



Pets and People: The Ethics of Companion Animals

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CHAPTER

18 The Euthanasia of Companion Animals

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Abstract

Euthanasia of companion animals is far less ethically controversial than human euthanasia. However, modeling the ethics of euthanizing companion animals on the ethics of euthanizing human beings is implausible. Companion animal euthanasia is better categorized as a form of potentially justifiable killing, resting on our duties to protect or promote animal wellbeing. The comparative account of the value of death provides the best account of when prematurely ending a companion animal's life through medical means is morally justified, namely, when a companion animal's dying would be neither a benefit nor a harm to it. Indeed, knowingly failing to euthanize a companion animal at or near that optimal time fails to respect such an animal and can treat it merely as a means (though not in the usual Kantian sense). The chapter concludes by reflecting on why companion animal guardians are specifically permitted to choose to euthanize companion animals.

Keywords: [euthanasia](#), [justifiable killing](#), [value of death](#), [comparative account](#), [treating as means](#), [animal guardian](#)

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Intense debates regarding the ethical justifiability and legal wisdom of human euthanasia (and its close cousin, assisted suicide) have occurred in many societies over the past half century, despite the fact the numbers involved are vanishingly small. In those jurisdictions that permit assisted dying, only 3 percent of all deaths result from such procedures (Statistics Netherlands 2012; Warnes 2014). In contrast, euthanasia of companion animals is almost commonplace. Exact numbers regarding how many companion animals are euthanized each year by their owners are hard to come by. But given that the Humane Society of the United States (2014) estimates that 2.7 million animals from companion species are euthanized each year in shelters, and Americans own about 164 million pets, one can only assume that the number of euthanasias of companion animals performed at guardians' requests must number in the millions per year. In any case, it seems clear that euthanasia of pets is far more the norm than human euthanasia will ever be. Still, that

euthanizing companion animals is not ethically controversial does not mean that it raises no complex ethical questions. My aim here is not to upend the popular conviction that this practice is morally permissible. Rather, my primary task is to clarify the underlying ethical issues and, to the extent possible, render more precise the conditions under which euthanizing companion animals is morally justified.

p. 265 The euthanasia of companion animals and the assisted killing of humans share a superficial similarity: both involve the use of medical means to bring about the end of a creature's life for beneficent reasons. But I first argue that modeling the ethics of euthanizing companion animals on the ethics of euthanizing human beings is implausible. The bromide that companion animal euthanasia should be "humane" or "done humanely" in fact obscures the very different ethical terrain of human and animal euthanasia. For very few of the ethical considerations that count in favor of (or against) euthanizing humans apply straightforwardly to nonhuman animals. Indeed, euthanizing companion animals might more accurately be seen as a species of (potentially) justifiable homicide, the justification of which turns almost entirely on our duties to protect or promote animal wellbeing. I then argue that the familiar *comparative* account of the value of death provides the best account of when prematurely ending a companion animal's life through medical means is morally justified. Very roughly, this account implies that there is an approximate right time for an animal to die, namely, at that point at which additional life would be neither a benefit nor a harm to it. I augment this approach by proposing that knowingly failing to euthanize a companion animal at the optimal time fails to respect such an animal and can treat it merely as a means (though not in the usual Kantian sense of that phrase). I conclude by reflecting on why guardians of companion animals, as opposed to others, are both morally permitted and morally obligated to euthanize companion animals (with the assistance of veterinary professionals). These moral entitlements, I propose, rest on the guardians' distinctive knowledge of an animal's history and wellbeing.

Let us start with two caveats regarding nomenclature: First, I will use the term "companion animals" here, despite the allegation that doing so is "politically correct" (Varner 2002, 460). I intend the term in a literal sense, as designating any animals with whom human beings can be companionate. This will include most pets, but may also include service animals or domesticated animals from whom labor is sought. Companionship, in other words, is compatible with animals playing other roles in human affairs. This usage leaves open precisely which species of animals can serve as human companions (whether, for example, fish or insects might be human companions). Second, for reasons that become clear later on, I will refer to those human beings with whom animals are companionate and who bear special moral obligations toward those animals as those animals' *guardians* rather than as their owners.

Animals and the Human-Assisted Dying Debate

p. 266 Unsurprisingly, recent debates about human euthanasia have been dominated by discussions of *voluntary* euthanasia, euthanasia that takes place with the consent of the person killed. *Involuntary* euthanasia is ruled out by the widespread belief that the willful killing of another human being against her will (except in cases of self-defense) is among the most serious of moral wrongs. Furthermore, since voluntary euthanasia counts as suicide, that is, as intentional self-killing undertaken in this case with the assistance of others, the moral debate about human euthanasia has been couched in terms of whether human beings may permissibly end their own lives, and if so, whether others (particularly physicians) are permitted to facilitate such self-termination.

However, this framework simply cannot be repurposed to address the euthanasia of nonhuman creatures. Admittedly, humans euthanizing animals may be "helping" those animals to die (more on this shortly). But this does not make the euthanasia of companion animals "voluntary" in the sense deployed in debates about human euthanasia. Although the right to autonomy—that is, the right to make one's own decisions,

particularly regarding key life matters such as life and death—has played a central role in advocacy for human euthanasia, it has essentially no role to play in the morality of euthanizing animals. Animals do not consent to their own deaths, nor would it make sense to ask them to do so. Animal euthanasia thus does not count as suicide in the ordinary sense. Rather, it is better classified as *non-voluntary* euthanasia, the beneficent killing of a being neither in concert with, nor contrary to, its consent.

Nor are many other considerations commonly brought to bear on the human euthanasia debate applicable to the euthanasia of nonhumans. For example, most religious arguments intended to show the impermissibility of suicide appeal to premises that, within the relevant religious traditions at least, exclude nonhuman animals. That life is a gift from God; that humans are made in God's image; that God entrusts our bodies to us but that they not belong to us; that life is sacred; that suicide amounts to our abandoning our assigned post in life: it is not clear how such premises could apply to the killing of nonhuman animals (Cholbi 2011, 39–53). Indeed, the dominant strain of thought within Western monotheism has sharply differentiated between human beings, who have rational souls, and animals, who do not. This difference is in turn alleged to be the putative moral basis for humans' right to use animals for their own purposes. In any event, we cannot take our cues regarding the euthanasia of nonhuman animals from religious arguments concerning human euthanasia.

Likewise, other arguments aimed at establishing the moral impermissibility of suicide do not readily extrapolate to nonhuman euthanasia either. Kant's argument, that suicide violates a duty to oneself resting on the moral demand to treat rational agency as having dignity rather than price, applies only to creatures with "humanity," that is, with the capacity to rationally determine their ends and the best means to those ends. And while we cannot rule out nonhuman animals' having such a capacity, Kant's argument nevertheless sets a high bar for which creatures are morally forbidden to end their lives (Cholbi 2000). I am similarly skeptical that libertarian arguments for the moral permissibility of suicide (appealing to the notion of self-ownership) or communitarian arguments for suicide's moral impermissibility apply to animals either.

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Finally, many of the psychological facts that shape human attitudes toward death are probably not present in animals. All animals die, but human beings, it has been claimed, are the only animals with the conceptual sophistication and reflective capacity to grasp their own inherent mortality (Becker 1997, 27). This claim strikes me as plausible but not indisputable. Animals no doubt have a strong survival instinct, and many species of animals grieve (King 2013). Still, the moral significance of death for human beings is shaped by attitudes that presuppose some incipient awareness of death, attitudes that we likely do not share with animals. Other animals probably cannot conceptualize the finitude of their lives (Regan 1983, 111), and to the extent that animals are self-conscious, their self-consciousness is more episodic than narrative, a more punctate awareness of themselves in time than an awareness of having a life span organized into temporal or developmental stages (childhood, adulthood, etc.) (Strawson 2004). Animals' fear of death is therefore far less mediated by their beliefs and attitudes than our fear of death is. Animals also lack the existential fear of death, the fear of nothingness or of the obliteration of one's subjectivity (Behrendt 2010). To the degree, then, that the morality of euthanizing companion animals depends on whether death harms such animals, the harms in question are more direct than in the human case, rooted primarily in intrinsic facts about animals' welfare rather than in facts constituted by whatever attitudes animals may have toward death.

My proposal is, therefore, that we will not learn much about the morality of euthanizing animals, companion or otherwise, by looking to the debate about euthanasia or suicide in humans. If euthanizing companion animals is to be morally justified, it will instead be on the basis of its being a form of justifiable *zoocide*.

Animal Wellbeing and the Comparative Account

Let us suppose, then, that the central consideration that should shape deliberation about euthanizing companion animals is the welfare of these animals. How can this consideration be used to develop an account of the conditions under which companion animals ought to be euthanized?

p. 268 Here we may appeal to the *comparative account* of the value of death (Rollin 1992, 112–13; DeGrazia 2002, 61). Assume that a person's death is the cessation of his or her existence—that there is no afterlife, as it is standardly understood. It may seem to follow, as Epicurus thought, that death is of no consequence to us, that is, inasmuch as death is the cessation of a person's existence, death ought to be a matter of indifference to the person who dies. If death is not a condition *we* ever occupy—if one's own death marks the beginning of the state of the world after one exists—then it might appear that death can neither benefit nor harm us. But such a claim is counterintuitive. Death, many believe, can be bad for us, or at least can be bad for us at a certain time. A person can die too early. Conversely, a person's current or future quality of life may be so dire that death may be a blessing to her. Such conclusions are difficult to sustain if judgments about the value (or disvalue) of death rest on comparisons between being alive and being dead, where the latter is arguably not a state of a person at all.

Advocates of the comparative account argue that this is the wrong basis on which to ground judgments of death's value. The value of death, according to this account, is measured by comparing the actual life of a person who dies at a given time to the life that person would have had by continuing to live. Suppose that Agatha in fact dies at time *t*. Let us call the life she actually lived her *t-life*. Suppose further that had Agatha not died at *t*, she would have died at a later time *n*. (Imagine that Agatha receives a treatment for her cancer that extends her life for one year.) Let us call this alternative life, the life she would have had if she had died at *n* rather than at *t*, her *n-life*. To ascertain whether Agatha's dying at *t* was good, bad, or indifferent for her, we compare how good her *t-life* was to how her *n-life* would have been.

1. If her *t-life* was better than her *n-life* would have been, then Agatha would have been worse off if she had survived until *n*. Agatha thus benefitted from dying at *t*.
2. If her *n-life* would have been better than her *t-life*, then Agatha would have been better off if she had survived until *n*. Agatha was thus harmed by dying at *t*.
3. If Agatha's *t-life* and her *n-life* would have been equally good for her, then her dying at *t* was neither a benefit nor a harm to her. Her living to *n* would not have been better than her living to *t*, nor was her living to *t* better than her surviving to *n*.

Note that on the comparative account, the value of death is measured by comparing two lives: a person's actual life, the life she had by dying at a particular time, and the counterfactual life she would have had if she had lived longer. The comparative account therefore avoids the arguably impossible comparison of being alive with being dead. Rather, it indexes the value of a person's life to the time at which death occurs and to the time that it would have occurred otherwise.

p. 269 The comparative account of death's value can be extended quite readily to the deaths of animals. Suppose a twelve-year-old pet dog, Ridge, has developed cancer and that Ridge's guardian is considering whether to euthanize him. Assuming that animals do not survive death and are not immortal, the central ethical consideration here is whether euthanasia would be a benefit or a harm to Ridge at this point in time. According to the comparative account, Ridge's guardian should euthanize Ridge at a given point in time if doing so satisfies the condition described in circumstance (3) above regarding Agatha. That is, euthanizing Ridge is warranted to the extent that at the time of the act of euthanasia, Ridge does not stand to gain by living longer, but also loses nothing by dying at that point. Ridge would thus die at the right time: Were

Ridge's guardian to euthanize him at that point, Ridge would have lived his *optimum life span*. He would have gotten the most out of his life, given its particular circumstances and contingencies. But Ridge also cannot get any more out of life. Further life would therefore be neither a benefit nor a harm to him.

In the case of human beings, it may appear that the comparative account leaves out considerations relevant to the morality of euthanasia. As noted earlier, religious claims, autonomy, the human psychological conceptualization of death, and so forth are all thought to bear on the morality of euthanasia, but they evidently do not bear on the euthanasia of companion animals. Moreover, the comparative account of death's value invokes an account of harm that may be controversial when applied to human beings. Some argue that for a person to be harmed is not for that person to be made worse off than she would otherwise have been. Rather, harm occurs when a gap or clash is created between a person's will and the state in which a person finds herself (Shiffrin 2012).

This does not seem to be a legitimate criticism of a comparative account of death's value for companion animals, however. While animals can certainly have their desires thwarted, a good deal more psychological machinery is necessary for such thwarting to constitute what Shiffrin understands as a gap between a creature's will and her circumstances. Harms, as Shiffrin understands them, result from a mismatch between a creature's lived experience and her circumstances such that the creature is unable to endorse or identify with the main components of its life (Shiffrin 1999, 123). It would be surprising, I think, for even highly sophisticated nonhuman animals to have the self-conceptions and deliberative insight needed to endorse the circumstances of their lives. Thus, whatever shortcomings the comparative account may have with respect to harming humans, these shortcomings do not mar it as an account of harming nonhuman animals (Rabenberg 2015, 3). The morality of companion animal euthanasia can largely be reduced to the kinds of considerations adduced by the comparative account, namely, whether euthanizing a companion animal would be a harm or a benefit to it. If so, then death's value for nonhuman animals rests on how their lives are made better or worse overall by dying at various points in time. Hence, death is not always the worst fate an animal can undergo; it may be worse to live too long. But nor is death never a harm to an animal either, for death may arrive too soon.

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Nonetheless, that the morality of euthanizing companion animals can be largely reduced to a question of animal wellbeing does not imply that wellbeing itself can be reduced to a single factor. Our dualistic philosophical heritage may encourage us to think of animals in overly mechanical terms, crudely physiological systems for whom pleasure and pain are the sole measure of wellbeing. Such hedonism contains a grain of truth: that an animal's future portends little pleasure and a great deal of pain can be a powerful, sometimes even decisive, consideration in opting to euthanize it. However, at least two other factors are relevant in thinking about the overall quality or value of a companion animal's life. The first is *species-typical functioning* (Rollin 1992, 132). Species of companion animals have patterns of behavior that are characteristic of those species. So whereas cats are generally more solitary creatures, dogs are highly social creatures dependent on life in a pack. Hence, for a dog to have an illness or condition that precludes it from pack activities (play, etc.) detracts more from its overall wellbeing than would the same fact for a cat. The second is *personality*. Companion animals of the same species nevertheless vary significantly in their idiosyncratic preferences and tastes. A condition that would undermine the wellbeing of a curious, independent-minded outdoor cat may not undermine the wellbeing of a more docile "lap cat." Thus, both how a companion animal's life feels, as well as the animal's capabilities, shape its current and prospective quality of life. Those seeking to determine whether an animal has reached its optimum life span need an understanding of how all of these factors undergird animal wellbeing.

One worry about using the comparative account is that it seems to require more precision in our judgments regarding animal wellbeing than is possible for us. Will one's sick pet reach its optimum life span today, tomorrow, or next week? Here I believe we can only ask of animal guardians to seek out the best evidence possible and to make the best judgments they can in light of that evidence. No doubt most companion

animal euthanasias do not occur *precisely* at the point of the animal's optimum life span. But the most we can demand of guardians in this regard is conscientiousness and awareness of the possible sources of distortion in their decision-making. Some sources of distortion (for example, financial considerations) can lead guardians to euthanize too soon. Others (for example, guardians' strong emotional attachment to their animals) can lead guardians to euthanize too late. In any case, those guardians who opt for euthanasia *near* the point of optimum life span need not be blamed for doing so.

p. 271 One surprising implication of my account of the conditions under which euthanizing a companion animal is morally justified is that it implies that such acts of euthanasia are never *merely* permissible. That is to say, it is never the case \hookrightarrow that euthanizing a companion animal is morally optional, that is, neither morally forbidden nor morally required. For if a companion animal is euthanized prior to the point of optimum life span, then this wrongs the animal. However, if the euthanasia of a companion animal occurs at, near, or after the point in time at which the animal enjoys an optimum life span, then euthanizing the animal was obligatory, not simply morally permissible. Thus, it may sometimes be wrong to *forego* euthanizing a companion animal. This may happen when the guardians of companion animals are too blithe regarding the animals' condition and wait beyond the point of the animals' optimum life span to euthanize. In such cases, guardians do not show adequate respect for their animal companions.

The notion of "respect" is closely associated with Kantian ethics, which maintains that we are to respect persons or rational agents. Yet, as Harry Frankfurt suggests, there is a more general sense of "respect" in which it denotes treating an individual on the basis of those properties of that individual that make it significant or valuable as the sort of thing it is:

Treating a person with respect means dealing with him exclusively on the basis of those aspects of his particular character or circumstances that are actually relevant to the issue at hand... [A] lack of respect consists in the circumstance that some important fact about the person is not properly attended to or is not taken appropriately into account. In other words, the person is dealt with as though he is not what he actually is. The implications of significant features of his life are overlooked or denied. Pertinent aspects of how things are with him are treated as though they had no reality. (1999, 150)

Failing to respect an individual overlooks the crucial aspects of that individual's reality, particularly "how things are" for that individual. An animal companion that is euthanized at a point in time when its overall quality of life declines with each passing moment has not been adequately respected. For what is "relevant to the issue at hand," what should be "properly attended to" or "taken appropriately into account" in this instance, is precisely the steady decline in overall wellbeing the animal faces by continuing to live. This "reality" should be determinative in deciding to euthanize a companion animal.

p. 272 In a similar Kantian vein, if the animal's guardian is so strongly attached to the animal that she keeps the animal alive beyond its optimum life span, then this fails to respect the animal and in fact treats the animal merely as a means (Cholbi 2014). Again, this is not to say that the animal is thereby treated merely as a means in a standard Kantian way. Animals (I am assuming) lack the features of practical rational agency necessary to make them ends in themselves in \hookrightarrow Kant's robust sense. Nevertheless, to keep an animal alive beyond its optimum life span for one's own material or psychological purposes is to conceptualize the animal as a tool utilized in the service of one's own ends. The companion animal is thus seen as lacking a moral standing of its own, rooted in the sort of creature it is. Not to euthanize an animal at the point of its optimum life span, based on the best evidence available to us, is therefore wrong because of its cruel effects on the animal—as it amounts to willfully deciding that an animal will live less than the best life available to it—but it also betokens a lack of respect for the animal as a being separate from oneself, with interests and a point of view of its own, worthy of consideration in its own right.

A Guardian's Right to Euthanize?

The previous section offered an account of *when* and *why* companion animals ought to be euthanized. This section addresses the question of *who* may determine if and when an animal companion is to be euthanized. Note that this is not the question of who may perform the euthanasia procedure. For reasons of safety, efficacy, and wellbeing, only veterinarians or those with comparable medical training should perform the procedure (though the extent to which repeatedly performing animal euthanasia is traumatic for animal care professionals is easy to overlook [Rollin 2011, 56–59]). Rather, the question at hand is to whom the decision to euthanize is delegated. It may seem natural to suppose that only a companion animal's guardian may make such a decision. Yet the fact that guardians and veterinarians may reasonably disagree about when a companion animal should be euthanized underscores that some argument is necessary to defend the supposition that the choice to euthanize belongs to an animal's guardian.

A guardian's right to determine when a companion animal is to be euthanized rests on the guardian's having a certain *authority* with respect to the animal. The relevant sense of "authority" is not rooted in the fact that guardians of companion animals are typically "in charge of" them or that many companion animals are trained to respond to their guardian's commands. The authority in question is instead moral. To say that guardians may decide when a companion animal shall be euthanized because they have authority with respect to such animals is to posit an asymmetrical entitlement wherein guardians exercise discretion. In what might such authority be rooted? One possibility is to root it in a property relation wherein guardians own their companion animals (Rollin 1992, 308). This proposal is promising because property ownership confers exclusive authority on a property owner with regard to her property. It entitles her to determine its location, how it is to be treated, and so on. Thinking of companion animals as property also helps explain why guardians may be responsible for harms caused by such animals. If a pet dog bites its neighbor, attributing responsibility to its guardian can be justified by seeing the dog as property with respect to which the owner failed to exercise due care (as when a property owner permits a backyard fire to get out of control). Conversely, understanding companion animals as property can help to justify the thesis that others have obligations to respect a guardian's animal *qua* property (Cooke 2011).

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Nevertheless, that guardians have the right to decide on euthanasia for their companion animals because they own these animals should be rejected. For one, it would seem to prove too much: typically, property owners have no duties to their property. Rather, property ownership serves only to impose duties on other people (duties to refrain from interfering with, destroying, stealing, etc., property belonging to others). Hence, if our companion animals were our property, we would have no duties to them at all. Indeed, it would not be impermissible to torture them, destroy them at any time for any reason, and so forth. For these reasons, companion animal ownership cannot plausibly be modeled on "full liberal ownership" (Cooke 2011, 267).

In response, some have argued that animals are self-owners to whom their guardians have a form of legal title or authority, or that other nonstandard forms of ownership could allow for animals having moral standing that precludes various forms of mistreatment (Cooke 2011, 265–66). Perhaps so. But I doubt that most animal guardians conceptualize their moral responsibilities as flowing from their ownership of their animals. Rather, I imagine that while conscientious companion animal guardians think they have moral responsibilities concerning those animals *akin* to those of property ownership, they do not see ownership as the most *fundamental* moral relationship they have with those animals. Indeed, to call an animal one's companion is to imply that whatever asymmetry of authority may exist between companion animals and their guardians, it coexists with a certain moral symmetry. The relationship is a partnership, wherein each partner has a distinct role to play. The guardian's role is that of caretaker to the animal, imposing on the guardian various duties of care. To think of our authority with regard to companion animals as rooted in ownership is at odds with the understanding of the animal-guardian relationship as one in which each

partner has something at stake. Whatever guardians' authority consists in, it must be compatible with our sense that our relations with companion animals morally compel us to act on their behalf, that they are not objects to be manipulated for our interests.

p. 274 We should therefore not be misled by our normal patterns of speech—wherein we refer to “my pet” and the like—into concluding that our authority with regard to companion animals is proprietary in nature. But a challenge remains: how is it that a companion animal guardian, a person who stands in a unique relationship to the animal, has the specific authority to decide on euthanasia, given that (as I argued earlier) the facts relevant to making this decision correctly are not themselves relational facts? If all that matters morally to deciding whether to euthanize a companion animal is that doing so makes possible an optimum life span (or something close to it) for that animal, then it does not seem to follow, without additional argument at least, that the animal's guardian is especially or uniquely entitled to make such a determination. The challenge is to show how companion animals' own moral status (the moral relevance of which is independent of animals' relationship to their guardians) can nevertheless be reconciled with the special entitlement of guardians (who do stand in a distinctive relationship to their animals) to determine the conditions of companion animals' deaths.

A better route to justifying a guardian's right to determine when a companion animal is to be euthanized is *epistemic*. On this model, guardians have a right to euthanize because of their intimate knowledge of their animal companions. Tony Milligan observes that it is tempting to suppose that the relationships guardians have with their companion animals are likely to introduce sentiments of attachment, sentiments that may serve as an obstacle to guardians acting in the best interests of their companion animals. The sentiments associated with guardianship, we might think, can only distort, rather than clarify, whether a companion animal ought to be euthanized. Milligan instead argues that having a companion animal is an educative process because of the “depth and continuity” of the relationship guardians establish with companion animals (2009, 404).

As I argued earlier, there are other factors beyond hedonic considerations that guardians must take into account in deciding when to euthanize. One I have already gestured at: an animal's individual personality. Due to personality differences, one and the same physical debility can be devastating to one specimen of a given species but far less consequential for another member of that species. The “depth and continuity” of a guardian's relationship with an animal provides her knowledge of the animal's personality, which can in turn make her uniquely situated to judge the significance of a particular physical debility for that animal's wellbeing.

Milligan further proposes that guardians are uniquely situated to understand what ethical significance to assign to an animal's affective states, including pain. He argues that guardians have unique access to the unique narrative of a companion animal's life, and only via knowledge of this narrative can pain (and other states) of an animal be assigned their proper significance. Milligan provides an example of two dogs with identical medical prognoses, levels of suffering, and so forth. It matters to whether the dogs should be euthanized that one of the dogs underwent years of cruelty and mistreatment prior to rescue by its guardian. It would be cruel to subject this dog to a reintroduction of pain, but less cruel to permit the other dog to be subject to such pain. Animal stories matter, Milligan argues, and inasmuch as decisions to euthanize are end-of-life decisions, they are also end-of-narrative choices requiring intimate understanding of the animal's particularity. Guardians' authority to euthanize companion animals is therefore epistemic in nature: “Animal guardians can (and often will) be epistemically privileged participants in end-of-life deliberations because they can (and often will) be the people who are best placed to bring the relevant narrative of a pet's life into view” (Milligan 2009, 411).

Grounding guardians' authority over their companion animal's being euthanized answers the challenge I identified earlier. For on Milligan's picture, guardians' authority is rooted in a relational epistemic attitude

(their knowledge of the animal's life narrative) whose object is a non-relational ethical fact (the narrative itself). The duty to euthanize at the point of optimum life span thus rests on the nature of the animal itself. The guardians have authority with respect to such decisions but not because (as in the ownership account) they have authority *over* their companion animals.

In my estimation, Milligan's proposal is best seen as an analogue of a familiar picture regarding end-of-life choices for human beings. When a human patient is no longer able to make such choices competently, an individual presumed to be knowledgeable about the patient's life history and values steps in to serve as the patient's proxy. So too for companion animals, except that they never were able to make such choices. The crucial difference is that in cases of human proxy judgment, a human proxy is supposed to make the judgment the human patient would have made were she able, whereas in cases of guardians choosing an end-of-life path for a companion animal, the guardian is not a proxy for what the animal patient would have wanted. Milligan does not make the claim that animals themselves fashion narratives regarding their conditions and, given the aforementioned episodic nature of much of animal consciousness, he is wise not to attribute such narrative self-awareness to animals. Moreover, it is unlikely that animals can make the kinds of judgments the comparative account of death's value requires, that is, judgments comparing their lives up to a given moment in time with lives they might have by continuing to live. In this respect, guardians are not proxies but custodians, bringing to bear on decisions regarding euthanasia knowledge regarding their companion animals that the animals themselves lack.

Conclusion

p. 276 To reiterate: superficial similarities notwithstanding, the euthanasia of companion animals cannot rest on ethical foundations similar to those that ground ↪ assisted dying in humans. The former instead rests largely on animal wellbeing, and the comparative account of the value of death should guide guardians' thinking about when the proper moment to euthanize a companion animal is. The authority guardians have to make decisions regarding companion animal euthanasia rests on their special knowledge of the animal's life history and personality. And though perhaps it should go without saying, companion animal euthanasia should be performed painlessly and swiftly.

As Bernard Rollin observes, companion animals are sometimes euthanized for trivial or appalling reasons: because guardians have planned a vacation and forgot to plan for their companion animal's care, because guardians failed to provide adequate training for the animal, because a grown animal is less cute than a young animal (Rollin 1992, 220–21; see also Yeates and Main 2011). The view proposed here rejects these sorts of egocentric rationales, but I do not intend thereby that the interests of guardians are utterly irrelevant to whether a companion animal should be euthanized. Medical care for diseased animals can be astonishingly costly, and guardians at least have the right to take that into account when determining when animals should be euthanized.

I have largely abstained from grounding my arguments regarding companion animal euthanasia in any greater theoretical account of the nature or source of our duties to such animals. However, my arguments accord well with the widely shared view that the nature or source of these duties is that human guardians voluntarily undertake a relationship with a companion animal, thereby rendering that creature dependent upon a specific human companion for its wellbeing (Burgess-Jackson 1998; Cooke 2011, 267–70). But if such relationships are the source of our special obligations toward companion animals, then the duties ensuing from these relationships may be circumscribed by the interests of the other party to the relationship. Even though special relationships (friendship, familial relationships, etc.) generate duties that are more morally demanding than our generic relationships to others, even these duties have their limits. We are certainly not required, for instance, to do everything possible to keep companion animals alive. The

nexus between guardians' interests and their obligations to their companion animals is obviously thorny, and I make no pretense of offering precise prescriptions as to how to balance guardian interests with the wellbeing of companion animals when it comes to decisions regarding euthanasia. Still, in identifying the conditions under which the euthanasia of companion animals is justified in light of their interests, I hope to have brought clarity to one half of this moral ledger.

p. 277 Throughout this discussion, I have assumed that the animals whose euthanasia we are imagining are animals that are already someone's companion. My discussion might therefore appear irrelevant to the pressing ethical question of ↵ the euthanasia of *potential* companion animals, that is, the euthanizing of members of pet species housed in animal shelters. Sadly, millions of shelter animals are euthanized annually for want of a guardian. Granted, certain elements of my account cannot be extrapolated to shelter animals. They lack guardians with the sort of species- and organism-specific knowledge that comes from a longstanding relationship. However, their caretakers must still euthanize responsibly, and my own account of the conditions under which the euthanasia of companion animals is justified at least suggests the contours of an account of the ethics of euthanizing shelter animals.

In particular, there will be a point at which the continued life of a shelter animal is not a benefit to it, at which time euthanasia would be morally required on the grounds that the animal's optimum life span has been reached. The distressing fact is that the point of optimum life span for shelter animals is likely to be much earlier in its life than for companion animals who have morally decent human guardians. Shelter animals may live in crowded, unsanitary conditions inimical to their social needs; may lack adequate food, shelter, or medical care; and so forth. And regrettably, there are fewer spaces in shelters than there are unwanted animals. Therefore, to try to keep all prospective companion animals living in shelters alive in conditions of want would be worse for each of these animals. As a form of shelter population control, euthanasia has a role in ensuring that a larger portion of shelter animals do not live long enough that they would have been better off dead. This is not to deny the moral urgency of improving shelter conditions, or better yet, taking measures to reduce the population of unwanted members of companion animal species. Even so, euthanasia of shelter animals can serve as the best response to a far-from-ideal reality.

References

- Becker, Ernest. 1997. *Denial of Death*. New York: Free Press.
[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)
- Behrendt, Kathy. 2010. "A Special Way of Being Afraid." *Philosophical Psychology* 23 (5): 669–82.
[Google Scholar](#) [WorldCat](#)
- Burgess-Jackson, Keith. 1998. "Doing Right by Our Companion Animals." *Journal of Ethics* 2 (2): 159–85.
[Google Scholar](#) [WorldCat](#)
- Cholbi, Michael. 2000. "Kant and the Irrationality of Suicide." *History of Philosophy Quarterly* 17 (2): 159–76.
[Google Scholar](#) [WorldCat](#)
- Cholbi, Michael. 2011. *Suicide: The Philosophical Dimensions*. Peterborough, ON: Broadview Press.
[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)
- Cholbi, Michael. 2014. "A Direct Kantian Duty to Animals." *Southern Journal of Philosophy* 52 (3): 338–58.
[Google Scholar](#) [WorldCat](#)
- Cooke, Steve. 2011. "Duties to Companion Animals." *Res Publica* 17 (3): 261–74.
[Google Scholar](#) [WorldCat](#)
- p. 278 DeGrazia, David. 2002. *Animal Rights: A Very Short Introduction*. Oxford: Oxford University Press.
[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)
- Frankfurt, Harry. 1999. "Equality and Respect." In *Necessity, Volition, and Love*, 146–54. Cambridge: Cambridge University Press.
[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)
- Humane Society of the United States. 2014. "Pets by the Numbers."
http://www.humanesociety.org/issues/pet_overpopulation/facts/pet_ownership_statistics.html.
[WorldCat](#)
- King, Barbara. 2013. *How Animals Grieve*. Chicago: University of Chicago Press.
[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)
- Rabenberg, Michael. 2015. "Harm." *Journal of Ethics and Social Philosophy* 8 (3): 1–32. <http://www.jesp.org/PDF/harm.pdf>.
[WorldCat](#)
- Milligan, Tony. 2009. "Dependent Companions." *Journal of Applied Philosophy* 26 (4): 402–13.
[Google Scholar](#) [WorldCat](#)
- Regan, Tom. 1983. *The Case for Animal Rights*. Berkeley: University of California Press.
[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)
- Rollin, Bernard. 1992. *Animal Rights and Human Morality*. New York: Prometheus.
[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)
- Rollin, Bernard. 2011. *Putting the Horse before Descartes*. Philadelphia: Temple University Press.
[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)
- Shiffrin, Seana. 1999. "Wrongful Life, Procreative Responsibility, and the Significance of Harm." *Legal Theory* 5 (2): 117–48.
[Google Scholar](#) [WorldCat](#)

Shiffrin, Seana. 2012. "Harm and Its Moral Significance." *Legal Theory* 18 (3): 357–98.

[Google Scholar](#) [WorldCat](#)

Statistics Netherlands. 2012. "Deaths by Medical End-of-Life Decision; Age, Cause of Death." Last modified July 11.

<http://statline.cbs.nl/StatWeb/publication/?VW=T&DM=SLen&PA=81655ENG&LA=en>.

[WorldCat](#)

Strawson, Galen. 2004. "Against Narrativity." *Ratio* 17: 428–52.

[Google Scholar](#) [WorldCat](#)

Varner, Gary. 2002. "Pets, Companion Animals, and Domesticated Partners." In *Ethics for Everyday*, edited by David Benatar, 45–75. New York: McGraw-Hill.

[Google Scholar](#) [Google Preview](#) [WorldCat](#) [COPAC](#)

Warnes, Sophie. 2014. "How Many Choose Assisted Suicide Where It Is Legal?" *The Guardian*, July 18.

<http://www.theguardian.com/news/datablog/2014/jul/18/how-many-people-choose-assisted-suicide-where-it-is-legal>.

[WorldCat](#)

Yeates, James, and D. C. J. Main. 2011. "Veterinary Opinions on Refusing Euthanasia: Justifications and Philosophical Frameworks." *Veterinary Record* 168 (10): 263.

[Google Scholar](#) [WorldCat](#)