1. The end of animal life: a start for ethical debate

On the role of the human-animal relationship and the plurality of views on the value of animals

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Abstract

Making decisions about the end of animal life is common practice, yet it is not morally neutral. The end of animal life is related to many societal and ethical questions and concerns. Questions such as how long should we continue to treat an animal before killing it? Or whether it could be legitimate to kill individual animals for the welfare of the herd or for the survival of future generations. This edited volume aims to get grip on the many questions related to the end of animal life. The chapters show how the plurality of views on killing animals is related to moral presuppositions by providing an overview on the ethical views on end of life decisions. Furthermore, the book contains a number of applied studies of the ethical questions related to killing animals in various practices including livestock farming, animal experimentation, companion animals, wildlife management, and fishing and fish farming. These chapters can help students, veterinarians, scientists, policy makers and many other professionals working with animals to easily get a good overview of the issues at stake and contribute to responsible decisions with regard to the end of animal life.

Keywords: animal welfare, moral plurality, killing animals, public debate

1.1 Introduction

The end of animal life is characterized by many complex questions and concerns. Some are mainly technical by nature, but most of them have a clear ethical component. This edited volume is dedicated to these ethical dimensions of the problems and concerns that arise at the end of animal life.

The initiative for this project started in the observation that making decisions about the end of animal life maybe common in many contexts, yet it is not evaluated as normal. All animals will die eventually, but the act of killing or decisions to try to keep animals alive is valued differently. If we start with killing, it generally is considered as a

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moral wrong. Since the last century this moral judgment is no longer restricted to the killing of humans, but also applies to the killing of animals. Although killing animals is often evaluated differently if compared with cases in which humans are killed, the end of animal life is no longer neutral and is subject of public debate. Discussions about killing zoo animals or stray dogs, hunting, or animal disease control are only a few examples of the many debates on killing animals that have dominated the media in Europe and beyond. However, when one zooms in on these debates, many questions pop up, such as 'Why raises the death of a single giraffe in a zoo so much media attention, while the un-sedated killing of fish hardly get public consideration?' 'Why try some pet owners to keep their animals alive at all costs, while others opt for euthanasia rather quickly?' And 'why are members of the same animal species killed on different moments in their life, with different methods and for different purposes depending on the practice they live in?' To understand and explain these differences a mere reference to the alleged ignorance of animal keepers or the general public will not suffice. The differences have a normative ethical background: we lack a standard moral evaluation of animals and there is no univocal relationship between humans and animals. To deal with this situation, a better understanding of the ethical background of killing animals is essential. This entails more than an ethical evaluation of specific killing methods or treatments to keep animals alive. With the chapters of this book, we aim to look beneath the surface of the practices in which animals are killed or in which we try to keep animals alive. We take the current practice as a start and try to trace and explicate its normative ethical background. This ethical reflection is a key to a better understanding of the public debates on killing animals and to responsible decisions at the end of animal life. Furthermore, it is an essential element for innovations in policy on and practical methods of killing animals and the ethical justification of treatments to keep animals alive.

Putting it in this way, it may come as a surprise that there is not much more literature on the ethics of killing animals. Of course discussions on killing animals are often integrated in accounts on animal ethics, but books like the work by McMahan (2002) still seems exceptions. This is not a matter of mere indifference. Decisions at the end of animal life are intrinsically difficult. Not in the last place because such decisions are complex and irreversible. Furthermore, death is a theme that still is surrounded by taboos and is not openly discussed, e.g. slaughterhouses in Europe are often not easy to find for consumers and do not actively advertise about their quality and competence. Given this background and the wide variety of questions, this edited volume will not address all problems related to the killing of animals. However, the chapters help to explicate the normative background of the debate and help to define the context and limits of the ethical questions at the end of the animal life. With this we aim to contribute to the theoretical and practical debates on the decisions at the end of animal life.

Before giving an overview of the contributions, we analyse the impact of the mentioned lack of a standard moral evaluation of animals and of a univocal relationship between humans and animals on the discussions on killing animals.

1.2 The human-animal relationship

Animals have a special position in Western society and human-animal interactions are considered to be important and valuable (cf. Herzog, 2011). However, in society there is no single relationship between humans and animals. Humans keep animals in many ways and for very different purposes. In some cases animals are treated as members of family and valued for their own sake. In other cases the emphasis is mainly on the instrumental value animals can have combined with a strict distinction between humans and animals. This plurality crosses all contexts and cannot easily be framed in terms of the distinction between pets and production animals or between kept and (semi)-wild animals. It is also reflected in language, we use various terms for what looks like to be the same act. Some animals are euthanized; others are slaughtered, culled or destroyed. If we look at some more detail, this diversity can be recognized at four levels.

First, the general evaluation of killing animals differs between practices of human-animal interaction. In some cases the death of the animal is considered as something that should be prevented at all costs. In other practices, the killing of the animal is perceived as the lesser of two evils, while in further cases the killing of the animal is necessary to reach the aim of the sector. Second, the conditions and criteria that are applicable in the case of killing animals are very diverse. For instance, in many countries not much has been regulated with regard to the moment of killing pets except that it should not come with unnecessary pain and stress. With regard to pest control even the latter is in most cases not mentioned. At the same time, killing an animal in animal research is often strictly regulated and humane endpoints that define criteria for the moment of killing the animal have to be formulated at the start of the experiment. Thirdly, the goal for which an animal is killed is often valued differently, e.g. prevention of public health is mostly considered to be a more important goal than killing animals for fur production. Finally, there is profound plurality at the level of the justification of the decisions taken at the end of animal life. On the one hand, there is discussion about when justification is necessary. With killing mammals, there currently is a clear consensus that this always should come with some kind of justification. However, the answer on the question whether a justification is needed changes over time. For instance, up until recently killing fish was hardly considered as an act that is in need of moral justification. However, because of new knowledge about the physiology of many fish species, these fish are considered to be sentient and therefore part of our moral community (Kaiser, 2012; Sneddon, 2006). On the other hand, there is a genuine debate on what counts as a legitimate justification. This

also changes over time and between cultures. An example is the preventive sanitary slaughter of healthy animals in case infectious animal diseases, such as swine fever. Compared to 50 years ago, there is much more social resistance towards preventive slaughter (Mepham, 2016; Wright *et al.,* 2010,). Today society is more and more asking for the justification for this practice. People (intuitively) argue that killing healthy animals in order to limit economic drawbacks for the food production industry is not a sufficient argument for justification (e.g. Cohen *et al.,* 2007).

These four levels at which the plurality of views on killing animals become evident show the need of a systematic analysis and better understanding of the complex human-animal relationship.

1.3 The moral position of animals: genuine plurality

Above we have seen that people evaluate killing animal from different perspectives. This diversity is not only related to differences in culture or individual psychology, it also linked to three basic ethical questions. First, are animals morally important, and if so why? Second, what duties follow from the acknowledgment of the moral status of animals? And finally, how should we deal with conflicts of duties? In society and in the academics discipline of ethics there is no single answer to each of these questions.

The first question focuses on the position of animals in the moral community. Traditionally only humans were considered to possess moral status. In the last century a variety of rather different, but strong moral arguments have been formulated that stress that our membership to the moral community cannot be based on species membership (Singer 2011). Consequently, a number of criteria have been expressed that are considered to be necessary or even sufficient for having moral status, such as the capacities of flourishing or sentience, the possession of higher cognitive capacities and of autonomy (Warren 1997). In spite of the variety of criteria, most of them show that, at least in principle, non-human animals can enter the moral community. This makes them morally considerable, i.e. they are morally important for their own sake.

This leads to the second question, what duties follow from the acknowledgment of the moral status of animals? The recognition that animals can be part of the moral community does not immediately lead to conclusions about the moral significance of the animal. At a minimum, the recognition implies that the interests of animals should be taken into account in our moral decisions. Therefore, decisions at the end of animal life cannot longer be judged from the perspective of human interests only. Our moral judgment has to include the interests of the animal. This holds for the killing of animals, but also for those cases in which it is in the human interest to keep animals alive, e.g. because we are emotionally attached to our diseased pet. However, even if we acknowledge the moral importance of animals, the content and practical

consequences of our duties are not yet fully clear. It leads, for instance to the question 'what harm is in the killing of animals'? Intuitively, one could say that in general killing harms the victim. However is that applicable to animals too? The answer to this question and the view on the evaluation of killing animals are not univocal. Some argue that it is morally wrong to take the life of animals for whatever reason. Others stress that the most important duty is to prevent suffering. These differences have their origin in the above-mentioned plurality of criteria that underlie the claim that animals have moral status. In order to understand and to deal with end of animal life decisions, it is important to analyse the theories of moral status.

Finally, end of animal life decisions are not about animals only. In almost all cases the problems or dilemmas occur because human interests and values play a role too. For instance, suppose we agree on whether and why a pig is morally important for its own sake and that we have direct duties to care for its welfare, moral problems still arise if this pig is to be killed at the end of an animal experiment that aims to develop a new drug. Similar problems can also occur when end of life decisions entail that we have to choose between animals, e.g. in the case of the management of wildlife where some individuals are killed in order to make the population more robust. These examples show the need of normative ethical theories that helps us deal with conflicts of duties. These theories, such as utilitarianism or rights-based approaches provide an answer to the question 'Which norms and values should be action guiding in a specific situation?' and 'How can an action be morally justified?'.

Especially the first part of this book is dedicated to the various answers that have been formulated to these three questions. The aim is not simply to confirm the plurality, but to provide a better understanding of the theoretical background of the different views on the ethical acceptability of situations in which we decide about killing animals or keeping them alive.

1.4 Animal welfare as common starting point?

Despite the above-mentioned plurality of views, in the public and ethical evaluation of killing animals, welfare plays a central role. For instance, preventing serious welfare problems is frequently used as a justification for killing a diseased animal. Furthermore, welfare often plays an important role in public discussions on when and how is to be killed, and on who is allowed to kill an animal. Public debates in Europe and the US regularly show that there is a common-sense opinion that the actual killing of animals should avoid suffering or at least minimise suffering of the individual animal. Consequently, many Western countries have laws and regulations that criminalize animal cruelty in killing practices. Often these regulations include guidance on humane killing, i.e. preconditions and quality criteria are formulated to safeguard the welfare of the animal. For instance, the European directive on animal

research (EC, 2010) takes animal welfare as a central concept in the decision on how and when to kill animals in the experiment.

Nonetheless, a mere reference to animal welfare in the discussion on killing animals will not suffice. First, it is important to take the conceptual problems and questions of definition seriously. Even though, the notion of animal welfare is widespread, there is an ongoing discussion on its conceptualization and definition (e.g. Dawkins, 2008; Duncan, 2006; Haynes, 2011; Korte *et al.,* 2007). This is more than an academic debate. Choices made at the level of conceptualisation and definition have a direct impact on what is considered to be a welfare issue with regard to killing. For instance, if welfare is defined in terms of the absence of pain and stress, killing an animal will only raise questions if the method of killing comes with (the risk of) pain and stress. However, if one takes a perspective on animal welfare that includes the element of longevity, questions of animal welfare are intrinsically linked to each decision of killing an animal (Bruijnis *et al.*, 2016). Second, animal welfare is more than a biological concept: it has a clear normative component (Fraser, 2003; Ohl and Van der Staay, 2012; Stafleu *et al.,* 1996). Making animal welfare operational always comes with normative assumptions and decisions, such as a view on the moral importance of animals, the position of welfare amongst others values and ideas about how to weigh welfare against other values or interests. This implies a continuing exchange between science and ethics in order to deal with questions of animal welfare (Bovenkerk and Meijboom, 2013). At this level we are again confronted with the aforementioned plurality of views in society. Third, ethical accounts that put welfare central to their theory still struggle with questions of how to evaluate the death and killing of animals (e.g. Haynes, 2016; Rollin, 2016; Visak and Garner, 2015). Finally, killing animals often come with a moral intuition that attention to animal welfare does not fully cover the problems raised by the killing of an animal. For instance, recent public debates on the sanitary slaughter of healthy livestock in case of the control of zoonotic diseases like Q-fever and avian influenza show that the general discussion on killing animals goes beyond the issue of animal welfare (Cohen and Stassen, 2016; Cohen *et al.*, 2007; Wright *et al.*, 2010). Similarly, discussions about end of animal life decisions with pets raise many more concerns than mere welfare questions (Van Herten, 2016).

Therefore, we endorse the importance of the attention for animal welfare. Nonetheless, we have to be hesitant to use animal welfare as the 'lingua franca' to discuss questions at the end of animal life. To get grip on the discussion it is important to map and understand the diversity of views rather than striving to one overarching term. Therefore, in this volume we take end of animal life decisions broader than questions of animal welfare. A number of contributions take a broader perspective and aim to address the moral views that it is, for instance, not respectful to kill an animal, that it violates its rights or that it ignores a reverence for life.

1.5 Outline and contributions

The combination of (a) the plurality of views on the end of animal life that reflects the general diversity of views on the human-animal relationship and (b) the ethical discussions on the value of life, the moral position of animals and justificatory reasons for killing indicate a need to reflect on the assessment and justification of decisions at the end of the life of animals and form the basis of the chapters in this edited volume. This book contains four sections that each have their own scope and focus. The first part, entitled 'ethical theory and normative considerations' deals with basic questions of killing animals from a theoretical perspective. The chapter by Robert Heeger discussses the general question of the harm of killing and the value of life. It can be claimed that ending animal life is considered as morally wrong because animal life has value. Heeger deals with this question by expanding on the work of Paul Taylor and Jeff McMahan. In the Chapters 3 and 4 animal welfare plays a central role. First, Richard Haynes discusses killing animals as a welfare issue. He argues that in principle killing an animal takes its ability to enjoy the good things of life. He argues that life has mainly instrumental value to the animal, but that killing deprives the victim of its welfare. Next, Bernard Rollin starts from the position that what happens to a being '*matters to that being*, in either a negative or a positive way' is an essential criterion to speak about moral status. This so-called mattering-condition takes a broader perspective on welfare than just the prevention of pain. His account includes the concept of *telos* and entails that a violation of *telos* may have more impact than pain. Chapter 5 is dedicated to the question whether animals have a natural right to life. From a Kantian perspective, Heike Baranzke deals with the questions (a) whether there is a duty to refrain from animal killing and (b) whether there is a moral right to life for animals. She concludes that in a Kantian approach there is no animal right to life. However, she shows that it is possible to formulate a duty based on Kant's theory: killing animals is only justified if it is performed quickly and painless. In Chapter 6 Herwig Grimm and Martin Huth take a different approach and start in pragmatism. They claim that a pragmatist approach leads to a contextual and relational understanding of the moral consideration of killing animals. This contributes to the (theoretical) understanding of the plurality of views with regard to killing animals in society. Frans Stafleu is the last author in this section. His contribution takes the different evaluation of killing humans and animals central. Along the line of two examples he traces some normative theoretical and socio-psychological backgrounds that help to understand our mixed feelings with regard to killing in general and specifically our diversity of views on when and why animals should be killed.

Part II of this volume deals with the societal debates in the context of killing animals for animal disease prevention and control. In recent years many countries all around the world have been confronted with the outbreak of contagious animal diseases that had a direct impact on economy or public health. The prevention and control of such

diseases have been the start of many debates on whether and how to kill animals. The first author in this part is Ben Mepham. In Chapter 8, he deals with the claim that selective killing animals often is an ethical requirement in the case of disease outbreaks. He shows that the validity of such a claim depends on many dimensions, such as the context in which the animals live and the alleged threats to human health. Next, Nina Cohen and Elsbeth Stassen present the results from a study to the public moral convictions about killing animals in the context of animal disease control in the Netherlands. They show the dynamic relationship between moral judgements and shifts in the relational value of animals and the development of new animal practices. In Chapter 10, Marielle Bruijnis takes this empirical background as a start and discusses the importance of longevity. The hypothesis is that the concept of longevity helps to support the moral intuition that premature culling of animals is a moral wrong. This is further developed by discussion of positions in the animal welfare debate and ethical theory and along the lines of two case studies.

Part III addresses ethical questions related to the end of animal life from different practices of animal use. The aim is to show that, next to some general questions that are applicable to all practices in which animals are killed, there are specific ethical problems that relate to specific practices of animal use. The first practice is animals that are used for food production. It is evident that many animals are killed to produce meat or for animal products such as eggs and dairy products. In addition, this practice raises another question that is discussed by Stef Aerts and Johan DeTavernier in Chapter 11. They focus on killing animals as a matter of collateral damage. This means the killing of animals that are not necessary or useful for the actual production of food, but appear to be a side effect of current economic realities. The authors show that the collateral character does not result in just accidental killings, but is characterised by a systematic killing of animals. This often results in intuitions that this killing is meaningless or disproportion and therefore to be evaluated differently from the killing for food production. Whether and how this is perceived as a moral problem depends on one's normative position, yet the chapter shows that most ethical theories acknowledge that killing animals as collateral damage appear to be (extremely) problematic. Chapter 12 deals with the practice of animal testing. In this context killing is often portrayed as a necessary evil. Nuno Franco and Anna Olsson discuss this claim by combining moral positions with practical and scientific considerations. Alternatives for killing such as re-use and re-homing of animals are discussed from the perspective of animal welfare and scientific arguments. They conclude that there is a potential for rehabilitating more animals than is currently the practice. The third practice of animal use in which decisions at the end of animal life play a central role is the companion animal sector (Chapter 13). Joost van Herten shows that this practice is characterised by two different problems. On the one hand, companion animals are sometimes killed too late causing unnecessary suffering. On the other hand, there are situations in which animals are killed too early, which raises question whether this

deprives the animal from a natural lifespan and potential future wellbeing. In this context, the responsibilities of the animal owners and veterinary professionals play a central role.

Part IV is the final section and is entitled 'between wild and kept'. In this part two chapters present the discussion on killing animals that are less direct under our control or with whom we (mostly) have less strong human animal relationships. The question is to what extent these dimensions play a role in the ethical evaluation of killing animals. First, in Chapter 14 Bernice Bovenkerk and Victoria Braithwaite look beneath the surface and start with the fundamental question whether it is morally justified to kill fish. They show that in spite of our ambivalent position towards fish we can take the view that killing fish is harmful. However, even if one acknowledges that killing fish is a harm a number of questions are still to be discussed, such as the moral intuition that it is worse to kill a human being or mammal than a fish, because human or mammal life is in our view more valuable. Can such a view be justified? In Chapter 15 Bart Gremmen discusses ethical questions in the context of end of life decisions with (semi-)wild animals. The first question is whether it is possible to use and translate the norms we use for our companion animals or farm animals to wild animals. The chapter shows that the answer is not directly affirmative. Our interaction with wild animals raises specific ethical questions and need reference to additional concepts such as the quality of wildness. The contribution proposes a sophisticated view on the distinction between wild and kept.

1.6 Final remarks and a dynamic future

All chapters together provide an overview of the interesting, but complex ethical debate about decisions at the end of animal. With this book we do not pretend that all questions, theories and practices are covered. For instance, insight from history and human psychology can be highly relevant to understand the discussions about killing animals. Furthermore, not all practices in which we are confronted with end of life discussions have been covered. For example, pest control often raises rather specific views about the acceptability of killing animals that strongly differ from common sense views with regard to companion animals or even on the control of animal diseases. Rather than to build an encyclopedia-like account of killing animals, our aim has been to address the problems at the end of animal life from different perspectives and approaches in order to enable the reader to get better grip on these discussions and provide him or her with tools to address and evaluate other practices and accounts. In this way the book helps to get an overview of the issues at stake and contribute to responsible decisions with regard to the end of animal life. This can be relevant for a broad audience, such as bachelor and master students in veterinary medicine and animal science and postgraduate training for professionals. Furthermore, professionals working with animals, such as veterinarians, (animal)

scientists, professionals in the agri-food sector and policy makers at governments and non-governmental organisations can benefit from the analyses about the end of animal life.

Finally, the debates that form the start of this book are characterised by dynamics. This will not change in the future. Current discussions in European countries about the acceptability of killing animals for fur and debates about the acceptability of keeping alive dogs with inherited diseases may extend to other practices of animal use and to other parts of our world. Discussions about major societal challenges, such as climate change and the growing global population will influence the ethical debate. Furthermore, new practices, such the use of insects for food, or the introduction of new technologies, such as novel breeding techniques will raise new questions about how to evaluate the end of animal life and to justify the decisions. This shows that questions about the end of animal life may change, but will not disappear in the future. There will remain a living and ongoing debate. We hope that this book will actively contribute to a better informed and well-argumented discussion on the ethical questions at the end of animal life.

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