

# The Question of a Right to Life in Animal Ethics

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## Summary

*In animal ethics a Right to Life has been postulated repeatedly, but no valid argument has been produced yet. Thus the question of a Right to Life in animal ethics remains unanswered. It is remarkable that no philosopher has yet found a valid argument against Epicurus ("there is nothing fearful in the absence of life"). On the other hand, there is – again based upon Epicurus' argument – a basic moral duty with respect to painless killing (i.e. no fear, no distress, no suffering).*

**Zusammenfassung:** Das tierschutzethische Problem eines Rechts auf Leben

*Ein moralisches Recht auf Leben ist auch (einigen) Tieren wiederholt zugesprochen worden. Allerdings gibt es bis heute keine gänzlich überzeugende Argumentation zur Begründung. Die Tötungsfrage in der Tierschutzethik kann daher weiterhin als offen betrachtet werden. Der springende Punkt besteht darin, ein stichhaltiges Argument gegen Epikurs Feststellung zu finden, dass der Zustand des Nicht-mehr-lebens nichts Beängstigendes enthält. Auf Grundlage der Argumentation Epikurs lässt sich aber auch zeigen, dass ein moralisches Recht der Tiere auf eine angst- und schmerzlose Durchführung der Tötung außer Frage steht.*

**Keywords:** animal welfare, animal rights, animal killing, ethics, bioethics

## The Problem

Most of today's debates on animal ethics focus on the protection of sentient beings. However, the moral status of a sentient being is not clearly defined. Do animal ethics (A) aim to prevent negative experiences in beings that are capable of such experiences (sentient beings)? Or do animal ethics (B) aim to protect the interests of beings that are capable of having interests (sentient beings)? The background assumption of A is that all good and bad consists of sense-experience (Epicurus, 341-271 BC). The background assumption of B is that to behave morally means to respect the interests of all those who are affected (Leonard Nelson, Göttingen/Germany, 1882-1927).

If A is correct, we must follow Epicurus on the issue of death: "Get used to believing that death is nothing to us. For all good and bad consists in sense-experience, and death is the privation of sense-experience. [There] is nothing fearful in life for one who has grasped that there is nothing fearful in the absence of life. [...] So death [...] is nothing to us; since when we exist, death is not yet present, and when death is present, then we do not exist." (Epicurus, Let-

ter to Menoeceus). If A is correct, and good and bad consist of pleasurable and painful sensory experience, then there is a basic moral duty with respect to painless killing (no fear, no distress, no suffering), and the moral duty not to kill humans must be a duty derived from a social contract. So Hermarchos, the follower of Epicurus, argued: "If [...] it was possible to make a certain compact with other animals in the same manner as with men, that we should not kill them, nor they us, and that they should not be indiscriminately destroyed by us, it would be well to extend justice as far as to this." (Hermarchos, ~ 325-259 BC; in E. Wynne-Tyson (ed.), Porphyry: On Abstinence from Animal Food).

If B is correct, we must follow Leonard Nelson who wrote: My deliberations can be applied to every interest an animal has. These deliberations can also be used to decide the question of whether the painless killing of animals is morally permissible. The answer is simple if we ask ourselves whether we would agree to our own killing on the condition that it is painless. We would not agree, because it would violate our interest in life, regardless of how painlessly or cruelly the killing is carried

out (System der philosophischen Ethik und Pädagogik, 1932).

## A – Prevention of negative experiences

Within the group of animal-friendly philosophers Jeremy Bentham (1780), Wilhelm Dietler (1787), Immanuel Kant (1797), Arthur Schopenhauer (1840) and Eduard von Hartmann (1886) were typical representatives of assumption A. Jeremy Bentham (1748-1832) put forth the famous argument: "If the being eaten were all, there is very good reason why we should be suffered [allowed] to eat such of them as we like to eat: we are the better for it, and they are never the worse. [...] The death they suffer in our hands commonly is, and always may be, a speedier, and by that means a less painful one, than that which would await them in the inevitable course of nature. If the being killed were all, there is very good reason why we should be suffered [allowed] to kill such as molest us [...]. But is there any reason why we should be suffered [allowed] to torment them? Not any that I can see." (An Introduction to the Principles of Morals and Legislation, 1780). A similar argument was

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put forward by the German philosopher Wilhelm Dietler in 1787: It is morally permissible to kill animals for food or safety – but it is never permissible to torture animals. The animals must be killed in the quickest way possible and with the least amount of suffering (Gerechtigkeit gegen Thiere, 1787). Immanuel Kant (1724–1804) wrote: A quick and painless killing of animals is morally permissible (Die Metaphysik der Sitten, 1797). And Arthur Schopenhauer (1788–1860) simply added the idea of stunning: Compassion with animals does not mean to abstain from killing animals for food. Without meat human beings would suffer more than an animal that is killed quickly and without fear. But animals should generally be stunned before slaughter (e.g. with chloroform). (Über die Grundlage der Moral, 1840). In 1886 Eduard von Hartmann (1842–1906) argued as Bentham had done a hundred years earlier: Every animal must die one day. If a man kills an animal in a way which is faster and less painful than the death it would experience in nature, then this should not be a moral problem (Moderne Probleme, 1886).

## B – Protection of interests

Peter Singer, Tom Regan, Ursula Wolf and Jean-Claude Wolf are typical representatives of assumption B. It was Singer (\*1946) who introduced Nelson's idea into utilitarianism: "Unlike classical utilitarianism, preference utilitarianism makes killing a direct wrong done to the person killed, because it is an act contrary to his or her preferences." (Animals and the Value of Life, 1980). But Singer respects only those interests which are consciously preferred by the individual, otherwise he follows assumption A: "Given that an animal belongs to a species incapable of self-consciousness [i.e. incapable of a preference-interest in remaining alive], it follows that it is not wrong to rear and kill it for food, provided that it lives a pleasant life [...]" (Killing Humans and Killing Animals, 1979). Nelson's idea can also be found in Tom Regan's (\*1938) book *The Case for Animal Rights*: "Death is [...] the irreversible harm because death is [...] the irreversible loss, foreclosing every opportunity to find any satisfaction. This is true whether death is slow and agonizing or

quick and painless. Though there are some fates worse than death, an untimely death is not in the interests of its victims, whether human or animal, independently of whether they understand their own mortality, and thus independently of whether they themselves have a desire to continue to live." (The Case for Animal Rights, 1984). In Germany, Ursula Wolf (\*1951) put forward a similar logical argument: Animals that consciously try to attain a good life have an interest in being alive, for this is a necessary precondition of a good life (Haben wir moralische Verpflichtungen gegen Tiere?, 1988). A consequence of this would be a Right to Life for all conscious animals (Das Tier in der Moral, 1990). And Swiss philosopher Jean-Claude Wolf (\*1953) explained: A being "with a will to go on" is forcefully interrupted in its striving when killed or irreversibly stunned. In this respect, killing harms every sentient being (unless it is suffering dreadfully and hopelessly). This is the central argument for a general ban on killing sentient beings (Töten von Tieren? Eine angemessene Begründung des Tötungsverbot aus moralphilosophischer Perspektive, 1993).

## Conclusion

It is remarkable that none of the representatives of assumption B (protection of interests) have yet found a valid argument against Epicurus ("there is nothing fearful in the absence of life"), while still accepting the proposition that the consequences of an act determine whether this act is ethically problematic for the individual (e.g. if children should be taken to the dentist, or dogs to the vet). So the Right to Life is still a hypothesis in animal ethics. On the other hand, there is without doubt a basic moral duty with respect to painless killing (i.e. no fear, no distress, no suffering).

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