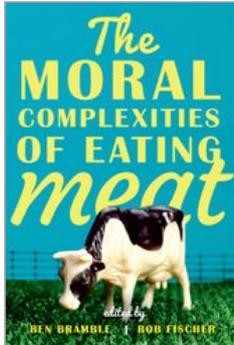


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The Moral Complexities of Eating Meat

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Is It Wrong to Eat Meat from Factory Farms? If So, Why?

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Abstract and Keywords

Many philosophers endorse utilitarian arguments against eating meat along the lines of Peter Singer's, while others endorse deontological arguments along the lines of Tom Regan's. This chapter suggests that both types of arguments are too quick. Empirical reasons are outlined for thinking that when one eats meat, that doesn't make a difference to animals in the way that it would have to for either type of argument to be sound—and this chapter argues that this is true notwithstanding recent "expected utility" arguments to the contrary. The chapter then identifies a general puzzle: given that almost everything we do in modern society has some footprint of harm, how does one properly distinguish acts that are permissible among these from those that are not? The chapter explains why this is more difficult than it may initially appear, and it proposes a solution.

Keywords: utilitarianism, Peter Singer, Tom Regan, deontology, harm

The signature ethical problem of the global consumer society is our responsibility for the unethical practices that lie behind the products we buy.

—Peter Singer

What is the best argument against eating meat?¹ One influential argument is that the meat we consume is tainted by factory farming, that this type of farming is the source of the vast majority of the meat that we consume, and that the enormous animal suffering (p.81) involved in factory farming cannot be justified by the shallow pleasures that eating meat brings to us, and so eating meat is wrong.

Is this a good argument against eating meat? Here is an initial objection, and an argument for the opposite conclusion: imagine a scenario in which most of the world's corn production is taken over by an evil cartel, which uses slave labor to cultivate and harvest its fields. As a consequence, most of the corn sold in supermarkets is tainted with the suffering and oppression of these slaves. In such a scenario, you would have strong reasons not to consume the corn produced by the evil cartel. However, it doesn't follow that you would have very strong reasons to forgo corn altogether. For imagine that, rather than consume the corn produced by the evil cartel, for an extra dollar per bag you could instead buy corn produced in a humane way by a cooperative of completely ethical local farmers. In such a scenario, even if most of the world's corn would be ethically off limits, there would still be an ethical way for you to consume corn, because you could choose to consume the humanely produced corn instead.

This raises a problem for the initial argument against eating meat above, because similar remarks apply there: even if it is true that most of the meat for sale is from factory farms and thus tainted with suffering that cannot be justified, nonetheless there appears to be another way that you can consume meat ethically: find a cooperative where the animals live a great life, are treated with respect, and are then slaughtered humanely—and buy meat from there. This provides an argument that it's possible for a conscientious consumer to eat meat in an ethical way, at least in areas where humanely produced meat is readily available. Of course, this does not mean that it is easy or cheap: arguably, buying organic is not enough, and unfortunately it may not be financially feasible for low-income families to purchase humanely produced meat. Nonetheless, eating meat in an ethical way is arguably a real possibility for you if you have the luxury of reading this book.

One objection to this argument for the permissibility of eating meat is that even if you buy humanely produced meat you are still contributing to the practice of killing animals in the prime of their lives, which is arguably ethically objectionable. A reply to this objection is that it overlooks the fact that humanely slaughtered animals lead a

dramatically better life than they could expect to live in the wild; so, if given a choice, animals would much prefer life on a humane farm to life in the wild, which—according to this reply—means that there is nothing evil or otherwise objectionable about creating and then ending their lives.

Another objection to eating meat is that it is wrong because of the negative environmental impacts of animal agriculture. In reply, it might be alleged (p.82) that this objection overlooks the fact that if you buy humanely produced meat, a happy side effect is that—according to this reply—you are buying meat that is about as sustainably produced as much of the vegetarian fare that you might otherwise buy from the supermarket instead.²

In what follows, I remain agnostic about whether it can be ethical for you to eat humanely produced meat. Many of the other chapters in this volume have a lot to say about that question, and I leave it to them to help answer it. My focus in what follows is on the more specific question of whether it is wrong to consume *factory-farmed* meat from animals that have suffered greatly their entire lives—and more generally, whether it is wrong to consume products that are produced in ethically objectionable ways.

My discussion will be similar to many philosophical discussions of practical issues, which aim to describe the empirical facts that are relevant to an issue, consider particular ethical principles that might be thought to be the correct way of drawing conclusions from such facts, and then consider arguments for specific conclusions based on those facts and principles. Once such an argument is on the table, objections are considered that attempt to show either that the ethical principle it invokes is mistaken, or that it relies on mistaken assumptions about the empirical facts, or that it commits some sort of logical fallacy that prevents the conclusion from following even if the principles and claims are all true. Then, possible replies to these objections are suggested that attempt to show that the objections are misguided, or that a slightly better version of the original argument would get around the objections and establish the same conclusion, and so on. The point of all of this back and forth is to ultimately arrive at the most powerful considerations on all sides of the issue and to make progress in clarifying how to adjudicate the relevant considerations. This is what I started to do in the first several paragraphs above, and it is what I will do in what follows, except in what follows I will occasionally argue for particular conclusions that strike me as true, while trying my best to remain fair and balanced. I leave it up to you to decide whether I'm

doing a good job selecting the most important considerations, (p.83) and it is of course up to you to decide how ultimately to weigh these considerations and decide what to think at the end of the day.

With that in mind, let's first consider utilitarian arguments that it is wrong to consume animal products from factory farms, such as those offered by Peter Singer. According to Singer, purchasing and eating meat from factory farms is wrong because it has unacceptable consequences on balance for welfare. For example, if I purchase and eat a factory-farmed steak, Singer would claim that my gustatory pleasure is greatly outweighed by the suffering that the cow experiences in order to bring me that pleasure; as a result, Singer would claim that the welfare effects of my eating that steak are unacceptably negative on balance, even if I really enjoy it—and Singer believes that this shows that it is generally impermissible to consume animal products from factory farms.³

Although Singer's argument is powerful and initially appealing, there is an important objection to his argument—the inefficacy objection—that claims it is too quick. The inefficacy objection is that even if we agree (as we should) with Singer's premises about the magnitude of animal suffering and the comparative unimportance of gustatory and other human pleasures,⁴ his conclusion about the welfare effects of consumption by individuals does not follow, (p.84) and, upon careful reflection, turns out to be false. That is because an individual's decision to consume animal products cannot really be expected to have any effect on the number of animals that suffer or the extent of that suffering, given the actual nature of the supply chain that stands in between individual consumption decisions and production decisions; at the same time, an individual's decision to consume animal products does have a positive effect on that individual's own welfare.⁵ As a result, Singer's premises about animal (p.85) suffering and human pleasures, together with the actual empirical facts about the workings of the marketplace, entail that an individual should expect the effect of his or her decision to consume animal products to be *positive* on balance, in contrast to what Singer assumes. If this inefficacy objection is correct, it undermines the idea that individuals have welfare-based reasons not to consume ethically objectionable products, and shows that Singer's utilitarian principles actually imply that individuals who would do better personally by consuming such products are *required* to do so, which is the opposite of what philosophers like Singer want us to believe.⁶

To make the inefficacy objection a little more vivid, note that everyone can agree that there is a dramatic ethical difference between the following two ways of consuming a T-bone steak: in the first case, a dumpster diver snags a T-bone steak from the garbage and eats it; in the second case, a diner enjoys a T-bone steak at Jimmy's You-Hack-It-Yourself Steakhouse, where customers brutally cut their steaks from the bodies of live cows, which are kept alive throughout the excruciating butchering process. (Once a cow bleeds to death, customers shift their efforts to a new live cow.)⁷

(p.86) Everyone can agree that enjoying a steak at Jimmy's You-Hack-It-Yourself is objectionable, whereas enjoying a steak acquired through dumpster diving is far less objectionable, because the welfare effects of eating a steak at Jimmy's are substantially negative on balance, whereas a dumpster diver's consumption has no negative effect on welfare. According to welfarists like Singer, that is the only relevant difference between these two ways of consuming a T-bone steak.

But now consider this question: if you purchase animal products at a supermarket or restaurant, are the welfare effects more like those of buying a steak at Jimmy's or more like those of acquiring a steak through dumpster diving? Conventional wisdom among consequentialist moral philosophers says that the effects are more like eating at Jimmy's; however, the empirical facts suggest that they may be more like dumpster diving, because it is virtually impossible for an individual's consumption of animal products at supermarkets and restaurants to have any effect on the number of animals that suffer and the extent of that suffering, just as it is virtually impossible for an individual's consumption of products acquired through dumpster diving to have any effect on animal welfare. If this claim about the inefficacy of a single individual's consumption decisions is correct, then the upshot is that consuming animal products from factory farms is not objectionable for welfare-based reasons, because there is then no important difference in (expected) welfare effects between an individual consuming factory-farmed products from a store versus a dumpster—and there is nothing wrong with consuming factory-farmed products from a dumpster, as even Peter Singer would agree.⁸ (Singer endorses the permissibility of eating meat acquired through dumpster diving on the grounds that such a strategy is “impeccably consequentialist.”)

The key empirical claims here relevant to the ethics of consumption are that many products we consume are delivered by a massive and complex supply chain in which there is waste, inefficiency, and other forms of *slack* at each link. Arguably, that slack serves as a *buffer* to

absorb any would-be effects from the links before. Furthermore, production decisions are arguably insensitive to the informational signal generated by a single consumer because the sort of slack just described together with other kinds of noise in the extended transmission chain from consumers to producers ensures that significant-enough threshold effects are not likely enough to arise from an individual's (p.87) consumption decisions to justify equating the effect of an individual's decision with anything approaching the average effect of such decisions. As a result, for many products in modern society, it may seem empirically implausible that even a lifetime of consumption decisions by a single individual would make any difference to quantity produced and thus the harm that lies behind those products.

For a particularly clear illustration of this, consider the supply chain for American beef. When ranchers who own their own grazing land decide how many cattle to raise, their decisions are sensitive to their own financial situation, the number of cattle their land can support, the expected price of any additional feed that will be needed, bull semen and other "raw materials" that go into cattle production, and the expected price that the cattle will fetch when they are ultimately sold to feedlots. Of these, small changes in the last item—the price that cattle will fetch at the feedlot—are of the least importance, because insofar as ranchers judge that capital should be invested in raising cattle rather than other investments, they will tend to raise as many cattle as they can afford to breed and feed within that budget, letting the ultimate extent of their profits fall where it may at the feedlot. Many ranchers also use the nutritional well-being of their herd as a buffer to absorb adverse changes in market conditions, feeding their cattle less and less to whatever point maximizes the new expectation of profits as adverse conditions develop, or even sending the entire herd to premature slaughter if, say, feed prices rise to levels that are unacceptably high. This serves to shift the ranchers' emphasis in decision-making relevant to herd size even further away from the price of beef. As a result, even if an individual's consumption decisions managed to have a \$0.01 effect on the price of cattle at feedlots, the effect on the number of cattle produced would be much smaller than it would have to be in order for the possibility of such a threshold effect to justify equating the expected marginal effect of an individual's consumption of beef with the average effect of such consumption decisions. These facts, together with those that follow, seem to show that there is good empirical reason to think that the actual effect (and expectation) of a single individual's consumption decisions on production is nearly zero and is not to be equated with the average effect of similar consumption decisions across

society, contrary to what philosophers such as Peter Singer, Alastair Norcross, and Shelly Kagan have claimed in defending utilitarian arguments against the inefficacy objection.

Furthermore, in the absence of a large shock to the expected price of beef, ranchers who lease grazing land from the government will collectively tend to purchase all of the scarce and independently determined number of grazing (p.88) permits and raise the maximum number of cattle that are allowed by those permits, because it tends only to make economic sense to hold such permits (rather than sell them to another rancher) if one grazes the maximum number of cattle allowed on the relevant parcels of land. As a result, the number of animals that are raised on land leased from the government appears insensitive to tiny changes in the price of cattle at feedlots.

More importantly, because animal production is so many links in the supply chain away from grocery stores and restaurants, and because each of the intervening links involves waste, inefficiency, and other forms of slack that serve as a buffer to absorb any effect that your personal consumption might otherwise have, it is arguably unrealistic to think that your personal consumption could really have any effect on decisions made at the production end of the supply chain, even when your consumption is considered over the course of an entire lifetime, as noted above. That is because the actual mechanisms by which information is conveyed and decisions are made throughout the supply chain do not seem to give rise to the sort of threshold effects that philosophers tend to imagine as driving the expected marginal effect of an act of consumption toward the average effect of such consumption; instead, waste, inefficiency, and other forms of slack may seem to ensure that the real expected marginal effect of an individual's consumption is essentially zero, because the change in the signal received at the production end of the supply based on a change in a single individual's consumption decisions is almost certainly zero. It does not have a significant chance of giving rise to any tangible expected effects.

Here it may help to focus on the way that decisions are actually made and prices are actually determined at each link in the supply chain, focusing especially on the fact that many of these decisions and price determinations are the result of intuitive human judgment, strategic considerations, and preexisting contracts rather than the result of a frictionless optimization procedure—which means that in practice such determinations are even less sensitive to the noise generated by a single consumer's decisions than they might initially appear. For example, consider the actual human participants at cattle auctions:

wearing cowboy boots, standing around in dirt and manure, smoking cigarettes, often distracted and occasionally irrational, and sometimes aiming only to express machismo by means of their bids in the auction. Similarly, consider the actual human participants in production decisions: wearing suits, sitting around in board rooms, drinking coffee, smoking big cigars, often distracted and occasionally irrational, and sometimes doing what is best for themselves rather than promoting the interest of their firms.

(p.89) As these considerations help make vivid, the actual price and quantity produced are the result of decision processes that have many inputs, and those inputs are arguably insensitive to a change in a single individual's consumption decisions, especially given the actual mechanisms that tend to absorb the signal from a single individual at each stage in the signal transmission chain that lies behind those inputs.

Similar reasoning applies in the case of other animal products, although the relevant market mechanisms are less transparent because of the vertical integration of those industries. Despite that complication, it remains true that the actual mechanisms by which information is conveyed and decisions are made throughout the supply chain are arguably not sensitive to the consumption decisions of individual consumers in the way that would be necessary for there to be important welfare-based reasons for individuals not to consume those products, as with many other products in modern society.

Another important consideration is that even if you would convince many others to be a vegetarian by becoming one yourself, that does not translate into strong welfare-based reasons to become a vegetarian, because even if your vegetarian lifestyle ultimately caused, say, one hundred others to become vegetarians who would not otherwise have done so, their collective consumption decisions might still not have any appreciable effect on the number of animals that are raised and mistreated, because the actual mechanisms in the marketplace may be insensitive to the distributed effects of even one hundred consumers. Of course, this reasoning does not hold true when applied to an influential person like Peter Singer who really does influence enough people to make a difference, but it does hold true when applied to almost everyone else, which means that utilitarianism does not require most individuals to become vegetarians, even if it requires a few influential people like Peter Singer to be vegetarians. For example, just as morality does not require us to act as if we had the talents, influence, and resources that Warren Buffett has, so too morality does not require

us to act as if we had the talents, influence, and resources that Peter Singer has.

A related observation is that individual vegetarian acts often have negative unintended consequences that must also be properly accounted for. For example, if I am a vegetarian, I might easily alienate others with my vegetarian acts if they are interpreted as self-righteous, and thus cause others to adopt a policy of never reducing their consumption of meat and never taking vegetarian arguments seriously—and if vegetarians are generally interpreted as self-righteous, that might lead to a consensus among most members of society that vegetarians are radical, self-righteous jerks who should not be (p.90) taken seriously and who should be scoffed at by others—which then raises the cost of making vegetarian choices for everyone, and is counterproductive in other ways.⁹

So, the inefficacy problem raises an important objection for arguments like Peter Singer's against consuming ethically objectionable products and seems to have a sound basis in the empirical workings of the marketplace. With this introduction to the inefficacy objection in hand, it is useful to consider further potential replies and investigate whether ethical theories that differ from Singer's utilitarianism can offer a more plausible account of whether it is wrong to consume ethically objectionable products.

Perhaps the most common reply is simply to dismiss the inefficacy objection on the grounds that it does not raise any interesting issue beyond the familiar paradox of voting, which asserts that individuals do not have good reasons to vote in elections because there is virtually no chance that a single individual's vote will matter. Unfortunately, this reply seems misguided for several reasons, mainly because insofar as individuals have reasons to vote in elections, there is broad agreement that those reasons arise from one or more of the following considerations:

- the probability that an individual's vote will trigger a *dramatic threshold effect*,
- the fact that voters have a *personal preference* to vote,
- the fact that voters collectively *cause* the outcome of the election in an ethically important way,
- the fact that voters have *non-welfare-based* reasons to vote.

On reflection, analogous considerations seem unavailable to explain why it is wrong to consume products such as factory-farmed meat that are produced in objectionable ways. In particular, an appeal to threshold effects cannot do the job, because, as noted above for empirical reasons inefficiency, slack in the supply chain, and the insensitivity of production decisions to the signal generated by a single consumer seem to ensure that significant-enough threshold effects are not likely enough to arise from an individual's consumption decisions to vindicate an explanation in terms of the possibility of threshold effects. Furthermore, an appeal to personal preferences also cannot do the job, (p.91) because most individuals do not have a personal preference not to consume factory-farmed meat and other objectionable products.

Perhaps most surprisingly, it also seems implausible to claim that consumers of factory-farmed animal products *cause* animals to suffer in the ethically important way that voters cause a particular candidate to win an election, because there is not the same kind of causal connection in the animal products case as in the election case. To see why, note that in Australia, New Zealand, and many other large nations consumers have essentially the same animal consumption behavior as in the United States, but such behavior does not cause animals to be mistreated on factory farms rather than treated humanely. The explanation is that the horrible mistreatment of animals on factory farms does not have its proximate cause on the "demand side" in consumer behavior, but instead on the "supply side" in the decisions of producers, as well as in perverse incentives created by irrational government policies. As a result, it seems false to claim that animal consumption *causes* animals to be mistreated rather than treated humanely in a way that is analogous in morally relevant respects to the way that voting causes a particular candidate to win rather than another.

To better illustrate the subtle point here about causal factors, imagine that the United States enacts a general social welfare policy, and when it is implemented some bad consequences result; however, when other nations are examined that have enacted the same sort of policy, we see that such bad consequences do not ensue in those nations, and the explanation is that the US policy was implemented in a corrupt and incompetent way, whereas the policies in other nations were not. This shows that the most relevant cause of the bad unintended consequences in the United States is not the social welfare policy itself, but rather the corrupt and incompetent implementation of that policy—and so it is arguably a mistake to condemn the social welfare policy on the grounds that it was the *ethically relevant cause* of these bad

consequences, even if there is a sense in which the policy was a genuine background causal factor and a necessary condition for those bad consequences. By the same reasoning, the consumption behavior of Americans is not the most ethically relevant cause of the bad consequences of factory farming, and does not cause those effects in the same way that voters cause one candidate to be elected rather than another. Instead, the most ethically relevant cause of inhumane treatment of animals stems from the decisions of producers and government, not the decisions of consumers—even though the decisions of consumers are a necessary enabling condition for the bad behavior of producers and government to have the bad effects it does, just as the social welfare policy is a (p.92) necessary enabling condition for the bad behavior of government implementers to have the bad effects that it does in the example above. Again, this illustrates that it is problematic to claim that animal consumption causes animals to be mistreated rather than treated humanely *in a way that is analogous in ethically relevant respects* to the way that voting causes a particular candidate to win rather than another.

It also seems difficult to appeal to other non-welfare-based-reasons not to consume animals, such as the kind of *complicity in evil* that Tom Regan apparently has in mind in his main argument against eating meat, which is that “Since [animal agribusiness] routinely violates the rights of these animals . . . it is wrong to purchase its products.”¹⁰ (Note the close analogy to the argument against eating meat at the very beginning of this chapter.) The problem for this kind of reasoning—even when directed only at factory-farmed meat—is that as just noted an individual’s consumption of animals does not seem to *cause harm in the right kind of way*, nor does it *make a difference to the harm* that animals suffer, nor does it even *benefit those who cause such harm*. This last claim may again seem surprising, but the argument for it is that although a single individual’s consumption of animal products *does* have a genuine effect on the revenues of *supermarkets and restaurants*, at the same time it does not make a difference to the revenues of *factory farms* for reasons similar to the reasons it does not make a difference to the number of animals produced on such farms: if the inefficacy objection is correct that when supply chains are long and complex an individual’s consumption cannot be expected to make a difference to *the quantity produced*, then an individual’s consumption also cannot be expected to make a difference to *the revenues of producers* for the same reasons. This undermines the more general claim of ethical consumerism that by purchasing morally objectionable products one is *complicit in evil* in an objectionable way because one

thereby *supports* objectionable firms by *voting with one's dollars* in a way that benefits those firms.

(p.93) As additional confirmation that there is something wrong with quick invocations of complicity in evil such as Regan's, note that these attempted explanations overgeneralize and imply that you are almost never permitted to consume anything at all, because petroleum companies routinely violate significant constraints,¹¹ and almost every possible consumption activity depends on and supports such companies to a much greater extent than the activity of buying animals at supermarkets and restaurants depends on and supports factory farms.¹² For example, if such a simple notion of complicity in evil really did give rise to strong reasons not to consume products, then it would be wrong to consume petroleum products because of the oil industry's complicity in serious harm, and it would be wrong to consume almost everything else as well, because almost everything depends on petroleum products via dependence on transportation companies, which turn a blind eye to oil companies' abuses that are known to benefit transportation companies in the form of lower fuel costs. This reveals that almost every consumption activity is complicit in evil in the sense that it depends on and supports companies that violate important constraints to a similar extent that consuming factory-farmed meat does. But despite all of this, our considered judgment is that it is nonetheless permissible to consume many such everyday products.¹³

How then can we explain the ethically relevant differences between consuming products that are produced in an ethically objectionable way and those that are not? After all, most people would agree that even if what you consume as a single individual really makes no difference, there are still some *particularly objectionable ways* of being connected to evil that are impermissible. This, then, leads to the philosophical question of how exactly to distinguish the particularly objectionable ways of being connected to evil from the relatively innocuous ways of being connected to evil. If we can identify a compelling account of this distinction and see how it applies to a variety of cases, such as the consumption of factory-farmed animal products, we can then (p.94) determine whether that account delivers a compelling and satisfying package of theories and verdicts on the cases we care about. If it does, then we will have answered the main philosophical questions that arise from the issues discussed in this chapter.

One intuitively appealing way of making the distinction between permissible and impermissible connection to evil is to invoke the notion of *the degree of essentiality of harm to an act*, claiming that, for example, consumption of a product is particularly objectionable the

more essential it is to that product that harm or the violation of rights lies behind it. To illustrate this basic idea, consider a can of vegetables sold at a supermarket that is produced in a normal way. Although the production of those vegetables might depend on petroleum products and thus involve a surprisingly high footprint¹⁴ of harm and connection to evil, it is nonetheless *highly inessential* to that product that such evils occur in the background, because there is nothing in the nature, actual production, actual consumption, and so on of that product that necessitates harm or the violation of significant rights. This provides a principled reason for explaining why you do not have strong reasons not to consume a can of vegetables even though you know that they have a surprisingly high footprint of harm because of the petroleum products that ultimately lie further behind their production and distribution and are produced by corporations that often violate significant constraints. As a result, invoking this idea allows for a principled distinction between connections to evil that seem innocuous and connections that are not, and avoids overgeneralizing and implying that it is impermissible to consume everything, even a can of corn (as the overly quick appeal to complicity in evil overgeneralizes).

Setting aside for a moment the precise details of this notion of *degree of essentiality*, for current purposes it is worth noting that it is embedded in moral common sense, and as a result it seems essential to an intuitive explanation of the relevant cases, especially in light of the failure of more familiar (p.95) ethical notions to adequately explain those cases. For an example of its use in moral common sense, consider the ethical view that is probably endorsed by most actual vegetarians, which is suggested by one interpretation of this quote from Michael Pollan:

Like any self-respecting vegetarian (and we are nothing if not self-respecting) I will now burden you with my obligatory compromises and ethical distinctions. I'm not a vegan (I will eat eggs and dairy), because eggs and milk can be coaxed from animals without hurting or killing them.¹⁵

There are two ways of understanding the underlying ethical principle here. On one interpretation, the idea is that consuming animal products is permissible only if those products do not *actually* have any footprint of harm or killing. However, that cannot be the interpretation of this principle that is endorsed by most actual vegetarians, because most actual vegetarians are ovo-lacto vegetarians who believe it is permissible to consume factory-farmed dairy products—even though those products have a very high footprint of harm.¹⁶ This suggests that most actual vegetarians interpret this principle in a way that leans

heavily on the idea that even factory-farmed dairy products *can* be coaxed from animals without hurting or killing them. Presumably, the idea here is that even if factory-farmed eggs or cheese have a disturbingly high footprint of harm, nonetheless it is highly *inessential* to those products that such harm lies behind them, and as a result consuming them does not connect one to harm in a way that is impermissible. So on this second interpretation, the crucial ethical issue is whether a particular animal product *can* be produced without harm—and taken at face value, this is subtly different than the issue of whether a particular product *actually is* produced without harm. And as we've just seen, this second interpretation and its invocation of the degree of essentiality of harm seem deeply rooted in the moral thinking of most actual vegetarians.

As further confirmation of this, note that alternative interpretations of most vegetarians' underlying ethical principle would imply, contrary to (p.96) their view, that eating eggs and dairy is generally *more* objectionable than eating beef, because the actual suffering of laying hens and dairy cows on factory farms is far more extreme than the actual suffering of cattle raised for slaughter, given that most cattle raised for slaughter tend to be raised in good conditions on ranches, and only encounter factory-farming operations when transported to feedlots and then to slaughterhouses—and even then, significant suffering tends to be visited probabilistically on only some of the cows. This is in contrast to the laying hens and dairy cows that are used to produce factory-farmed eggs and dairy products, which experience the worst treatment of any animals in contemporary agribusiness. As a result, the harm footprint associated with each calorie of energy from factory-farmed eggs or dairy is generally higher than the harm footprint associated with beef, and similar remarks apply to other measures of ethical objectionability that would be relevant to other familiar ethical theories; nonetheless, most ovo-lactovegetarians believe that eating meat is wrong, but that consuming factory-farmed eggs and dairy is permissible, which is why familiar ethical theories do not provide a charitable interpretation of their view. Instead, the most charitable interpretation of their view is that what matters is whether it is *highly essential* to an animal product that harm or killing lies behind it. The idea of ovo-lactovegetarians is, presumably, that it is not essential to eggs and dairy that harm or killing lies behind them, whereas it is quite essential—given actual facts about cause and effect and facts about technological possibility and feasibility in the actual world—that killing lies behind eating meat; therefore, eating meat is impermissible,

whereas consuming eggs and dairy is permissible, even if the harm footprint of the latter is greater than the harm footprint of the former.

Setting aside the views of actual vegetarians, further confirmation of the explanatory power of this notion of degree of essentiality is provided by consideration of other cases. For example, suppose you learn that a computer you are interested in purchasing is made from metals and other inputs that are themselves produced in a way that is objectionable. Although that harm might be serious, it might also be true that there is no practical way that the computer manufacturer can do anything about it, and it is in no way central to the design or functioning of those computers that such harm lies behind them. In such a case, buying the computer need not be impermissible even if some action that lies far behind them is impermissible. This is in contrast to a different case involving the same harm footprint in which it is *fairly essential* to the computer that such harm lies behind it, perhaps because of some (p.97) engineering decision that requires it to be produced in a way or from materials that involve such harm.¹⁷

Why would morality make such a distinction between ways of being connected to evil? If there were no good answer to this question, then we should doubt whether a principle that invoked the degree of essentiality of harm was a genuine moral principle, even if it seemed to correctly capture our initial intuitive judgments about cases. However, on further reflection it is not that surprising that morality would make such a distinction, as it seems to be a consequence of the more general compelling idea that morality distinguishes between what is within a single individual's control and what is not. If it is highly inessential to an action open to you that harm lies behind it, but at the same time background actions by others that you cannot change and that are far removed from any direct connection to any action of yours would give that option a high harm footprint, the current proposal is that morality does not assign that as much negative weight as if a similarly high degree of harm would be directly caused by your choosing an option, or if it is relatively essential to an option that a similarly high degree of harm lies behind it. This is merely one way that morality distinguishes between relevant facts that are within a single individual's control and facts that are not.

In sum, the discussion above suggests that the best explanation of what consumers are required to do when products are produced in morally objectionable ways is more subtle than it initially appears. Among other things, it suggests that typical appeals are too quick to the welfare effects of consumption or connection to evil practices that lie behind our products, and do not invoke principles that are ultimately

defensible. At the same time, appealing to the *degree of essentiality of harm* seems to allow a better explanation of the cases that we care about and remains consistent with the compelling idea that, for example, the most decisive fact relevant to the ethics of eating meat is that a person's gustatory pleasure is of little ethical significance compared to the (p.98) suffering that animals must experience in the service of that pleasure. And arguably, this view implies that there is something that is genuinely more objectionable about eating meat from factory farms than eating humanely raised meat. The general philosophical point is that facts about the pleasure that we get from products and facts about the harm that lies behind those products do not lead to conclusions in the simple way that utilitarian reasoning might initially suggest, but must instead be marshaled into more subtle arguments. As these subtleties are clarified, many of our prior judgments will be vindicated—but a few may also have to be revised.¹⁸

Notes:

(¹) Thanks to Chrisoula Andreou, Derek Baker, Alexander Berger, Heather Berginc, Brian Berkey, Tom Blackson, Cheshire Calhoun, Eamonn Callan, Richard Yetter Chappell, Stew Cohen, Christian Coons, Terence Cuneo, John Devlin, Tyler Doggett, Jeff Downard, Jamie Dreier, David Faraci, Ada Fee, Brian Fiala, Chris Griffin, Liz Harman, Travis Hoffman, Ryan Jenkins, Victor Kumar, Melissa Lane, Alex Levitov, Jonathan Levy, Hallie Liberto, Eden Lin, Zi Lin, Joel MacClellan, Sarah McGrath, Tristram McPherson, Nathan Meyer, Eliot Michaelson, Alastair Norcross, Howard Nye, Ángel Pinillos, David Plunkett, Joe Rachiele, Rob Reich, Ryan Robinson, Julie Rose, Gideon Rosen, George Rudebusch, Carolina Sartorio, Debra Satz, Dave Schmidtz, Dan Shaha, Liam Shields, Sam Shpall, Daniel Silvermint, Peter Singer, Michael Smith, Patrick Taylor Smith, Brent Sockness, John Thrasher, Ian Vandeventer, Chad Van Schoelandt, Alan Wertheimer, Jane Willenbring, Jack Woods, and audiences at the American Philosophical Association, the University of Vermont, Northern Arizona University, the University of Arizona Center for the Philosophy of Freedom, Bowling Green, and the Colorado State University Animal Ethics Conference for helpful discussions. I am especially indebted to conversations with Michaelson, Plunkett, Reich, and Rosen, and to McPherson's arguments in his paper "Why I Am a Vegan," which I follow to varying degrees in a number of places below and which greatly influenced my thinking about these issues. For further illuminating discussion of these issues, in some cases building on the discussion here, see Michaelson's series of posts on veganism and ethics in *The Discerning Brute*, beginning with "Veganism and Futility," as well as related papers by McPherson, Harman, and Lane. After writing this chapter, it came to my attention

that Terence Cuneo also reaches somewhat similar conclusions on the basis of different arguments in his paper “Conditional Moral Vegetarianism.”

(².) Another reply might draw attention to the *human* welfare effects of eating humane meat versus vegetables and argue that quinoa and many other vegetables including arguably even corn have a surprisingly high harm footprint as a result of the negative effects on human welfare in the poorer nations where it is produced, which result from the rise in prices caused by our collective purchases. (For some representative discussion of the complex underlying issues, see the International Monetary Fund factsheet “Impact of High Food and Fuel Prices on Developing Countries,” Joanna Blythman, “Can Vegans Stomach the Unpalatable Truth about Quinoa?,” Ari LeVaux, “It’s OK to Eat Quinoa.”)

(³.) Singer, “Utilitarianism and Vegetarianism,” and Singer, *Animal Liberation*.

(⁴.) It might be objected that, contrary to what Singer assumes, there are in fact good reasons for consuming factory-farmed products on the grounds that we *need* animal products for nutritional purposes, and that factory-farmed products are *cheaper* than the organic alternatives; alternatively, it might be claimed that there are good reasons for consuming animal products that arise from *aesthetic* considerations. However, upon examination, none of these objections to Singer's argument are defensible. For example, consider the idea that there are good reasons for eating meat on aesthetic grounds, because meat is an essential part of "sophisticated" culinary dishes, and so on. The problem with this idea is that it mistakenly assumes that aesthetic experiences that are fleeting, easily replicable, and intellectually insignificant can provide good reasons for torturing animals—which seems false. For example, suppose that a distinctive aroma is released when a particular species of pig is slowly burned alive in an outdoor fire pit, and that some people find this aroma to be "sophisticated" and a good aromatic match for a variety of fine wines. Nonetheless, the prospect of such an insignificant aesthetic experience could not provide good reason to slowly torture a live pig to death in such a way. To put the point another way: while it is arguable (but not obvious) that a pig can be tortured to death if that is the only way to produce a great work of art of everlasting importance, it cannot sensibly be maintained that the shallow and fleeting aesthetics of a fine meal are of sufficient importance to justify such cruelty. Turning then to the idea that good reasons for consuming factory-farmed products arise from nutritional and economic considerations, note first that the evidence strongly suggests that for people like us who are healthy and have easy access to a wide variety of fruits and vegetables, a balanced vegan diet is healthiest and has no important nutritional drawbacks, while in contrast the consumption of animal products is analogous to the consumption of hard liquor, which is unnecessary for our nutritional well-being and actually toxic to our bodies in non-trivial quantities. With that in mind, the fact that factory-farmed animal products are *cheaper* than their organic alternatives does not give rise to weighty reasons for consuming them—for imagine that there are two types of hard liquor: one is produced in a normal, unobjectionable way, while the other is produced using the slave labor of children. If the slave labor variety is cheaper, that does not mean that there is then a weighty reason for consuming the slave labor variety—because there is no ethically important reason for consuming hard liquor in the first place, and so the fact that a particular type of hard liquor is cheaper does not amount to a weighty reason for consuming it, especially when it is produced in a way that is ethically objectionable. For discussion of the nutritional claims made here, I recommend any contemporary public

nutrition report prepared by reputable and independent sources (as opposed to a source that is funded or importantly influenced by agribusiness)—for example, the advice of the Harvard School of Public Health is representative:

The answer to the question ‘What should I eat?’ is actually pretty simple. But you wouldn’t know that from news reports on diet and nutrition studies, whose sole purpose seems to be to confuse people on a daily basis. When it comes down to it, though—when all the evidence is looked at together—the best nutrition advice on what to eat is relatively straightforward: Eat a plant-based diet rich in fruits, vegetables, and whole grains; choose foods with healthy fats, like olive and canola oil, nuts and fatty fish; limit red meat and foods that are high in saturated fat; and avoid foods that contain trans fats. Drink water and other healthy beverages, and limit sugary drinks and salt

(<http://www.hsph.harvard.edu/nutritionsource/what-should-you-eat/index.html>).

Such advice is, quite wisely, designed to be feasible and attractive for its intended audience—but if you read between the lines, it is clear that although such advice allows for the consumption of some animal products in order to maintain its appeal for the intended audience, the science behind the advice suggests that consumption of animal products should be reduced as much as possible, approaching zero. (For provocative further discussion, see for example T. Colin Campbell and Thomas Campbell II, *The China Study* and the references therein.)

(⁵) This is the case at least insofar as individuals are made better off by having their preference to eat meat satisfied. The need for this qualification shows that there is conceptual space for an interesting *paternalistic* welfare-based argument against eating animal products: it could be argued that consuming animal products is wrong because of the negative health-related effects for consumer’s *own* welfare. In light of what I argue below, this is a more empirically plausible utilitarian argument than those that rely on considerations of animal welfare, because although an individual’s consumption has no significant welfare effects for animals, it clearly has health-related welfare effects for that individual. Unfortunately for Singer, his brand of utilitarianism is not amenable to this sort of argument because he takes the satisfaction of an individual’s *preferences* as much more important to welfare than other, more physical and “hedonistic” aspects of well-being. As a result, if Singer’s utilitarian theory were modified to make it amenable to this sort of paternalistic argument, then a change in his

view would also be required on many related issues in which considerations of paternalism arise, such as euthanasia—for example, the resulting view would then presumably imply that it is permissible to euthanize fully conscious adults whenever their lives are not worth living on hedonistic grounds even when they explicitly insist that they want to continue living, in contrast to what Singer claims (see *Practical Ethics*, pp. 13–14 and 176–178 (3rd edition)). In any event, such an argument is not ultimately plausible: even though there are genuine welfare-based reasons not to eat meat because you would be healthier if you didn't eat meat and your vegetarian lifestyle would influence others in a similarly positive way, those are not strong enough reasons to require you to adopt a vegetarian lifestyle. To see why, note that you would be healthier if you didn't consume alcoholic beverages, and that your abstention from alcohol would also have positive health effects on others, but that does not mean that you are required to give up alcoholic beverages if you really enjoy those beverages and are able to enjoy them without your enjoyment having harmful consequences for others.

(⁶.) I examine the inefficacy objection in much more detail in other papers (including “The Inefficacy Objection to Consequentialism” and “The Inefficacy Objection to Deontology”). Among other things, I argue at greater length that an important response due to Peter Singer (and later endorsed by Alastair Norcross and Shelly Kagan) does not succeed. The inefficacy objection has been noted by many authors, although not in connection with the range of related issues discussed here.

(⁷.) If this example seems callous at first glance, it may help to note that its purpose is to make salient by analogy some of the horrors of factory farming—for example, some cows are dismembered while fully conscious because of mistakes made in the stunning process at slaughterhouses. Although some such mistakes are inevitable, the actual number of such mistakes is arguably inexcusable, on the grounds that most mistakes could be eliminated by slowing the processing line speed at slaughterhouses to a reasonable level—which would also save countless workers from disabling injuries each year. For a moving discussion of this last issue, see “The Most Dangerous Job” in Eric Schlosser, *Fast Food Nation*.

(⁸.) Peter Singer and Jim Mason, *The Ethics of What We Eat* (US paperback edition) p. 268, and more generally pp. 260–269.

(⁹.) Here it may be useful to note that many undergraduate students respond to vegetarian arguments by pledging to eat more meat to “cancel out” the effects of vegetarians.

(¹⁰.) Tom Regan, *The Case For Animal Rights*, updated edition (Berkeley: University of California Press, 2004), p. 351. Tristram McPherson’s view in “Why I Am a Vegan” (unpublished manuscript) is similar to Regan’s but more clearly and fully developed; my objections here also apply to McPherson’s view. McPherson is developing a response to my arguments in important current work, and at this point it is unclear to me to what extent we will ultimately disagree and to what extent our views will ultimately converge. As I note elsewhere, I am indebted to McPherson’s discussion, which I follow to varying degrees in a number of places here, and which have greatly influenced my thinking about these issues, as well as providing the initial impetus for all of my thinking about these issues.

(¹¹.) For examples of routine abuses, see Peter Maass, *Crude World*, especially chapters 2, 3, and 4.

(¹².) Note especially that individual purchases of gasoline for personal use are often permissible even though we thereby purchase gasoline directly from the petroleum companies themselves, or are at least only one step in the supply chain removed from such companies—and in the gasoline supply chain there is much less of a buffer caused by waste and inefficiency than in the supply chain for animal products.

(¹³.) I discuss other possible responses to the inefficacy objection in much greater detail in other papers, as referenced several notes above.

(¹⁴.) The *footprint* of an act of a particular type is simply the *average effect* of all actual acts of that type for some particular kind of effect. I discuss the relevance of footprints to ethics and public policy in my paper “Collective Action, Climate Change, and the Ethical Significance of Futility,” where I argue that they are overemphasized and sometimes mistaken guides to what should be done, and that ethical reasoning that depends on footprints generally commits what I call *The Average Effects Fallacy*, which is the fallacy of equating the ethically relevant effects of a particular act with the average effects of all of the actual acts of that type. I suspect that consequentialists who quickly dismiss the inefficacy objection are often tacitly committing a version of this fallacy.

(¹⁵.) Michael Pollan, *The Omnivore’s Dilemma*, p. 313.

(^{16.}) Note that such a principle is implausible because (as explained above) it overgeneralizes and implies that it is impermissible to consume almost everything in contemporary society, since almost every product has a surprisingly high footprint of harm or killing.

(^{17.}) As another example, consider that the law makes a similar appeal to the degree of essentiality of harm. For example, in *New York v. Ferber* and in *Ashcroft v. Free Speech Coalition* the US Supreme Court held that a compelling state interest exists to prohibit the promotion and consumption of child pornography insofar as that pornography is “intrinsically related to the sexual abuse of children.” This appeal to the notion of the degree of essentiality of harm that lies behind sexually explicit materials involving children provides an important part of the court’s basis for distinguishing between, on the one hand, objectionable child pornography that may be constitutionally prohibited by legislation (e.g., actual videos of child sex acts, where it is *highly essential* to the pornography that harm lies behind it), and on the other hand, constitutionally protected and arguably unobjectionable depictions of children engaging in sexual acts (for example, drawings in textbooks, or depictions by actors in fictional films).

(^{18.}) For further discussion of the ethics of collective action and some prior judgments that may need to be revised, see my paper “Collective Action, Climate Change, and the Ethical Significance of Futility.” The current chapter is intended for a general audience. I discuss other possible responses to the inefficacy objection and related issues in much greater detail in other papers, as referenced several notes above.



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