2nd ed.).