The ethical basis for veganism

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Abstract:

This chapter examines the ethical case that can be mounted for veganism. Because there has been comparatively little discussion in ethics focused directly on veganism, the central aim of this chapter is threefold: to orient readers to (some of) the most important philosophical literature relevant to the topic, to provide a clear explanation of the current state of the ethical case for veganism, and to focus attention on the most important outstanding or underexplored questions in this domain. The chapter examines the range of positions that deserve to be called ethical veganism, and some of the types of reasons that philosophers can potentially appeal to in arguing for veganism. It then spells out the core of the most promising case for veganism, which argues directly for the wrongness of making animals suffer and die. The chapter then considers three ways of arguing from this conclusion to an ethical defense of the vegan lifestyle, which appeal respectively to the ethical significance of the effects of individual use of animal products, of group efficacy, and of complicity with wrongdoing. The chapter concludes by examining several neglected complications facing the ethical case for veganism.

Introduction

On one natural gloss, veganism is a pattern of living: roughly, to be vegan is to avoid eating or otherwise using products made from or by animals. At least in our cultural context, few people are likely to just find themselves becoming vegans, in the way that one might find oneself eating too much saturated fat, or possessing an alarming quantity of paisley clothing. Rather, people are likely to become vegan as a result of (more or less explicit) ethical reflection. This chapter examines the ethical case that can be mounted for veganism. While I take the ethical case for veganism to be very promising, my aim in this chapter is not polemical. Because there has been comparatively little discussion in ethics focused directly on veganism, my central hope in this chapter is instead to help foster substantive progress in that discussion. I aim to do this by: (i) orienting readers to (some of) the most important literature relevant to the topic, (ii) providing a clear explanation of the current state of the ethical case for veganism, and (iii) focusing attention on the most important outstanding or underexplored questions in this domain.

I begin by examining and organizing the range of positions that deserve to be called ethical veganism (§1). I then discuss (some of) the range of types of reasons that philosophers can potentially appeal to in making a case for veganism (§2). In my view, the most promising case for veganism begins by arguing directly for the wrongness of making animals suffer and die (§3). There are several important and different potential strategies for connecting this conclusion to the defense of a vegan lifestyle. In §4 I consider three such strategies, which appeal respectively to the ethical significance of the effects of individual use of animal products, of group efficacy, and of complicity with wrongdoing. I conclude by examining several relatively neglected complications facing the ethical case for veganism (§5).

1. What is ethical veganism?

I began above by glossing veganism as a kind of lifestyle: one that rejects the use of products made from or by animals (hereafter: *animal products*). It is worth noting that one might also think of veganism as a *commitment* to this sort of lifestyle: this would permit us to understand someone with such a commitment, who occasionally succumbed to omnivorous temptation, as a *weak-willed vegan*.

Ethical veganism is the class of ethical views that ascribe some positive ethical evaluation to that lifestyle. In what follows, I will understand ethical evaluation quite broadly: for example, I will take self-interest to be an ethical consideration. In order to focus on what is distinctive of ethical *veganism*, it is useful to contrast it with two paradigmatically contrasting views. *Ethical vegetarianism* makes a strong distinction between using products made *from* animals (e.g. meat), and products made *by* animals (e.g. milk), characteristically objecting to use of the former, but not the latter. *Ethical omnivorism* permits the use of some animal products, but restricts the

acceptable sources of such products, to those that satisfy some ethical criterion.

There are many possible versions of ethical veganism. To begin, it will be useful to consider a very strong version:

Broad Absolutist Veganism	It is always wrong to use any product made from or by any member of the animal kingdom

Broad Absolutist Veganism contrasts with vegetarianism and omnivorism, but it is also implausible, for several reasons. One reason is its *absolutism*: the claim that it is always wrong to use animal products. This entails that it would be wrong to press a leather button, even if doing so were necessary in order to avert global nuclear war. A second reason is the broad *scope* of this principle across the animal kingdom, which entails that it is wrong to use sponges (members of the animal kingdom which wholly lack a nervous system). The thesis can be modified to avoid each of these problems.

The scope problem is especially potent because many arguments for veganism appeal to properties – such as the ability to suffer – that are not shared by all animals. It is not clear whether there are any ethically significant properties that are shared by all members of the animal kingdom but not by plants.[1] It is thus natural to *restrict* ethical veganism to focus on those animals that have the proposed ethically relevant property or properties. Ethical veganism could also be restricted in other ways: for example, one can imagine a thesis that prohibits dietary consumption of animal products, as opposed to their use more broadly. In what follows, I will in general neglect this latter sort of restriction.

The implausibility that arises from absolutism can be avoided by a *defeasible* form of ethical veganism, which allows that there are circumstances in which using animal products is permissible. A defeasible veganism might suggest that the ethical objection to using animal products can be *outweighed* by competing ethical considerations. Several philosophers have argued that ethical principles can also be defeasible in another way: by having exceptions in which they do not count at all against a relevant action.[2] For example, one might think that if there is an ethical requirement not to use animal products, it simply does not apply to consuming human breastmilk with the consent of the producer.

Elsewhere[3] I defend a form of restricted and defeasible veganism that I call:

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[1] For a useful discussion of this issue, see Pluhar, "Who Can Be Obligated," 191-3.

[2] See e.g. Lance and Little, "Where the Laws Are;" McKeever and Ridge, *Principled Ethics*; Robinson, "Moral Holism;" and Väyrynen, "Hedged Moral Principles."

[3] McPherson, "Case for Ethical Veganism;" McPherson, "Why I Am a Vegan;" McPherson, "How to Argue."

Modest Ethical Veganism It is typically wrong to use products made from or by a range of animals that include: cats, dogs, cows, pigs, deer, and chickens

This is a defeasible form of veganism, because it explicitly signals that eating animal products is only typically wrong. It is also restricted, governing our use of only some animals. In virtue of these features, Modest Ethical Veganism will be much easier to defend than Broad Absolutist Veganism. However, it is also strong enough to be a recognizably vegan thesis. For example, in typical circumstances it rules out the use of products made from or by the most commonly farmed animals. Weakening the thesis further – for example by prohibiting only the use of great apes, or claiming that using animal products was only occasionally wrong – would arguably result in a thesis too weak to deserve the name veganism.

One could weaken the vegan's thesis in a different way, by replacing the core idea that failure to be vegan is *wrong*. For example, it could be argued that practicing veganism is ordinarily virtuous but *supererogatory*: above and beyond the call of ethical duty.[4] Notice, however, that if combined with the view that vegetarianism or ethical omnivorism is obligatory, it might seem odd to call this view a version of ethical veganism. Alternatively, one could argue that veganism is a required *aspiration*, as opposed to a require *practice*.[5]

Another dimension in which ethical theses concerning veganism can vary might be glossed as their *modal fragility*. For example, one can imagine an argument for veganism which claimed that using animal products is *essentially* wrong. This sort of argument would entail that using animal products could not have easily been typically permissible. By contrast, imagine a case for ethical veganism which grounded the requirement to be vegan crucially in putatively unjust FDA policies. The requirement to be vegan would be modally fragile on the second view: using animal products could easily be permissible, on this view, if the FDA were to change its policies. This dimension of the issue is rarely discussed, and I will largely ignore it in what follows.

The principles discussed so far focus on the *use* of animal products. While we have some grip on this notion, a rigorous characterization of veganism would need to make precise which relationships to animals counted as use in the ethically significant sense. However, one might think that however use is understood, characterizing ethical veganism solely in terms of use is objectionably limited: one might claim that the core ethical concerns that mitigate against using animal products should also orient our lives as social and political beings.

One way into the social dimension of this issue begins by noting that when someone knowingly and freely performs an action that we judge to be wrong – especially as a consistent pattern – we typically take it to be appropriate to blame that agent, and to feel various negative emotions towards them. We also typically take it to be appropriate to curtail our

[4] For a related idea, compare Harman, "Eating Meat."
[5] See Gruen and Jones "Veganism as an Aspiration."

interactions with such agents in various ways. If eating meat is typically wrong, we might also expect it to be blameworthy. And this raises the question of whether vegans should refuse to be friends with omnivores, or otherwise share their lives with them.[6]

Veganism also raises important questions in political philosophy. Generally, we can ask: should the status of non-human animals be a central dimension by which we evaluate polities?[7] In the context of ideal theory, we can ask: Would the use of non-human animals be absent from, outlawed, or punished in an ideal polity?[8] Or are certain uses of non-human animals examples of ethically objectionable behavior that should nonetheless be tolerated in a well-functioning society characterized by reasonable ethical disagreement? In our non-ideal circumstances, we can ask whether various forms of conventional or radical political action on behalf of animals are required or supererogatory on the basis of the considerations that support veganism.[9]

This section has surveyed a range of dimensions on which variants of ethical veganism might be organized. No one of these views is the obvious candidate to be the privileged characterization of ethical veganism. Because of this, keeping the range of possible variants of the view in mind is important: some of the issues raised by differences between these views are badly in need of careful exploration. Further, these views vary widely in plausibility, and very different sorts of arguments would be required to support or rebut them.

2. Arguing for veganism: resources

One might argue for veganism in a wide variety of ways. In order to orient the reader, I begin by sketching a rough taxonomy of the sorts of reasons that a vegan might appeal to.

Self-interested reasons

Adopting a vegan lifestyle can potentially impose significant burdens on an individual, ranging from inconvenience, to being cut off from valuable traditions, to the risk of ostracism or malnutrition. Nonetheless, it is possible to mount a prudential case that many of us should adopt a vegan diet. The core reason is this: the overwhelming majority of North Americans have diets that are unhealthy in large part because they involve eating too many calories and too much saturated fat, and too few vegetables and whole grains.[10] One reason to choose a vegan diet is that it will tend to be a much healthier alternative to this *status quo*. Of course, one can be an unhealthy vegan. However, many of the most problematic foods in the North American diet are ruled out by veganism.

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[6] For a vivid depiction of someone struggling with this question, see Coetzee, *Lives of Animals*.
[7] Nussbaum, *Frontiers of Justice*, 325-407; Plunkett, "Methodology of Political Philosophy."
[8] Zamir, "Veganism," 368-9.
[9] For discussion of some of these social and political questions, see Donaldson and Kymlicka, *Zoopolis;* Michaelson, "Accommodator's Dilemma;" Rowlands*, Animals Like Us*, Ch. 10.
[10] E.g. Walker et. al., "Public Health Implications."

This way of supporting veganism appears to face three limitations. First, it at best supports adopting a vegan *diet*. It does nothing to rule out non-dietary uses of animal products. Wearing a leather jacket is not going to clog anyone's arteries. Second, it is most clearly a case for preferring a vegan diet to currently typical diets. It is not obviously a case for preferring a vegan diet over (for example) a largely plant-based diet that includes modest amounts of lean meat. This issue is controversial. For example, Campbell Campbell claim that the nutritional evidence provides some support for completely eliminating animal products from one's diet.[11] However, even Campbell and Campbell grant that they have a very modest case for the superiority of eliminating consumption of animal products entirely, as opposed to substantially limiting it.

The significance of this issue likely depends in part on one's capacity for self-control. For some people, the case for going vegan on health grounds, rather than attempting a healthy omnivorous diet, may be analogous to the alcoholic's reasons to quit 'cold turkey' rather than attempting to drink moderately. For others, however, a healthy omnivorous diet, like moderate drinking, may be easily implemented. And others may even find that making infrequent exceptions is crucial to maintaining their motivation to remain vegan the rest of the time.[12]

Third, it is likely that even if these sorts of prudential considerations can provide reasons to become a vegan, they cannot support the deontic claim that eating animal products is wrong. Compare: most of us have good reasons to get more exercise, but it is implausible that we act wrongly when we fail to do so.[13]

Environmental reasons

Another important way of arguing for veganism appeals to the environmental consequences of animal agriculture. This sort of argument could be developed anthropocentrically, focusing on environmental consequences that affect human beings generally. Or it could appeal to the intrinsic ethical significance of (e.g.) species or ecosystems. The starting point for such arguments is the idea that the vegan lifestyle and diet makes fewer demands upon our shared environmental resources than the typical North American diet. Consider three points. First, it typically takes far more arable land and water to produce grain to feed to non-human animals to produce a calorie of meat than it does to produce a calorie of plant-based food. Animal agriculture thus puts pressure on increasingly scarce and vulnerable cropland and water resources. Second, economic pressures on animal agriculture has led to increasingly industrialized farming practices. This has increased the amount of environmentally toxic byproducts generated by farming, which in turn further

[11] Campbell and Campbell, *China Study*, 242.
[12] Singer and Mason, *The Way We Eat*, 282-3.
[13] However, for an argument that human health-based considerations can play an important role in utilitarian arguments for vegetarianism, see Garrett, "Utilitarianism, Vegetarianism, and Human Health."

damages land and water systems.[14] Of course, these dynamics apply to the production of vegan foods as well. This consideration thus supports a vegan diet only in conjunction with the first point. Third, animal agriculture is a significant contributor to global warming, which is arguably the most dramatic environmental threat we now face.[15]

These environmental considerations support a slightly broader conclusion than the self-interested reasons.[16] For example, if the environmental cost of animal agriculture gives us reasons to stop eating animal products, it also gives us reasons to avoid using animal products in other ways.

A central complication facing such environmentally-based arguments, however, is that it is implausible that all animal agriculture is environmentally damaging. For example, farm animal manure can increase the agricultural productivity of farmland without the use of industrially-produced fertilizers, and animals can forage on land that is not otherwise agriculturally productive. Considerations like these could be used to argue that there is a non-zero level of animal agriculture that is optimal (at least from the point of view of overall human well-being).[17] This suggests several complications for an environmental case for veganism. This is especially true if the relevant foil is a lifestyle that significantly reduces, but does not eliminate, the use of animal products, or one which focuses on supporting farms that use animal products in environmentally friendlier ways.

Religious reasons

Religious traditions provide ethical guidance for many people. It is possible to develop arguments for veganism that appeal to the distinctive ethical resources of certain religious traditions. The most straightforward way of making such arguments would appeal directly to religious prescriptions. For example, Jainism and some variants of Buddhism enjoin some version of vegetarianism. In most cases, however, religiously-based arguments for veganism will have to address significant arguments against ethical veganism from within their religious tradition, and will not have such direct doctrinal support. Here, the metaphysical principles of a religion can be relevant: for example, the Buddhist doctrine of transmigration entails that humans and animals all have souls, and indeed that many animals were humans in past lives.[18] This metaphysical thesis makes the case for ethical similarity between

[14] Walker et. al., "Public Health Implications."
[15] Estimates of the climate impact of animal agriculture range wildly, from between a twentieth and a half of all anthropogenic greenhouse gas emissions. See Goodland and Anhang, "Livestock and Climate Change;" Fairlie, *Benign Extravagance*, ch. 13; and Food and Agriculture Organization of the United Nations, "Role of Livestock" for competing estimates of the climate effects of animal agriculture. Assessing which of these competing estimates is relevant for ethical purposes requires complex empirical and ethical argument.
[16] For a case for vegetarianism that appeals centrally to such considerations, see Fox, "Vegetarianism and Planetary Health."
[17] See Fairlie, *Benign Extravagance*, ch. 4 for defense of this idea; Wenz, "Ecological Argument" is an environmentally-based argument for vegetarianism that is concessive on this front.
[18] Goodman, "Indian and Tibetan Buddhism," sec. 5.

humans and animals easier to argue for, compared to views on which humans are distinctive among animals in having souls.[19] The Christian tradition is similar in this respect. Would-be ethical vegans have an uphill battle against explicit biblical discussion of food. But they can also appeal to the ethical significance of certain ethical precepts that are widely accepted within the Christian tradition. For example, one might seek to make a case for ethical veganism that appealed centrally to the ethical importance of reverence, mercy, or stewardship.[20] This of course only scratches the surface of potential avenues for religiously-based arguments in food ethics.[21]

Animal-focused arguments

Each of the classes of considerations just briefly sketched is potentially important. And each might be developed to make a case that we have reasons to move in the direction of a vegan lifestyle. However, they leave out what I take to be the most significant reasons to become vegan: reasons that focus on non-human animals themselves, rather than focusing on human interests, considered either individually or collectively. The range of relevant animal-focused arguments in the literature is vast,[22] and I will not do it justice.

Theoretical commitment and naïveté

One central division among arguments in animal ethics is whether the author presupposes a systematic normative ethical theory, or hopes to proceed without one. Approaches which begin from commitment to a systematic normative ethics are legion. For example, there are discussions of animal ethics that are embedded within utilitarian, Kantian, virtue theoretic, and various contractarian and contractualist theoretical structures.[23]

One influential and powerful example of the theoretically committed approach is Tom Regan's case for animal rights.[24] Regan argues that individuals possess various moral rights, which directly reflect the inherent moral worth of those individuals. By proposing to ground rights directly in moral worth, Regan raises a pressing question. On any plausible view of rights,

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[19] Harvey, *Buddhist Ethics*, 156; 163.
[20] Cf. Linzey, *Animal Theology*; Halteman, *Compassionate Eating*.
[21] For a useful discussion, see Doggett and Halteman, "Food Ethics and Religion."
[22] For a useful but incomplete bibliography, see "Vegetarianism and Animals," The Philosophy of Food Project, accessed dd, http://www.food.unt.edu/bibliography/#16.
[23] For an explicit discussion of utilitarianism and vegetarianism, see Singer, "Utilitarianism and Vegetarianism." Many other important discussions make the most sense if we presuppose the utilitarian framework that their authors accept, although they do not explicitly presuppose utilitarianism; see Singer, *Animal Liberation*; Norcross, "Puppies, Pigs, and People;" and S. Rachels, "Vegetarianism." For Kantianism, see for example Wood, "Kant on Duties;" Korsgaard, "Fellow Creatures;" and Calhoun, "But What About the Animals?" For virtue theory, see Hursthouse, "Applying Virtue Ethics." For various contract approaches, see Baxter, *People or Penguins*; Rowlands, *Animals Like Us*, ch. 3; and Talbert, "Contractualism and Our Duties."
[24] Regan, *Case for Animal Rights*. The exegesis in this paragraph largely follows that in McPherson, "Moorean Defense?"

some things (e.g. you and I) possess moral rights (and hence inherent moral worth), while others (e.g. a shard of broken plastic) do not. What explains the difference? Regan argues that many initially plausible answers to this question are indefensible. For example, consider the idea that inherent moral worth requires capacities for ethical agency or sophisticated rational thought. This would entail that non-human animals lack rights. However, it would also entail that many humans – for example young children and severely mentally handicapped adults – lack rights. And this is implausible. Or consider the idea that having moral worth requires being a member of the species *homo sapiens*. This avoids the problems facing the rational capacity idea, but it looks like an attempt to explain a fundamental ethical property by appeal to something ethically irrelevant. To see this, imagine that we discovered an alien species with capacities to think, feel, love, and act that are very like our own. Mere difference in their genetic code surely cannot deprive them of rights. According to Regan, the only defensible alternative is that a sufficient criterion for having intrinsic worth is being the experiencing subject of a life.[25] Since many of the animals that humans eat and otherwise use are experiencing subjects of lives, Regan concludes that these animals have moral rights that are just as strong as ours.[26] Just as farming humans would violate our rights, so, on this view, animal agriculture violate the rights of non-human animals.

Arguments like Regan's make an important contribution to the ethical evaluation of veganism. At the very least, such arguments can help us to better understand some of the implications of promising systematic views in ethics. However, the strategy of appealing to a systematic ethical theory faces at least two significant limitations. The first is that there is an ongoing fierce and reasonable dispute between proponents of various systematic options to normative ethics. The second limitation – obscured by my breezy exposition of Regan's view – is that each of the central organizing ideas in systematic normative ethics can be implemented in many ways. The forest of structural options is perhaps most familiar from discussions of consequentialism, but the issue generalizes.[27] Together, these points may limit how confident we can reasonably be in any systematic ethical theory determinate enough to guide our thinking about veganism.

The alternative to such approaches is to offer a theoretically naïve argument for veganism. On this approach, one appeals to intuitively compelling judgments about clear cases, and seeks to construct local ethical principles capable of explaining the truth of those judgments, without appeal to systematic normative theory.[28] Even for philosophers committed to a systematic normative theory, exploring the issue from a theoretically naïve

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[25] Regan, *Case for Animal Rights*, §7.5.

[26] Certain elements of Regan's total view complicate this conclusion. See Pluhar, "Who Can Be Obligated," 193-7.

[27] For a superb introduction to many of the choice points facing some of the major approaches to systematic normative ethics, see Kagan, *Normative Ethics*.

[28] This approach to animal ethics is widespread; two exemplary instances are J. Rachels, "Moral Argument" and DeGrazia, "Moral Vegetarianism;" I take this approach in McPherson, "Why I am a Vegan."

perspective may be illuminating, as it may may help to illuminate issues that will make a given theoretically-committed approach more or less plausible or dialectically compelling.

3. The Naïve Argument from Suffering

Jeremy Bentham famously said of animals that: "the question is not, Can they *reason*? nor, Can they *talk*? but, Can they *suffer*?"[29] The line of argument for ethical veganism that I find most plausible begins from this question, answering that – at least for a wide range of animals – the answer is: *yes, they can suffer*.[30]

The first virtue of this approach is that it seems evident to almost everyone that many non-human animals can suffer. There are many phenomena that might be grouped together under the heading 'suffering'. Two examples of what I have in mind are intense pain, such as a piglet experiences when castrated without anesthetic, and intense distress, such as a cow or a sow experiences when separated from her young.

The second virtue of the approach is that the following ethical principle appears hard to reasonably resist:

Suffering Other things being equal, it is wrong to cause suffering

The plausibility of Suffering can be brought out in several ways.[31] First it seems true when restricted to humans. So to claim that it is not wrong to cause suffering to animals may seem like a case of ethically objectionable speciesism. Second, many cases of causing suffering to non-human animals seem obviously wrong. For example, it would be wrong to catch a stray rabbit, take it home, and torture it with electric shocks. Third, in many cases like this one, the wrongness of the action seems directly *explained* by the fact that it is a case of causing suffering to an animal. Fourth, Suffering is modest, in at least two respects. First, Suffering is a defeasible principle, so it does not imply that causing suffering to non-human animals is always wrong. Second, Suffering does not imply parity between the moral significance of human and non-human suffering. It is compatible with there being many reasons why it is typically wrong to cause suffering to an adult human being that do not apply to non-human animals. (For example, causing an adult human to suffer may express disrespect for their autonomy.)

Most arguments for veganism (especially those which seek less modally fragile conclusions) will defend a further principle prohibiting the killing of animals, such as:

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[29] Bentham, *Works*, XVII.IV n. 1 (emphasis original).

[30] For an argument against beginning the case for ethical vegetarianism by appeal to this sort of idea, see Diamond, "Eating Meat." Diamond suggests that such arguments are too abstract and disconnected from the texture of our lived relationships with animals to form apt bases for ethical arguments.

[31] For one way of developing these points, see McPherson, "Why I am a Vegan."

Killing Other things being equal, it is wrong to kill an animal

This principle, however, is not as immediately intuitive as Suffering. The intuitive contrast is well-expressed by Michael Tooley:

> it seems plausible to say it is worse to kill an adult human being than it is to torture him for an hour. In contrast, it seems to me that while it is not seriously wrong to kill a newborn kitten, it is seriously wrong to torture one for an hour.[32]

Tooley's wording is careful here: his claim is cast in terms of what 'seems plausible' about 'serious wrongness'. We can helpfully distinguish two ways of making the suggested ethical claim more precise. *Weak Asymmetry* is the view that, other things being equal, causing substantial suffering to an animal is *more seriously wrong* than killing that animal. *Strong Asymmetry* is the view that other things being equal it is wrong to cause animals to suffer, and not wrong to kill them.

Strong Asymmetry has sometimes been endorsed.[33] However, I suspect that its appeal does not survive reflection. In evaluating Strong Asymmetry, it is crucial to screen off cases in which other relevant things may not be equal. For example, there are many ordinary cases of killing animals for (at least arguably) ethically legitimate reasons. Think, for example, of overburdened animal shelters euthanizing some of their wards, or of culling a deer population to a level that its food sources can support. By contrast, there are very few ordinary cases in which there are good ethical reasons to torture an animal. These facts can potentially mislead us when we consider principles like this one; we may unconsciously 'fill in' extraneous assumptions about the motives or character of the agents involved, and these assumptions may then guide our judgments about the cases.[34] In light of this point, consider a case that is as similar as possible to the rabbit-torture case (discussed above). Suppose that someone catches a healthy stray kitten, takes it home, and then kills it by adding a fast-acting and painless poison to its meal. This seems clearly wrong, which casts substantial doubt on Strong Asymmetry.

What about Weak Asymmetry? Here again, it is important to screen off distracting assumptions about the agent's motivations. So consider a case where we screen off these distractions. Suppose that you are given a terrible choice at gunpoint: kill this kitten with a painless drug, or torture it for an hour. Suppose further that you somehow know that if you torture the kitten, it will go on to live a long and happy cat life. It would certainly be *easier* for a decent person to kill the kitten than to make herself torture the kitten. But it is hard to see why torturing is not the ethically better of two awful options. After all, it seems plausible that torturing the kitten in this case would be better overall for the kitten. Focusing only on the kitten's welfare, this case is not much different from that of someone administering a painful lifesaving

[32] Tooley, "Abortion and Infanticide," 40.
[33] E.g. by Pollan, *Omnivore's Dilemma*, ch. 17.
[34] This is inspired by the analogous point about our judgments about killing and letting die in J. Rachels, "Active and Passive Euthanasia."

medical treatment to an animal, which seems obviously okay, if doing so is the only way to allow the animal to have a long and flourishing life. In light of points like these, it is not surprising that several philosophers have argued against Tooley-style asymmetry claims.[35]

It is worth emphasizing that rejecting Weak Asymmetry is compatible with granting that killing humans is ordinarily much more seriously wrong than killing non-human animals. The best explanation of why torturing the kitten is ethically preferable to killing it adverts to something like the ethical significance of well-being or of the value of an entity's future.[36] Such considerations are surely important in thinking about killing humans.[37] If human lives are typically far richer than non-human animal lives, an account of the wrongness of killing that appealed to the value of futures would partially explain why it is ordinarily worse to kill humans. Further, in many cases of killing humans other considerations – especially considerations grounded in the agent's autonomy – may also be significant, or even paramount. For example, consider a version of the gunpoint dilemma offered above, with a human victim. Here – as Tooley's quote suggests – torturing would ordinarily seem like the lesser evil. But now suppose that the victim requests – on the basis of substantively reasonable and reflectively stable values – that you kill him rather than torture him. In this case respecting his autonomous preference may be ethically more important than maximizing his net expected welfare.

One might object to the line of argument proposed in this section by arguing that the ethical asymmetry between humans and non-human animals runs deeper than I have granted thus far. The most familiar way to develop this objection would appeal to the explanatory role of *moral status*. For example, it might be claimed that the core explanation of why it is wrong to make a human suffer needs to appeal to humans' distinctive moral status as well as what human suffering is like. Animals, it might be insisted, lack moral status (or have some sort of second-class moral status), and so the badness of their suffering cannot render wrongful an action that makes them suffer.

This objection should be rejected.[38] To begin, notice that the objection threatens to deprive us of the most natural explanation of the wrongness of torturing non-human animals. A theoretical argument would need to be extremely powerful to warrant this. But the idea that animals lack moral status is most plausible if we understand moral status as the bundle of ethical powers and protections characteristically possessed by adult humans (in a helpful introduction to moral status, Jaworska and Tannenbaum call this 'full moral status').[39] A two-year-old child lacks full moral status: she has no right to self-government, for example, or political participation. But I still owe it directly

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[35] Compare McMahan, "Eating Animals;" DeGrazia, "Moral Vegetarianism," 160-4; Harman, "Moral Significance of Animal Pain;" Norcross, "Significance of Death;" and McPherson, "Why I am a Vegan"

[36] In the sense relevant in Nagel, "Death" and Marquis, "Abortion is Immoral."

[37] Compare Lippert-Rasmussen, "Two Puzzles."

[38] For related skepticism about the usefulness of 'moral status' talk, see Zamir, *Ethics and the Beast*, ch. 2.

[39] Jaworska and Tannenbaum, "Grounds of Moral Status."

to such a child that I not torture her. It is natural to assume that the wrongness of making the child suffer is grounded in her individual capacities. But if so, then the objection collapses, because many non-human animals have similar capacities. One could repair the objection, for example by insisting that the child has moral status simply in virtue of being human.[40] But it is deeply puzzling why bare genetic facts like this one should have such striking ethical significance.

Supposing that it is sound, the case for the wrongness of killing animals and making them suffer has profound ethical consequences. Consider the institutions most directly involved in raising and slaughtering animals for use in making animal products: the farms, animal factories, feedlots and slaughterhouses. These institutions inflict extraordinary amounts of suffering, and then very early death, on the billions of animals they raise and kill.[41] If killing animals and making them suffer is wrong, then these institutions (or the people who compose them) act wrongly on a truly horrifying scale. Stuart Rachels gives us a sense of the scope of the issue, estimating the amount of suffering inflicted by these institutions as orders of magnitude greater than that inflicted by the holocaust.[42] Further, our governments arguably act wrongly as well, in virtue of creating a legal and regulatory framework within which these institutions are permitted to treat animals wrongfully, and in virtue of providing economic incentives – and in many cases direct subsidies[43] – for these institutions to harm animals. However, the case for the wrongness of killing animals and causing them to suffer does not yet constitute an argument for veganism. The next section explains the gap remaining in the argument, and explores how it might be filled.

4. Completing the Naïve Argument for Veganism: Some Options

One could grant that it is wrong to kill animals or to make them suffer, but deny that this gives one reasons to be vegan. After all – as is vividly obvious in the contemporary world – eating animal products does not require that one kill animals, or cause them to suffer. As a defense of omnivorism, this may initially smack of rationalization. However, facing it squarely helps to illuminate several of the most difficult challenges for constructing a rigorous ethical argument for veganism.

We can begin by schematically representing the gap left by the argument of the preceding section, as follows:

1. The institutions that produce our animal products act wrongly in a massive and systematic way.

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[40] Compare Cohen, "Critique," 162.
[41] For some of the literally gory details, see Mason and Singer, *Animal Factories*.
[42] S. Rachels, "Vegetarianism."
[43] For example, according to the Environmental Working Group, direct US subsidies to dairy and livestock totaled nearly $10 billion in 1995-2012. Other, much larger subsidies – such as on grain used for feed – serve to indirectly subsidize US animal agriculture. "Farm Subsidy Database," Environmental Working Group, accessed dd, http://farm.ewg.org/.

2. Veganism bears relation ***R*** to those institutions
3. It is typically wrong (or…) to fail to bear ***R*** to those institutions

C. It is typically wrong (or…) to fail to be vegan

The parenthetical possibilities in premise 3 and the conclusion are intended to remind readers of the range of possible forms ethical veganism might take (discussed in Section 1). Different arguments will, of course, be required to support weaker or stronger vegan theses. The central question is whether there is some relation that we can substitute for variable ***R*** to produce a sound version of the schematic argument just given. This section discusses some important possibilities.

One might wonder whether the gap suggested by this argument is easily filled. For example, Rosalind Hursthouse suggests that a truly compassionate person could not be aware of the cruelty of contemporary animal agriculture, and continue to be 'party' to such cruelty by eating meat.[44] Such self-aware omnivorism may feel uncomfortable: witness Michael Pollan's description of reading Peter Singer's *Animal Liberation* in a Steakhouse.[45] This sort of reply seems to me inadequate for two reasons. First, it appears at best to support a very weak form of ethical veganism, according to which omnivorism is some sort of ethical imperfection. However, even this is not so clear. Absent further argument of the sort to be considered below, it is not clear that one must lack compassion to any degree if – for example – one followed the Buddhist teaching that permits a monk to eat meat, provided that he does not suspect the relevant animal has been killed specifically to feed him.[46]

This section focuses on three candidate proposals for explaining how ethical requirements on individuals can be generated indirectly, in virtue of relations between their actions and some other bad or wrongful act or state of affairs. These proposals appeal, respectively, to *individual value-promotion*, *group efficacy*, and *complicity*. The aim is to assess whether these proposals can provide intrinsically plausible principles that – when combined with the naïve argument of the preceding section – support some form of ethical veganism. The proposals that I discuss are far from exhaustive, but they strike me as the most promising.[47]

For simplicity, I treat these proposals as ways of completing the preceding naïve argument. However, these proposals have broader theoretical significance for the ethics of veganism. For example, many broadly environmental arguments for veganism (briefly discussed in §2) will face the same sort of gap as the argument just sketched: they are most directly arguments from the wrongness of status quo animal agriculture, not for the wrongness of individual acts of using animals. In light of this, most attempts to defend ethical veganism will need to appeal to some theory like the ones to

[44] Hursthouse, "Applying Virtue Ethics," 141-2.
[45] Pollan, *Omnivore's Dilemma*, 650.
[46] Harvey, *Buddhist Ethics*, 159.
[47] For criticism of some of the other options, see Budolfson, "Inefficacy Objection to Deontology," §3-4.

be considered here, that propose ethical links between individuals' use of animal products and the objectionable practices that create those products.

Individual efficacy

I begin by considering the attempt to cross the gap by appeal to the idea that the individual vegan can promote something ethically important: expected animal welfare. The canonical presentation of this idea by Peter Singer begins by granting that it is *highly unlikely* that one's own food choices will ever make a difference to actual animal welfare.[48] However, Singer suggests this is not the end of the story. He suggests there must be some (unknown) threshold, at which – for example – increased numbers of vegetarians or vegans will reduce demand for chicken sufficiently to reduce the number of chickens made to suffer in factory farms. For example, "Perhaps for every 10000 vegetarians there is one fewer 20,000 bird chicken unit than there would otherwise be."[49] However, we are ignorant of where the relevant threshold is. Perhaps we are away from the threshold, in which case the individual vegan makes no difference to the chicken suffering. But given our ignorance of where the threshold is, we should take there to be a 1/10000 chance that we are at the threshold. And if we are at the threshold, an individual vegan's refraining from consuming chicken will save 20000 chickens from a short life of suffering.[50] The expected utility of this chance for each vegan is the same as the expected utility of certainty that one will save two chickens from suffering. In a slogan: it is vanishingly unlikely that one will make a difference by being vegan, but if one does, it will be a correspondingly massive difference. One might then argue that this is enough to entail that one is morally required to be vegan.[51]

This sort of argument faces several difficulties. Some of these difficulties are empirical in nature.[52] For example, some have argued that we have empirical reasons for believing that we are more than proportionally likely to be stably between thresholds of the imagined sort. Others have argued that we should be skeptical of the ability of individual buying decisions to produce any economic signals whatsoever in a large market.

Another objection begins by querying the trajectory of aggregate demand for animal products. Assume for simplicity that aggregate demand trends are stable, without a lot of random variation. Suppose first that demand is stably *increasing*. Other things being equal, this will lead to rising prices and (eventually) to new animal factories being built, as increased supply becomes profitable. My veganism cannot prevent a broiler factory from being built, under such assumptions. At best, it might conceivably delay its construction.

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[48] Singer, "Utilitarianism and Vegetarianism."
[49] Singer, "Utilitarianism and Vegetarianism," 335.
[50] Broilers spend around six weeks in the chicken unit before being transported for slaughter. Mason and Singer, *Animal Factories*, 7.
[51] For very similar arguments, see Matheny, "Expected Utility;" Norcross, "Puppies, Pigs, and People;" and Kagan, "Do I Make a Difference?"
[52] See Frey, *Rights, Killing, and Suffering*; Frey, "Utilitarianism and Vegetarianism Again;" Chartier, "Threshold Argument;" and Budolfson, "Inefficacy Objection to Consequentialism."

But for how long? Seconds? Minutes?[53] Or suppose that aggregate demand is stably decreasing. Then prices will typically fall, and with it production. Again, at very unlikely best, lack of my demand could hurry closure of a broiler factory by a few minutes. The only (artificially stable) scenario in which my becoming a vegan could make a more marked difference is if aggregate demand is, independent of my choice, stably exactly at a threshold. Only here could my buying behavior possibly make a more than a momentary difference to the welfare of animals. But our credence that we are stably at such a threshold should be *much* smaller than Singer's heuristic estimate. It might thus be expected that the expected benefit to animal welfare of my becoming vegan is likely to be extremely small.

The Singer-style argument also makes at least three important assumptions about ethical theory. One (highly plausible) assumption is that welfare outcomes are ethically significant. The second assumption is more controversial: this is that the *expected* value of consequences play a role in determining right and wrong. This assumption is controversial because many philosophers think that the actual – as opposed to expected – value of consequences is what contributes to determining right and wrong.[54]

The expected value assumption is crucial to Singer's reasoning. For example, in Singer's stylized example, it is extremely likely that *no one* actually makes an objective difference to animal welfare by being vegan. For on Singer's account, it is very likely that aggregate demand is in fact stably away from a threshold. And this means that for each consumer C, the counterfactual: *if C were to be vegan, animal welfare would be improved* is very likely false.

The third crucial assumption of Singer's argument is that the negative expected value of an option can explain why that action is wrong. Notice that this is a stronger claim than the idea that facts about expected value matter ethically. This issue can be illustrated by a familiar style of case: I can choose to either spend $1000 on a vacation, or to donate this money to the Against Malaria Foundation. The expected value of the donation is saving at least one person from miserable sickness and early death due to malaria, which obviously outweighs the direct and indirect expected benefits of my vacation. It is plausible that this makes donating the money morally better than going on vacation, but it is controversial whether it entails that I would act wrongly by going on vacation.[55]

Despite these points, evaluating the empirical challenges to the Singer-style reasoning might be quite broadly important to the ethics of veganism. On the one hand, it might provide a direct way to argue that veganism is at least ordinarily supererogatory. On the other, some sort of efficacy might be argued to be a necessary – even if not a sufficient – condition for veganism to be required. The worry is that absent a plausible case for

[53] Compare Chartier, "Threshold Argument," 240ff.
[54] For discussion, see e.g. Feldman, "Actual Utility."
[55] For relevant discussion, see e.g. Singer, "Famine, Affluence, and Morality;" and Cullity, *Moral Demands*.

efficacy, one's concern not to eat wrongfully produced meat amounts to an ethically dubious desire to avoid a kind of 'moral taint'.[56]

Group efficacy

As we have seen, it is not trivial to establish that an individual omnivore has any effect on animal welfare. By contrast, it is obvious that all of the consumers of animal products together make a difference: their aggregate demand is the raison d'être of the animal agriculture industry. If demand for animal products declined to zero, wrongful farming of animals would likewise decline precipitously. In light of this, one might suggest that the argument for veganism should appeal to the ethical significance of the relationship that an individual vegan bears to this group. For example, one might complete the schematic argument imagined at the beginning of this section in the following way:

1. The institutions that produce our animal products act wrongly in a massive and systematic way.
2. The group *consumers of animal products* together act wrongly by making the wrongful treatment of animals mentioned in (1) persist.
3. It is typically wrong (or…) to be a part of a group that together acts wrongly (i.e., in this case, to fail to be a vegan).

C. It is typically wrong (or…) to fail to be vegan

As in the schematic argument, the "(or…)" marks the fact that one might argue for a variety of ethical statuses for veganism. Premises 2 and 3 of this argument introduce important and controversial ethical ideas. Premise 3 is a general claim about the individual ethical significance of group wrongdoing. Premise 2 is an instance of a principle that tells us that groups can acts wrongly in virtue of making bad things happen. Consider a case that might help to motivate the general claims here.

Suppose there are two communities along a river: Upstream and Downstream. The river is the only source of water for both communities. Members of Upstream also dispose of their sewage in the river. (This isn't a town policy; it is just the prevailing and accepted practice in Upstream.) As a result, members of Downstream are very often painfully and dangerously ill from drinking the polluted water. Suppose, however, that no individual's sewage from Upstream makes a difference: the river is so uniformly polluted by Upstream sewage that removing one person's contribution from the river will make no difference to the number or severity of the painful illnesses suffered in Downstream. Suppose finally that the members of Upstream know about their effects on Downstream, and could (either individually or collectively) safely dispose of their sewage elsewhere, at modest cost. It is plausible that the members of Upstream are, collectively, responsible for wrongfully harming the members of Downstream. It may seem plausible that, in virtue of this, an individual member of Upstream acts wrongly by disposing

[56] For relevant discussion, see Appiah, "Racism and Moral Pollution."

of her sewage in the river, despite the fact that this action produces no marginal harm.

This argumentative strategy takes on several burdens.[57] First, some philosophers think that only individuals can act wrongly. This view must be defeated if the group-mediated account is to work. Second, we can usefully adopt Margaret Gilbert's useful distinction between 'collectives' – like families or sports teams – from looser 'aggregates'.[58] It is arguably more plausible that collectives can act wrongfully than mere aggregates. This is relevant because the group *consumers of animal products* does not coordinate in the systematic ways characteristic of collectives. Third, even if an account of responsibility that applies to aggregates is developed,[59] a clear mapping from group to individual wrongdoing still needs to be provided.

Even if these theoretical questions can be adequately addressed in a way friendly to the argument,[60] one might wonder whether the group-mediated approach supports veganism over certain alternative responses to the evils of animal agriculture. To see the challenge, focus on an individual in Upstream. Suppose she knows that for the modest cost of $n she could install a safe and effective septic system, and thus cease to contribute to polluting Downstream's drinking water. However, she knows that she could instead donate $n to help provide water filters in Downstream, which would actually help to prevent some Downstream residents from getting sick. It seems plausible that she has much stronger reasons to donate than to eliminate her own pollution.[61] Generalizing, if we suppose that an individual's being vegan involves some cost to that individual and negligible benefit to animals, it might seem that this cost would be more constructively borne to support direct assistance to animals (human or non-) rather than one's veganism.

Benefit and complicity

The group-mediated approach focuses on the relationship between the individual and the consumers of animal products. But this may seem like an implausibly *indirect* relationship to focus on. After all, as I noted at the end of the previous section, the individuals and institutions most directly responsible for the massive pattern of wrongful treatment of animals are the farms, animal factories, feedlots and slaughterhouses. So we might want to focus on the relationship of the individual vegan or omnivore to these institutions or wrongful patterns.

Besides making a difference to the extent of the wrongful pattern (the issue we discussed under 'individual efficacy' above), there are at least two ethically relevant relationships that we might want to focus on. First, the omnivore *benefits from* this wrongdoing: the food she chooses to consume is

[57] For a helpful introduction to relevant debates, see Smiley, "Collective Responsibility."
[58] Gilbert, "Who's to Blame?"
[59] E.g. Held, "Random Collection;" Bjornsson, "Joint Responsibility;" and Pinkert, "What We Together."
[60] E.g. McGary, "Morality and Collective Liability."
[61] For a parallel case, see Björnsson, "Joint Responsibility," 108. For relevant discussion, see also Zimmerman, *Concept of Moral Obligation*, ch. 9.

a product of this wrongdoing, and would not be available – or at least, it would be available only in much smaller quantities at much higher prices – absent such wrongdoing.[62] Second, the omnivore is *complicit* with the wrongdoing, in the sense of cooperating with the wrongful plans of the more immediate wrongdoers. I will briefly explore the prospects of appealing to the ethical significance of one or both of these relationships in defending ethical veganism.

Consider first benefitting. Several philosophers have argued that one can acquire ethical obligations in virtue of benefitting from injustice.[63] One might think that some of these arguments generalize to benefitting from significant wrongdoing of other types. The knowing omnivore chooses to consume products that result from the wrongdoing of the animal industry. This is relevant because it is much easier to motivate the idea of obligations in virtue of voluntarily received benefits.[64] Our central topic here, however, is not the obligations that omnivores might take on in virtue of their behavior (itself an interesting question). Rather, our question is whether knowing omnivorism is itself wrong in virtue of being an instance of voluntary benefit from wrongdoing. One might take such voluntary benefitting to constitute the ethical analogue of the legal status of being an accessory after the fact.[65] However, the ethical significance of such pure benefitting – when shorn of other ethically features – are not clear. For example, suppose that it is wrong to kill deer in your context. And suppose that you witness a reckless driver hit and kill a deer, then leave the scene. If you then take, dress, and ultimately eat what can be salvaged from the abandoned deer carcass, you are benefitting from the driver's wrongful killing of the deer. But it is far from clear that what you do in this case is wrong.[66] Even this case involves a kind of active receipt of goods. By contrast, suppose that the wrongful killing kept the deer from grazing on your garden. Surely you do not act wrongly by merely receiving this benefit with a wrongful genesis.

Recalling the variety of forms of ethical veganism, one might argue within a virtue-theoretic framework that the willingness to voluntarily benefit from wrongdoing is a significant vice. However, if we again consider the case of the deer salvager, it is again not clear that this willingness is any kind of vice, if limited to the sort of case described. One might insist that virtue in part consists in a way of seeing animals that takes them to be *not to be eaten*.[67] But one might suspect that this sort of perception is (relatively) virtuous only assuming the inability to make relevantly fine-grained distinctions between

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[62] One complication is that – as mentioned in §2 – the omnivore's dietary choices might in fact be overall bad for her, suggesting a straightforward sense in which they do not benefit her. However, the omnivore – at least immediately – gets what she wants in eating animal products. And I suspect that the argument will be similarly plausible if we simply stipulate that this counts as a benefit.

[63] Thomson, "Preferential Hiring," 383; Butt, "On Benefitting."

[64] Pasternak, "Voluntary Benefits."

[65] Goodin and Barry, "Benefitting from Wrongdoing," 2.

[66] For further discussion of cases like this one, compare Bruckner, "Strict Vegetarianism."

[67] E.g. Diamond, "Eating Meat," §3.

more and less ethically problematic cases, and that the perfectly virtuous person could regret the death but salvage the carcass.

It is useful to contrast the case just considered with one where someone intentionally kills a deer in order to sell it, and then sells you some of the resulting venison. In this sort of case, there is not merely wrongful action (as in the recklessness version of the case), but (we will assume) a wrongful plan of action. Further, you are not merely *benefitting* from that plan (as in the case where killing the deer saves your garden). Rather, you are playing a key role in the execution of the plan: the hunter's plan requires someone to play the role of venison buyer, and you are voluntarily playing that role. This case seems strikingly ethically different from the case of salvaging venison.

Call knowingly and voluntarily fulfilling a role that needs to be fulfilled in order for a wrongful plan to work being *complicit* with the plan. One might suggest the following principle:

> **Complicity** Other things being equal, it is wrong to be complicit with others' wrongful plans

This principle could be used to complete the schematic argument in the following way:

1. The institutions that produce our animal products have a wrongful plan
2. Individual consumers of animal products (non-vegans) are typically complicit with that plan
3. Other things being equal, it is wrong (or…) to be complicit with others' wrongful plans (Complicity)

C. It is typically wrong (or…) to fail to be vegan

As in the schematic argument, the "(or…)" marks the fact that one might argue for a variety of ethical statuses for veganism. The controversial core of this argument is Complicity. In order for Complicity to help complete a case for ethical veganism, it would need to be refined in several non-trivial ways. Consider two examples. First, the set of roles relevant to counting as complicit would need to be somehow restricted. For example, it is presumably essential to the success of the hunter's plan that he not be caught in a Heffalump trap or otherwise prevented from hunting. But failing to take such steps to foil a plan seems different from the sort of active complicity described above. As this case brings out, there seems to be a crucial contrast between cooperating with a plan, and merely not interfering with it.[68] Second, the contemporary production of animal products is largely implemented by a highly complex

[68] Making this distinction well is far from trivial. For example, if one had a standing obligation to prevent hunting (e.g. one was the local game warden, etc.), then merely turning a blind eye to the hunting *would* seem objectionable. Or suppose the hunter held you in such esteem that you could prevent the hunt with a single gentle word, perhaps here again you have a duty. *Perhaps* failing to prevent the hunt in these cases does not count as complicity, but is objectionable on other grounds.

system of corporations. The initial model of an individual and his or her plan will need to be extended, to apply to the complex way that plans (or something like them) can be ascribed to corporations, or even loose collections thereof.[69] Third, relatively few consumers purchase meat directly from the corporations that produce the meat. So the argument will need to support some sort of iterability: it will have to be claimed that the consumer is wrongfully complicit with the retailer who is wrongfully complicit with the wholesaler, etc.

It is also important to clarify how Complicity interacts with questions of individual efficacy. On the one hand, individual efficacy arguably makes the ethical significance of complicity clearer. My complicity with your evil plan may seem especially objectionable where it promotes the success of that plan.[70] However, it seems objectionable even absent this: suppose you know that the hunter in our example above always has buyers for his venison: if you don't buy the venison, someone else will. I find it plausible that complicity with the hunter via buying his venison is wrong even here.[71]

Compare a parallel case: the more familiar duty of *fair play*: this requires that I not benefit from successful cooperative institutions without making a fair contribution to them; i.e., that I not *freeride*.[72] In many cases, freeriding will not harm anyone, and yet it appears wrong (other things being equal) in these cases. Of course duties of fair play are controversial, and some of the controversy surrounds just this question of efficacy.[73]

As the discussion of this section makes clear, it is far from trivial to explain how to complete the schematic 'naïve' argument for veganism sketched at the end of the previous section. Clarifying these issues is thus an important task as we seek to make progress on understanding the ethical status of veganism.

4. Complications facing arguments for veganism

In this section, I discuss a series of important complications facing arguments for veganism that have not been addressed in this chapter so far. Satisfactory resolution of these issues is crucial to developing a full-fledged case for

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[69] For an introduction to collective intentionality, see Schweikard and Schmid, "Collective Intentionality."

[70] For an intermediate position, see Lepora and Goodin, *Complicity and Compromise*, §4.1.1, which appeals to a notion of 'potential essentiality', according to which a relatively weak *possibility* of difference-making is necessary for complicity.

[71] Mark Budolfson, "The Inefficacy Objection to Deontology," has argued for a further important variant of a complicity view. He proposes that *how essential* the wrongness of the production of a product is can affect how wrong it is to consume it. For example, it is worse to purchase the archetypal Nazi-made soap than it is to purchase a watch made in a concentration camp, because the fact that the soap is made from human fat makes the wrongful character of its production *more essential* than the wrongful character of the production of the watch was. This sort of idea might be used to defend the idea that it is wrong to eat beef, where wrongful treatment of animals is relatively essential, but not wrong to drink milk, because the wrongful treatment of cows is inessential to the necessary means of producing milk.

[72] Klosko, *Principle of Fairness*.

[73] E.g. Smith, "Prima Facie Obligation." For a reply, see Dagger, *Civic Virtues*, 71.

veganism. This section briefly considers complications arising from considerations of aggregation, the demandingness of the principles needed to argue for the claim that veganism is obligatory, the defeasibility of the ethical principles that support veganism, the specificity of the response required of vegans, and methodological objections to typical 'intuitive' arguments for veganism. I begin by considering challenges to the ethical significance of animal suffering and death.

How bad is animal suffering and death?

The argument of §3 assumed that animals can suffer. However, this assumption has been challenged. In order to answer this question properly, we would need to examine several complex questions about the nature and ethical significance of pain and suffering.

One way to turn these questions into a challenge begins by noting that it is the *qualitative* nature of suffering – what it is like for the sufferer – that seems most clearly ethically significant.[74] For example, if we built a robot that was behaviorally very similar to a cat, but which had no phenomenal experiences, it is very unclear whether there would be anything intrinsically wrong with treating the robot in ways that elicited very strong aversive behavioral responses. (Of course, that someone would choose to do this to the robot would be disturbing, but it would be disturbing in roughly the way it would be disturbing for someone to choose to play a video game in which their avatar graphically tortured cats.)

The thesis that ethically significant suffering is a phenomenal state entails significant epistemic difficulties for supporting the claim that non-human animals can suffer. First, there is no agreement about what phenomenal experience consists in (is it irreducible, or can it be given a functional characterization, for example?). An empirically informed methodology here will seek to identify functional, evolutionary, and neurological correlates for phenomenal states. But there are many interesting functional and neurological similarities and differences between humans and non-human animals. This makes the 'problem of non-human animals minds' an empirically and philosophically complex issue.

Some philosophers have argued on this basis that it is a mistake to think that animals can suffer.[75] However, it is worth noting that this sort of argument can only be as plausible as the underlying philosophical theory of phenomenal consciousness, which at very least counsels caution. If we set aside these challenges, we confront a less radical challenge: the strongest case for the possibility of animal suffering is presumably in those animals that are biologically and evolutionarily closest to humans – i.e. mammals. The question of whether other animals – most saliently birds and fish – can suffer

[74] For a case for potentially ethically significant animal mental states that do not involve phenomenal consciousness, see Carruthers, "Suffering without Subjectivity."
[75] E.g. Dennett, *Brainchildren*, 161-8.

is deeply complicated.[76] This may leave a version of veganism restricted to mammals in a significantly stronger position that those which range more broadly across the animal kingdom.

If we suppose that (certain) animals can suffer, this does not settle *how bad* that suffering is. Imagine your shoulder is aching: how bad this is for you is in large part a function of its meaning for you: experienced as a reminder of a vigorous workout, it will seem much less unpleasant and significant than if it is understood as a symptom of your developing arthritis. It is difficult to know whether animals can experience their suffering as meaningful in anything like these ways. This might tend to reduce the significance of animal suffering.[77] If animal suffering were systematically not that bad, this might attenuate the badness of contemporary animal agriculture. However this is not very plausible, for at least two reasons. First, some non-human animals do appear to attribute significance to their experiences: witness the extended distress of cows or pigs separated early from their young. Second, the idea that perceived meaning affects the badness of pain is perhaps most plausible for relatively mild pains: it is characteristic of agony that it crowds out all such reflective perspective on one's state.

The argument for the wrongness of killing animals discussed in §3 above appealed in part to the value of an animal's future if it were not killed. One might challenge this argument by appealing to philosophical theories about personal identity, or (more broadly) the conditions for ethically significant survival. On a leading cluster of accounts, certain relations of *psychological continuity* is required for ethically significant survival.[78] On this view, we need to ask: do many non-human animals have rich enough psychological connections to underwrite the intuitive thought that a given cow (e.g.) is the same moral patient over (much of) its biological lifetime? If not, this view might entail that for ethical purposes, a cow should be treated as constituted by a succession of distinct ethically significant beings. This would in turn mean that painlessly killing the cow would not be depriving *it* of a significant valuable future, but rather preventing the existence of its many successors. Because many philosophers are skeptical that we have any weighty duties to bring valuable lives into existence, this conclusion would undercut what is otherwise the most plausible argument for the wrongness of killing non-human animals.

As with the preceding challenge, I am cautiously optimistic that this challenge can be met, at least in many cases. For example, many animals appear capable of various forms of memory.[79] However, as with questions about animal pain and suffering, answers here are likely to vary substantially across species in ways that require careful empirical work to tease out. Further, as with the case of suffering, this argument takes controversial philosophical theory as an essential premise. For example, on accounts which

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[76] For an introduction to the study of animal consciousness, see Allen and Trestman, "Animal Consciousness."
[77] For an argument that it can also make it worse, see Akhtar, "Animal Pain and Welfare."
[78] For discussion, see Olson, "Personal Identity," esp. §4.
[79] Allen and Trestman, "Animal Consciousness," §7.4.

make continuity of brain or organism essential to ethically significant survival, this objection fails immediately.

Aggregation?

It is often insisted that persons are ethically *separate*.[80] While it usually seems reasonable for me to impose a cost on myself now in order to attain a greater benefit later, it can seem objectionable to impose a cost on one person in order to benefit others more. The force of this idea is perhaps best dramatized in Judith Thomson's transplant case, where we are asked to imagine that a doctor could carve up a healthy patient and distribute his organs to five others needing transplants, thereby saving five lives but killing the initial patient.[81]

The view that carving up the patient would be very wrong is widely shared. But similar cases involving non-human animals are much less clear. Imagine the relevant case: your roving high-tech veterinary clinic finds five young deer in need of organs. The deer population around here is stable, and you know these deer would live a long and happy life if saved from imminent organ failure. As it turns out, you find a sixth, healthy deer with the requisite biological compatibilities to be the 'donor'. Would it be wrong to carve this deer up to save the other five? It is at least unclear whether it is. If this point generalizes, it might suggest that there is no 'separateness of non-human animals': that there is no moral objection to harming or killing one animal as a means to bringing about an outcome that is best overall.[82]

The idea that animal ethics should focus on aggregate effects would have significant implications. For example, consider culling populations of animals that would otherwise – in the absence of non-human predators – predictably go through cycles of population explosion and starvation. The most obvious objection to this policy is that it harms the animals culled, but if the culling is best for the population in aggregate, the anti-separateness thesis would undercut the objection. Returning to veganism, if the culling is legitimate, objections to then eating or otherwise using the culled animals will be harder to develop.[83]

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[80] E.g. Rawls, *Theory of Justice*, §5-6.
[81] Thomson, "Trolley Problem," 1396.
[82] For relevant discussion of this hypothesis, see Nozick *Anarchy, State and Utopia*, 35-42.
[83] The ethical legitimacy of aggregation might also seem to support a controversial objection to veganism: that widespread veganism would tend to lead to the existence of far fewer cows, pigs, chickens etc. If we assume (controversially) that these animals currently tend to have lives that are worth living, this would entail that veganism was worse overall for animals. And aggregation might seem to bolster this argument. This argument faces severe further difficulties, however. Here are two: First, reduced numbers of farm animals will likely be accompanied by increased numbers of wild animals; Second, this argument likely require controversial views about the ethical significance of bringing entities with valuable lives into existence (for the classic discussion of this issue, see Parfit, *Reasons and Persons*, Part Four).

Demandingness?

Several philosophers have reported to me that they accept the soundness of arguments for veganism, but have not become vegan.[84] One explanation for this phenomenon is that – at least for many people – it is very difficult to become vegan: doing so would require abandoning cherished foods, coping with a host of new inconveniences, developing new tastes and learning a host of new skills, not to mention potentially creating conflict in a host of relationships. While the thesis that veganism is obligatory is thus arguably quite demanding, it may also be that the *arguments* needed to defend a requirement to be vegan have implications that are far more demanding. Consider two examples that may help to illustrate this idea. First, the appeal to individual causal efficacy is most straightforwardly developed into a case for veganism when combined with a principle that prohibits selecting options that will promote something very bad happening. But – as we saw above in the example of choosing between a vacation and a charitable donation – such principles might be otherwise quite demanding, requiring us to sacrifice many pleasures in order to help others avert terrible fates.

Or consider the appeal to a complicity principle, also discussed in the previous section. Thomas Pogge has argued that the causal interconnections in the world are so dense and complex that an ordinary affluent person has likely been involved both in transactions that caused deaths and ones that saved lives.[85] Because it is plausible that many of the nodes in this web of transactions involve unjust rules and wrongful actions, one might worry that one cannot help but be complicit with wrongdoing.

If these sketchy examples reflect a general pattern, then an obligation to be vegan may only be defensible as part of a highly demanding overall ethic. If such demandingness renders an ethical theory implausible, this would in turn pose a clear and relatively neglected challenge to any claim that veganism is more than supererogatory.[86]

Defeasibility?

As I noted in §1, plausible forms of ethical veganism will be defeasible: that is, they will allow that there are a range of possible circumstances in which it is permissible to use animal products. One might argue that demandingness itself can constitute a relevant defeating condition. For example, in many cases, animal products are an essential element of the only available nutritionally adequate human diets. This is true for many hunter-gatherer cultures as well as for many subsistence farmers, for whom having a cow – or even a handful of chickens – can offer crucial protection against certain forms of malnutrition.

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[84] For non-anecdotal evidence that philosophers' failing to act on their belief that they should be vegetarian is widespread, see Schwitzgebel and Rust, "Moral Behavior."
[85] Pogge, "Severe Poverty", 17.
[86] For a related worry, see Gruen and Jones, "Veganism as an Aspiration."

Ideally, the proponent of an obligation to be vegan would seek a principled account of defeasibility conditions that (a) granted permissibility in these sorts of cases, and (b) applied more generally, in a way that reduced the force of the demandingness challenge, but (c) did not permit the difficulties involved in becoming vegan mentioned above to defeat the obligation more generally. It is an open question whether such an account can be developed. If it cannot, the proponent of an obligation to be vegan may be further committed to implausible demandingness in light of too-limited defeating conditions.

Specificity?

The core of veganism involves eschewing *use* of animal products. As we saw in §1, one might think that our relationships to non-human animals have other ethical implications: implications for how our political lives should be organized, for what our political priorities should be, and for how we interact with other humans. One possibility is that the best case for veganism entails obligations of all of these types. This conclusion would suggest a further way in which arguments for ethical veganism might be highly demanding.

One natural way of mitigating the demandingness of an ethical desideratum is to permit agents options as to how they respond to it. On this sort of view, it might be argued that while the massive wrongdoing in animal agriculture demands *some* response from each of us, a range of such responses might be permissible. For example, consider someone who reasonably believes that transitioning to veganism would involve significant sacrifices to her well-being. Suppose that this person instead practiced ethical omnivorism, while simultaneously dedicating a significant portion of her political and financial resources to supporting organizations that she reasonably believed would best help to promote animal welfare. Absent a highly demanding ethical theory, it might seem that such a person would count as meeting her ethical obligations.[87]

The methodological burdens of revisionism

An important question about demandingness objections concerns whether they should centrally be understood as targeting the demandingness of a candidate theory, or the fact that the particular demands in question fly in the face of common sense. To see the contrast, consider the claim that one might be required to endure great sacrifices to save one's child, or that a soldier can be required to sacrifice his life for his country. These are theses that make ethics very demanding, at least in certain contexts. But it is not clear that having such implications counts significantly against an ethical theory:

[87] For relevant discussion taking Peter Singer as its foil, see Frey, *Rights, Killing and Suffering,* ch. 16. It is illuminating here that the Animal Liberation Front – a radical group that advocates direct and often illegal action in defense of animals – holds being vegan *or vegetarian* as a minimal requirement for association. "Credo and Guidelines," Animal Liberation Front, accessed dd, http://www.animalliberationfront.com/ALFront/alf_credo.htm.

intuitively, they simply show that sometimes it is hard to do the right thing. This might suggest that demandingness per se is not a problem. Rather, being demanding in certain respects might simply be one way in which an ethical theory can fly in the face of common sense. Any argument for an obligation to be vegan will arguably be a philosophical argument against common sense. Influential Moorean views in epistemology claim that such arguments are quite generally dubious.[88]

One might think that such skepticism is especially powerful against the sort of view sketched in §§3-4, for two reasons. First, as the discussion of this chapter illustrates, any fully-developed ethical argument for an obligation to be vegan will be quite complex. Second, the argument of §3 is methodologically naïve: it aims simply to appeal to clear intuitive judgments. But if the permissibility of eating a cheeseburger is also commonsensical, then one might think that the best such arguments can hope to show is that a certain complicated set of our intuitive judgments is inconsistent. One might wonder why, in this case, one should be confident that the permissibility of eating a cheeseburger is the judgment that should be abandoned.[89]

One task for the ethical vegan is to rebut such arguments. If this is not possible, one possible way to reply involves being epistemically – but not practically – concessive. For example, one might grant that it is unclear whether the best arguments for veganism *put us in a position to know* that veganism is obligatory. The epistemically concessive vegan might argue that nonetheless, the arguments are at least strong enough to entail that we ought to *suspend judgment* concerning the thesis that veganism is obligatory. And here they might advocate an ethical precautionary principle: if we cannot tell whether doing A is wrong, then we ought, other things being equal to refrain from doing A. This is a quite different way of thinking about ethical veganism: on this gloss, we can know that the lifestyle is required, not in virtue of the first-order ethical facts, but as an ethical response to reasonable ethical uncertainty.[90]

Another way of replying is to grant that naïve theorizing might not be enough to establish ethical veganism. Perhaps naïve arguments need to be supplemented by methodological arguments that can rebut the Moorean strategy here, and provide a principled means of explaining why the permissibility of eating a cheeseburger does not survive the putative conflict imagined above.[91]

Conclusions

Ethical veganism can be initially motivated by compelling insights: that animals matter ethically, that our collective treatment of non-human animals

[88] For discussion, see McPherson, "Moorean Arguments" and "Moorean Defense?"
[89] McPherson, "Case for Ethical Veganism", §3.
[90] For contrasting assessments of the underlying precautionary idea, see on the one hand Guererro, "Don't Know, Don't Kill;" and Moller, "Abortion and Moral Risk;" and on the other, Weatherson, "Running Risks Morally."
[91] McPherson, "Moorean Defense?" and "Case for Ethical Veganism".

is one of the great contemporary horrors, and that these facts make an ethical demand on each of us. This chapter has sought to illuminate the dialectic that arises when one attempts to develop these and other motivations into a philosophically careful argument. As I have sought to make clear, there are many possible species of ethical veganism worth investigating, there are many philosophical resources that can be levied into arguments for one or another vegan thesis, and there are many deep challenges facing these arguments. I have argued that there is a powerful core case for veganism, but that this case is in several important respects incomplete or poorly developed. I hope that this chapter will enable and encourage others to rigorously address these topics, thereby allowing us all to better understand the ethics of veganism, and – more broadly – the ethics of our relationships to non-human animals and to what we consume.[92]

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