La revue scientifique
Viandes & Produits Carnés
Référence de l'article : VPC-2017-33-4-6
Date de publication : 13 décembre 2017
www.viandesetproduitscarnes.fr

La fin de la vie animale : le début d'un débat éthique

Considérations éthiques et sociétales sur la mort animale pour les activités d'élevage ou d'expérimentation animale, les animaux de compagnie, la gestion de la faune sauvage, la pêche et la pisciculture

Mots-clés : Abattage, Viande, Animaux domestiques, Bien-être animal, Débat public

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La question de la fin de vie des animaux est une question difficile renvoyant à des préoccupations sociétales et éthiques. Cet ouvrage publié en anglais par Franck L.B. Meijboom et Elisabeth N. Stassen (Universités d'Utrecht et de Wageningen aux Pays-Bas) traite de ces questions, non seulement dans le cadre de l'élevage (y compris des poissons) mais aussi de l'expérimentation animale ou de la gestion de la faune sauvage. Une réduction de 25% est proposée aux lecteurs de « viandes et produits carnés » (code animallife2018) pour l'achat de cet ouvrage.

Résumé :
Prendre des décisions sur la fin de la vie animale est une pratique courante, même si cela n'est pas évident. La fin de la vie animale est liée à de nombreuses questions et préoccupations sociétales et éthiques. Des questions telles que combien de temps devrions-nous continuer à prendre soin d'un animal avant de le tuer ? Ou s'il est légitime de tuer des animaux individuels pour le bien-être du troupeau ou pour la survie des générations futures. Cet ouvrage vise à saisir les nombreuses questions liées à la fin de la vie animale. Les chapitres montrent comment la pluralité des points de vue sur l'abattage des animaux est liée à des présupposés moraux en fournissant un aperçu des points de vue éthiques sur les décisions de fin de vie. En outre, le livre contient un certain nombre d'études appliquées concernant les questions éthiques liées à l'abattage des animaux selon diverses pratiques, y compris pour les activités d'élevage ou d'expérimentation animale, les animaux de compagnie, la gestion de la faune sauvage, la pêche et la pisciculture. Ces chapitres peuvent aider les étudiants, les vétérinaires, les scientifiques, les décideurs et de nombreux autres professionnels travaillant avec des animaux à acquérir facilement un bon aperçu des enjeux et à contribuer à des décisions responsables en ce qui concerne la fin de la vie animale.

Abstract: The end of animal life: a start for ethical debate
Making decisions about the end of animal life is common practice, yet it is not normal. 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.

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 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, the editors aim to look beneath the surface of the practices in which animals are killed or in which we try to keep animals alive. The current practice is taken as a start to 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 the thics of killing still seem 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, the editors aim to contribute to the theoretical and practical debates on the decisions at the end of animal life.

I. ETHICAL THEORY AND NORMATIVE CONSIDERATIONS

The first chapter of this section is entitled "Killing animals and the value of life" and has been written by F.R. Heeger (Utrecht University, Department of Philosophy, Ethics Institute, Janskerkhof 13A, 3512 BL Utrecht, the Netherlands; f.r.heeger@uu.nl). This chapter deals with the thesis that killing animals is morally wrong because their life has value. The central question asked is how we should interpret this thesis. In order to elucidate two main possibilities, the author discusses two outstanding but fundamentally different investigations: Paul Taylor's biocentric defence of respect for life and Jeff McMahan's account of the wrongness of killing animals and the badness of their death. He argues that Taylor's egalitarian and solely life-centred theory creates unacceptable difficulties which McMahan's account avoids.

The second chapter by R.P. Haynes (Emeritus Professor of Philosophy, University of Florida, 6802 SW 13th St., Gainesille, FL 32611, USA) is entitled "Killing as a welfare issue". In this paper, the author argues that, under normal circumstances, killing an animal robs it of something crucially important to it – the ability to enjoy the good things of life. From this perspective, as Sapontzis (1987) convincingly argues, life has important instrumental value to the animal (or human) that possesses it. The author briefly identifies arguments against Sapontzis's position – that killing cannot be a harm because the victim no longer exists and so cannot feel or be harmed. He also argues that killing deprives the victim of its welfare. To argue for this position, the author adopts Sumner's account of human welfare, and then applied it to animals. As an aside, the author comments on the questions, under what circumstances are we morally justified in killing an animal and what obligations do we have, if any, toward animals not under our care.

The third chapter entitled "Death, *telos* and euthanasia" by B.E. Rollin (Department of Philosophy, Colorado State University, Fort Collins, CO 80523, USA; bernard.rollin@colostate.edu) argues that the animal's nature *(telos)* is the most important point to consider. Since Bentham, animal ethics has to a large extent been based in Utilitarianism, maximizing pleasure and avoiding pain. But the ability to feel pain, while sufficient for a being to obtain moral status, is not a necessary condition. What is necessary for moral status is that what happens to or is done to a being matters to that being, in either a negative or a positive way. In our world, however, most of the 'mattering' necessary to survival is negative – injuries and unfulfilled needs ramify in pain. But physical pain is by no means the only morally relevant mattering – fear, anxiety, loneliness, grief, certainly do not equate to varieties of physical pain, but are surely forms of 'mattering'. Indeed, an adequate morality towards animals would include a full range of possible matterings unique to each kind of animal. In the account of animal ethics,

the author argued that the basis of our obligations to animals under our aegis is the animal's nature, what is called *telos* following Aristotle. This is the unique set of traits and powers that make the animal what it is – the 'pigness' of the pig, the 'dogness' of the dog. Some *telos* violation matters more than pain. Happiness may be understood as satisfaction of needs flowing from animal telos. The moral import of death is discussed in relation to telos, pain, and euthanasia.

The fourth chapter asks the following question: "Do animals have a moral right to life?" with the following subtitle "Bioethical challenges to Kant's indirect duty debate and the question of animal killing". It has been written by H. Baranzke (Bergische Universität Wuppertal, FB A Geisteswissenschaften, Gauβstr. 20, 42119 Wuppertal, Germany; heike.baranzke@t-online.de). Reflecting ethically on the end of animal life implies asking whether there is a duty to refrain from animal killing or whether there is a moral right to life for animals. From a Kantian point of view, these questions are linked to the vivid philosophical debate about indirect duties with regard to animals and the doctrine of the duty-rights-symmetry. These doctrines lead to the core of Kant's ethical theory. Therefore, the indirect-duties-to-animals doctrine is extensively analysed in the context of the 'Doctrine of Virtues' of the 'Metaphysics of Morals' in order to meet three basic animal ethical concerns: whether it can include animals into moral considerations, whether it can consider animals morally for their own sake and not only for human advantages, and whether the animals' pain and suffering do count morally. Crucial with regard to the last aspect is Kant's concept of shared 'animality'. After this detailed elaboration of the dimensions of Kant's perfect duties to oneself with regard to refraining from maltreating animals, the results are questioned whether such a perfect duty to oneself is possible without exceeding Kantian ethical grounds, although Kant himself has considered the human being as being authorized to kill animals, when done quickly and painless. The author shows that such a *prima facie* duty is not only necessary for an integrative bioethical approach that consistently reflects upon human and animal needs, but even possible on the systematic grounds of a Kantian ethics. Nevertheless, there is no moral right to life for animals.

The next chapter deals with "The 'significance of killing' *versus* the 'death of an animal'". It has been written by "H. Grimm and M. Huth, Messerli Research Institute, Veterinary University Vienna, Medical University Vienna, University of Vienna, Veterinaerplatz 1, 1210 Vienna, Austria; herwig.grimm@vetmeduni.ac.at). Unsurprisingly, the debate on the moral relevance of killing animals is highly influenced by the question whether death matters to animals and in which sense. In this debate, prominent theories – such as Singer's or Regan's – focus on death as an encapsulated phenomenon. In the following the authors argue that such approaches, summarized under the category of moral individualism, are not sufficient since they underestimate the role of socio-cultural contexts, customs, traditions and established (although debatable) habits by neglecting the importance of the human perspective and viewpoint and insinuate an access to the animal per se. As a consequence, these reductionist approaches leads to normative positions which are unconvertible into practices because it hypostatizes particular (supposedly natural) animal characteristics like cognitive abilities and pushes their significance to the margins of understanding anchored in our lifeworld. Therefore, so the argument goes, the mentioned theories fall short in providing orientation. As an alternative, the authors offer arguments that are inspired by a pragmatist view of ethical theory, phenomenological insights and a critique of moral individualism put forward by Cora Diamond and, more recently, by Alice Crary. Most importantly for this context, John Dewey's account on the nature of moral problems will be applied. He argues that moral conflict and uncertainty stem from three independent and irreducible factors that are reflected in moral theory: (1) individual ends (consequentialism); (2) demands of communal life (deontological theories); and (3) social approbation (virtue ethics). Whereas the debate on killing animals has often been framed within consequentialist and deontological frameworks, the authors aim at a more contextualized analysis inspired by social practices linked to virtue ethics. Opposed to the predominant theories that focus on abstract ideas of animals and their properties (moral individualism), this approach promises a step towards a contextual and relational understanding of the moral consideration of killing animals in these specific, socio-cultural contexts. The authors start with a brief discussion of Singer's and Regan's viewpoints in order to make their strengths and shortcomings explicit. Subsequently, they present a pragmatic and in part phenomenologically inspired approach. Against this background, they aim to describe different practices of killing animals using the examples of animal research, slaughtering, and euthanasia of pet animals. All three examples show a specific normative infrastructure. Finally the authors summarize the arguments and draw conclusions.

The last chapter by F.R. Stafleu (Ethics Institute, Utrecht University, Janskerkhof 13, 3512 BL Utrecht, the Netherlands; f.r.stafleu@uu.nl) is entitled "Even a cow would be killed ...: about the difference between killing (some) animals and (some) humans". This essay raises the question why there is a difference between the way we treat animals and humans, when it comes to killing. The question is analysed with the help of two special cases. On the one hand, a non-autonomous patient whose suffering is immense and hopeless. On the other hand, an old dog that equally suffers badly. The differences and similarities are analysed and discussed from the perspective of ethical theory. The discussion includes an analysis of the taboo on killing humans and the possible biological explanation for this phenomenon. It is argued that overriding this taboo causes existential moral doubts. This burden can serve as a moral justification for operating (even) more cautiously in case of the human patient. The conclusion has an impact on both our dealings with animals and humans.

II. SOCIETAL DEBATES IN THE CONTEXT OF KILLING ANIMALS FOR ANIMAL DISEASE PREVENTION AND CONTROL

The first chapter of this section by B. Mepham (Centre for Applied Bioethics, School of Biosciences, University of Nottingham, Sutton Bonington Campus, Sutton Bonington LE12 5RD, UK; ben.mepham@nottingham.ac.uk) is entitled "Morality, morbidity and mortality: an ethical analysis of culling nonhuman animals". The fact that both humans and nonhuman animals utilise the world's natural capital means that conflicts of interest are ultimately inevitable. From an

ethical perspective, omnivorous humans are obliged to manage those nonhumans they exploit for food in ways that they consider respect their rights and welfare; but all human moral agents (including vegans) also have responsibilities to ensure the ethical soundness of their actions that affect other humans and nonhumans alike. The case is often made that, in certain circumstances, taking everything into consideration, selective killing (culling) of nonhumans is an ethical requirement. This chapter seeks to examine the validity of that claim in several different contexts, by citing examples that refer to farm, wild and companion animals, in circumstances where there are alleged threats to human health and economic considerations, animal welfare and/or environmental sustainability. It is suggested that ethical deliberation on these issues in an era characterised by a constant flux in social, economic and cultural norms may be facilitated by employment of the ethical matrix. Use of this conceptual framework is exemplified here in considering the practice of culling badgers to abate the increasing incidence of bovine tuberculosis in dairy cattle.

The second chapter discusses "Public moral convictions about animals in the Netherlands with culling healthy animals as a moral problem". It has been written by N.E. Cohen and E. Stassen (Wageningen University, Department of Animals and Society, P.O. Box 338, 6700 AH Wageningen, the Netherlands; nncohen8@gmail.com). In this chapter, the dynamics of public moral convictions about animals in the Netherlands are described in the context of animal disease epidemics. A change has taken place in these convictions, due to a shift in the relational value of animals and the emergence of new animal practices in Dutch rural countryside. This played a major part in the public resistance against the large scale culling of healthy animals in recent anima disease epidemics. The chapter describes and analyses the moral values at stake and argues that differences in the choice and weight of these values were at the heart of this conflict. New policy acknowledging the relevance of these values is briefly discussed.

The last chapter of this section deals with "premature culling of production animals and ethical questions related to killing animals in food production". Its authors are M.R.N. Bruijnis, F.L.B Meijboom and E.N. Stassen (Wageningen University, Adaptation Physiology, De Elst 1, 6708 WD Wageningen, the Netherlands; Utrecht University, Ethics Institute, Janskerkhof 13a, 3512 BL Utrecht; the Netherlands; m_bruijnis@hotmail.com). The aim of this chapter is to analyse the importance of longevity in relation to the welfare of production animals. The authors hypothesize that the concept of longevity helps to support the moral intuition that premature culling of animals is a moral wrong. The analysis shows that the interpretation of the concept of animal welfare is important for decisions on whether or not to cull animals, but also for the measures that should be taken to prevent premature culling. This is illustrated by two examples in animal production, one example relating to dairy cattle and the other to breeding sows. These two types of farming have in common that in these practices animals are necessary to produce products, yet this production does not require the animal itself to be killed. The authors' proposal is to accept the view on animal welfare according to which longevity is accepted as an independent moral argument. Acceptance of this view substantiates the intuition that premature culling of animals is a moral wrong, because it shows that we have additional reasons to give the interests of animals more weight. In order to respect this view, some common practices in animal farming will become the subject of debate, as illustrated in the two cases.

III. KILLING IN DIFFERENT PRACTICES OF ANIMAL USE

"Killing animals as a matter of collateral damage" is the first subject of this section, which is presented by S. Aerts and J. De Tavernier Odisee University College, Hospitaalstraat 23, 9100 Sint-Niklaas, Belgium; Ethics@Arenberg, KU Leuven, Sint-Michielsstraat 4, P.O. Box 3101, 3000 Leuven, Belgium; stef.aerts@odisee.be). Not only meat producing animals are killed in agriculture. Also in the dairy and egg industry, enormous numbers of animals are killed, although their deaths are not strictly necessary to produce milk or eggs. These deaths are a side effect of current economic realities and are considered unavoidable collateral damage. The authors discuss other cases such as culling during disease control, and euthanasia of aged sports animals and animals in shelters. Other examples are fishing discards, dying animals in nature reserves, culled hobby animals. All these examples are characterised by a systematic killing of animals. These animals are not or no longer needed and the killing appears as an unavoidable side effect of a particular production type or husbandry system. It is therefore distinct from accidental killings or killing for meat production. A second important distinctive criterion is the feeling of meaninglessness or disproportionality connected to these practices. Killing as collateral damage is a non-issue from an animal rights ethics viewpoint because from this perspective any kind of killing is considered unethical. On the other hand, in utilitarian and hybrid anthropocentric-zoocentric approaches that integrate proportionality in their reasoning, it is considered a moral problem. In many cases, an analysis of the different (moral) costs and benefits is difficult because killing these animals is considered to be a side effect of other activities rather than an activity with its own value. There seem to be two alternatives: either the benefits are divided between the intended killings and the collateral killings, or only the secondary goal is allocated to the collateral killings. In either case, the ratio is heavily skewed to the negative side. Except in extreme anthropocentric theories killing animals as collateral damage seems at least problematic, if not extremely problematic.

The second chapter of this section is entitled "Killing animals as a necessary evil? The case of animal research" by N.H. Franco and I.A.S. Olsson (IBMC – Instituto de Biologia Molecular e Celular, Rua do Campo Alegre, 823, 4150-180 Porto, Portugal; olsson@ibmc.up.pt). This chapter addresses the question of killing animals in research, primarily from a moral perspective, but also taking into account some of the practical and scientific considerations with moral consequences in this context. The authors start by exploring in which situations animals are killed in research and whether these are always inevitable, analysing re-use and re-homing of animals as potential alternatives. The authors then discuss for whom – and under what circumstances – killing matters, considering situations where there may be a conflict between the wish to avoid killing and that to avoid suffering, and further take human-animal interactions into account. The authors argue that, although there are relevant practical,

scientific and ethical arguments favouring the euthanasia of animals in most research contexts, there is a potential for rehabilitating more animals than is currently the practice.

The third chapter by J. van Herten (Royal Veterinary Association of the Netherlands, P.O. Box 421, 3995 AW Houten, the Netherlands; j.van.herten@knmvd.nl) is entitled "Killing of companion animals: to be avoided at all costs?". Looking into end of life decisions concerning companion animals roughly two kinds of issues can be identified. On the one hand, we sometimes kill companion animals too late causing unnecessary suffering and on the other hand there are situations in which might we kill them too fast, depriving them a natural lifespan and possible future wellbeing. These situations raise moral questions about role and responsibilities of pet owners and veterinarians and about justification of end of life decisions regarding companion animals. We can address these questions by looking at the implications of moral standing of companion animals in modern Western societies. The so-called human-companion animal bond implies a moral obligation to take the interests of our companion animals seriously into account. The author argues that when making decisions about end of life of our companion animals, the interests of the concerned animal will normally outweigh the interests of the owner. An animal's future quality of life is the most important parameter. We therefore have a moral obligation to euthanize animals in case of unbearable and hopeless suffering. Killing healthy companion animals however can only be justified in special circumstances. To help veterinarians in making difficult end of life decisions, scientists have developed an assessment model. By using this model, veterinarians are guided to carefully weigh all the different interests in play and make justified decisions about killing companion animals.

IV. BETWEEN WILD AND KEPT

First, B. Bovenkerk and V.A. Braithwaite (Wageningen University, Philosophy, P.O. Box 8130, 6700 EW Wageningen, the Netherlands; Institute for Advanced Study Berlin, Wallotstraβe 19, 14193 Berlin, Germany; Center for Brain, Behavior and Cognition, Pennsylvania State University, University Park, PA 16802, USA; bernice.bovenkerk@wur.nl) discuss the following problem "Beneath the surface: killing of fish as a moral problem". Are we morally justified in killing fish and if so, for what purposes? We do not focus on the suffering that is done during the killing, but on the question whether death itself is harmful for fish. We need to distinguish two questions; first, can death be considered a harm for fish? And second, if it is a harm, how much of a harm is it? In order to answer the first question, we explore four lines of reasoning: (1) fish desire to stay alive; (2) something valuable is lost when fish are killed; (3) death deprives fish of future happiness or goods; (4) killing fish reflects badly on our character. Some argue that we should not kill animals if they desire to stay alive and that a being can form a desire to stay alive only when it has the capacity to be aware of itself as a distinct entity existing over time. The authors cast doubt on this view: Do we value continued life because it is desirable or do we desire continued life because it is valuable? It seems more plausible that it is not the desire to live that matters, but being able to enjoy goods, and death thwarts future opportunities for enjoyment. This would entail that a being can have an interest in continued life, without actively being interested in it. Next, the authors discuss the second question of how harmful death is for fish. A widely shared intuition is 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. But how can we account for this intuition? Finally, the authors address some implications of the view that killing fish is harmful.

Another important question is if "Will wild make a moral difference?". This chapter written by B. Gremmen (Wageningen University, Hollandseweg 1, 6706 KN, Wageningen, the Netherlands; bart.gremmen@wur.nl) is about the ethics of killing wild animals. What is our moral reference while killing wild animals? Can we use norms of killing domesticated animals when we kill wild animals? Is the life and death of wild animals out of our moral reach by definition? Do we respect the wildness of an animal? Are there situations in which humans have to kill wild animals? In these cases, humans are confronted with wild animals and the question can be asked: do we have to kill them? The approach is to reformulate the three core questions of this book to the situation of wild animals. In answering the first question (what concepts are needed for the public and ethical evaluation of killing wild animals), the author describes wildness as a broad concept, and equate it with parts of nature that are not controlled by humans. Their perspective on wildness is to consider it as a quality in specific individual animals, of being wild or un-wild. The author differentiates between nine categories of animals in natural areas, and wild animals are considered to be at one end of a continuum and domesticated animals are at the other end. Thus, a development is possible from the wild stage to the pseudo-domestication stage and back again to the semi-wild stage. The description of an ethical framework of three principles enabled the affirmative answer to the second question (is it possible to justify the killing of a wild animal?, and if so under what conditions?). When, the author applies the ethical framework to the killing of wild animals, de-domesticated and feral animals, and to the killing of animals in pest control, the answer to the third question: ("Can we legitimately differentiate the issue of killing wild animals in different wild animal contexts?") leads to seven conclusions detailed in this chapter.

Reference :

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Ethical and societal considerations on killing animals

Editors: Franck L.B. Meijboom and Elsbeth N. Stassen
Published:2016
Pages: 272
Edition: Hardback and e-book
ISBN: 978-90-8686-260-3
eISBN: 978-90-8686-808-7
http://www.wageningenacademic.com/books/doi/10.3920/978-90-8686-808-7

! Special discount code: animallife2018
25% discount on the regular book price (valid until end 2018)