

# Do Animals Have an Interest in Continued Life? In Defense of a Desire-Based Approach

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Do we do anything wrong to animals simply by ending their lives if it causes them no pain or suffering? According to some, we can do no wrong to animals by killing them because animals do not have an interest in continued life. An attempt to ground an interest in continued life in animals' desires faces the challenge that animals are supposedly incapable of desiring to live or of having the kinds of long-range desires which could be thwarted by death. Some philosophers argue that death harms animals not because it thwarts their desires, but rather because it forecloses their future opportunities for satisfaction. However, this argument is problematic because (1) it's unclear that animals' future opportunities belong to the same continuing selves and (2) it's unclear why we should think that animals' future opportunities have value for them. A more promising argument holds that many animals have an interest in continued life insofar as they possess certain enjoyments in life, where animals' enjoyments are best understood not merely as fleeting experiences but rather as dispositional desires which animals continue to possess over time.

## I. INTRODUCTION

Frequently, philosophical discussions about the ethical treatment of animals focus on the pain and suffering that humans inflict on animals, such as through the practices of animal agriculture and experimentation. But suppose that we could raise and slaughter animals for food—or perform lethal experiments on them—in ways which would cause them little, if any, suffering. Would we be treating the animals ethically? Do we do anything wrong to animals simply by killing them? Granted, to kill animals may very well cause them to feel pain and to suffer. But suppose that we go out of our way to kill animals without causing them any pain or suffering—do we do something wrong to animals simply by ending their lives? The question raised here can be cast in terms of moral rights. Do animals have a moral right to life—that is, a justified moral claim or entitlement to have their lives respected by moral agents? To suggest that they do would imply that human beings have a strong moral duty to refrain not only from making animals suffer but also from killing them.

What is required in order to have a right to life? One thing which some philosophers have thought to be required is *having an interest in continued life*. That is, one cannot have a right to life unless one possesses some kind of stake in one's own

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life. Indeed, this idea underlies one major reason why we might doubt that animals can have a right to life. Although animals may have some basic interests—such as an interest in avoiding pain and suffering—it might seem unlikely that they have specifically an interest in continued life. Having an interest in continued life, we might think, requires an awareness of one's own life and existence, such that one could desire to continue living, and animals lack this degree of self-awareness.

In this paper, I propose to take up this question of whether animals have an interest in continued life. I begin by examining the reasons for thinking that animals do not have this interest, focusing on the idea that animals are not capable of desiring to live or of having long-range desires or projects which could ground an interest in continued life. Next I consider one non-desire-based argument which some philosophers have made in defense of animals having an interest in continued life, appealing to the idea that continued life affords many animals future opportunities for satisfaction. I suggest, however, that this argument runs into two significant philosophical problems. First, there is a problem of identity: it is unclear whether animals' future opportunities belong to the same continuing selves. Second, there is a problem of normative justification: unless animals are capable of caring about their future opportunities, it is unclear why we should think that their future opportunities have value for them.

Ultimately, I contend that many animals do have an interest in continued life, and that this interest is indeed grounded in kinds of desires that many animals have. Rather than trying to show that animals can have a desire to live or have long-range projects, I argue that many animals have an interest in continued life insofar as they have a variety of *enjoyments in life*. I suggest that animals' enjoyments ought to be understood not as temporary, fleeting experiences but rather as *dispositional desires* which animals continue to possess over time. I contend that this grounding of animals' interest in continued life avoids the problems facing the future opportunities view. As a result of my argument, I suggest that many animals meet a major requirement for having a right to life.<sup>1</sup>

## II. THE RIGHT TO LIFE AND THE INTEREST IN CONTINUED LIFE

What does it mean to have an interest in continued life, and why should we think that having an interest in continued life is required for having a right to life? Joel Feinberg defines having an interest as "having a stake" in something.<sup>2</sup> Based on

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<sup>1</sup> In my argument here I make certain basic assumptions, in particular, that animals are capable of having some desires and some interests. To defend this assumption would require raising issues that are best reserved for discussions of their own, including skepticism about the mental lives of animals and the view that having desires requires possessing language. Additionally, let me point out that throughout this paper, I refer simply to "animals" or "many animals," ignoring the diversity that may exist among nonhuman animals. For the most part, questions pertaining to *which* specific kinds of animals do or do not have an interest in continued life are things I must reserve for a separate discussion.

<sup>2</sup> Joel Feinberg, "Harm and Self-interest," in *Rights, Justice, and the Bounds of Liberty: Essays in Social Philosophy* (New Jersey: Princeton University Press, 1980).

this definition, we could say that having an interest in continued life means that an entity has “a stake” in its life. I think this definition is essentially correct. However, let me suggest an even simpler one: to have an interest in continued life means that life is something that *has value* for an entity (i.e., that it is good for an entity, that it benefits an entity). Correspondingly, it also means that death harms an entity (i.e., that death is bad for an entity).<sup>3</sup>

To be clear, the question at hand is not whether animals are harmed from the pain or suffering they might experience in the process of being killed. Rather, the question is whether *death itself* harms animals at all. In other words, if animals could be killed without experiencing any suffering, is there some way in which they would still be harmed merely from being killed, from losing their lives? People who believe that animals do not have an interest in continued life might admit that animals can be harmed from the suffering frequently caused in the process of being killed, but deny that being killed in itself harms animals. This belief is significant because it suggests that if we can kill animals without causing them to suffer, we do not harm them, and therefore, we do not morally wrong them.

Why should we think that having an interest in continued life is a prerequisite for having a right to life? According to Feinberg, “the sorts of beings who *can* have rights are precisely those who have (or can have) interests.”<sup>4</sup> This is what Feinberg calls “the interest principle.” But why should we accept the interest principle? Feinberg’s answer appeals to the nature of moral rights. In essence, he explains that rights are things which speak in behalf of an entity, protecting or benefiting an entity in some way. Therefore, having rights requires that an entity has a behalf which can be spoken for—in other words, a welfare which can be harmed or benefited. And this is essentially what it means to have interests. This is why it makes sense, for example, to think that rocks do not have any rights. To suggest that a rock has rights would imply that the rock has some kind of behalf or interests represented or spoken for by the rights. However, most of us will agree that it does not make sense to think that rocks have interests (i.e., that they can be harmed or benefited).<sup>5</sup>

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<sup>3</sup> One possible difference between these definitions is that for one to “have a stake” in something implies not just that a thing has value for one but that it has *significant* value for one. In a similar fashion, it might be thought that something which is bad for one doesn’t necessarily harm one: “harm” implies some significant loss. This issue is tangential to the central concern of this paper, which is whether life has any value at all for animals. Therefore, I will typically understand “interest in continued life” as implying merely that life has value for one. If the reader finds this definition objectionable, he or she should simply understand the central issue not as whether animals have an interest in continued life but rather whether life has any value for animals.

<sup>4</sup> Feinberg, “The Rights of Animals and Unborn Generations,” *Rights, Justice, and the Bounds of Liberty*, p. 167.

<sup>5</sup> Why does it make sense to think that rocks don’t have interests? This is an interesting philosophical question in itself. My own view (and a view which would be endorsed by Peter Singer among others) is that having a welfare (i.e., having interests) requires that an entity is capable of feeling. Since rocks cannot feel, they do not have any interests. However, some philosophers would object to this reasoning on the grounds that there are some things which have interests but cannot feel, such as plants. My own view (and Singer’s view) is that plants do not really have interests or a welfare in any literal sense. But some philosophers argue that plants have interests because even if they can’t feel, they are alive and

Feinberg's interest principle bears on the requirements for having specifically a right to life. If having rights in general requires having interests, then it makes sense to think that a criterion for having specifically the right to life is the possession specifically of an interest in continued life.<sup>6</sup> Feinberg endorses the interest principle on the grounds that it is not possible to speak on behalf of an entity that has no interests. Similarly, if an entity has no interest in continued life, then it is not possible to speak on behalf of that entity with regard to its life. That is, it has no welfare to be represented or benefited by a right to life.

Although it has been frequently noted in the philosophical literature that having interests is a prerequisite for having moral rights, the idea that having a right to some particular thing requires having a corresponding interest in that thing has often been missed. Typically, philosophical discussions over whether animals have rights focus simply on criteria for having rights generally. There is merit in such discussions since there may be certain general requirements for having rights at all (e.g., interests, sentience, subjecthood, moral agency). However, we should not fail to notice that if the "particular interest principle" is correct, as I have argued it is, there will be different requirements for having different rights: each right requiring that an entity possesses the interest corresponding to that right. While it may turn out that animals meet the interest requirement for having a right to avoid suffering, it does not follow that they meet the interest requirement for having a right to life: having an interest in continued life may require possessing conscious mental capacities much more sophisticated than what is required for having an interest to avoid suffering. In short, to determine whether animals have specifically a right to life, it is essential that we address whether they have specifically an interest in continued life.

### III. THE CAPACITY TO DESIRE TO LIVE

One reason why we might think that animals have an interest in continued life is that they value their own lives or have a desire to live. While not everything a being desires or values is necessarily good for that being, if a being desires to continue living, if it values its own life, this would seem to make a strong case for thinking that it has a stake in its own continued life. Do animals have a desire to continue living? On the face of things, it might seem obvious that many animals

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*goal-directed* (e.g., they move toward sunlight, seek nourishment, etc.). According to this view, then, the key to having interests is whether an entity is goal-directed, and therefore, if rocks do not have interests, it is because they are not alive or goal-directed in any sense.

<sup>6</sup> Michael Tooley makes a similar point with respect to the criteria for having particular rights (e.g. a right to life), referring to what he calls the "particular-interests principle." According to this principle, "It is a conceptual truth that an entity cannot have a particular right *R* unless it is at least capable of having some interest *I* which is furthered by its having right *R*." See Michael Tooley, *Abortion and Infanticide* (New York: Oxford University Press, 1983), p. 99. A similar idea is supported by James Rachels. See James Rachels, "Do Animals Have a Right to Life?" in Harlin B. Miller and William H. Williams, eds., *Ethics and Animals* (Clifton, N.J.: Humana Press, 1983), pp. 275–84.

have a desire to live. After all, if we observe animals' behavior in life and death situations, they typically express great fear when threatened with death, they seek to avoid or escape threats of death, and they fight to protect themselves. Isn't this evidence that they want desperately to live? On the other hand, some philosophers have challenged whether animals are mentally capable of having a desire to live.

The question of whether animals can desire to live is one that we must approach carefully. When we witness animals' self-protective behavior in the face of threats to their lives, is it really their continued existence that they are desiring and thinking about protecting, or is it perhaps only *the threat of pain* that concerns them? It is not easy to tell. What mental states or capacities are required for having a desire to live? A common philosophical view of desires is that having a desire for some particular thing requires that one has the concept of that thing.<sup>7</sup> The reasoning is that it doesn't make sense to think that a being could desire some particular thing unless the being is aware to some degree of that thing (i.e., has some concept of or beliefs about that thing). This view implies that having a desire to continue living requires that one possesses the concept of one's own continued life and conscious existence. Along these lines, Michael Tooley argues that having a desire to live requires that one has *the concept of oneself as a continuing subject of experiences*. This concept involves having the concept of a subject of experiences, having the concept of a thing continuing to exist, and being aware of oneself as a continuing subject of experiences.<sup>8</sup>

The question, then, is whether animals are capable of having the concept of their own continued lives (i.e., the concept of themselves as continuing subjects of experiences). Although Tooley never explicitly argues the point, he seems to assume that animals do not ever have this concept. He suggests that many animals are conscious and that they have some simple desires, but that they are not the sorts of creatures that are capable of conceiving of themselves as continuing selves.<sup>9</sup> Similarly, David DeGrazia states, "Probably very few animals possess even the *concept* of staying alive, much less the desire to do so."<sup>10</sup>

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<sup>7</sup> For example, Donald Davidson argues that desires are propositional attitudes and that having any propositional attitude requires having "a dense network of related beliefs." See Donald Davidson, "Rational Animals," in Ernest LePore and Brian P. McLaughlin, eds., *Actions and Events: Perspectives on the Philosophy of Donald Davidson* (New York: Blackwell, 1985), pp. 473–80. R. G. Frey also holds that having desires requires having certain related concepts or beliefs. See R. G. Frey, *Interests and Rights: The Case against Animals* (Oxford: Clarendon Press, 1980).

<sup>8</sup> Tooley, *Abortion and Infanticide*, pp. 104–05. Tooley explains that this issue can be simplified by stating that having a desire to live requires that one has self-consciousness, so long as self-consciousness is understood to mean having the concept of oneself as a continuing subject of experiences.

<sup>9</sup> Tooley defines *persons* as those individuals that have a right to life, and he implies that animals are not persons. For example, see Tooley, *Abortion and Infanticide*, p. 291.

<sup>10</sup> David DeGrazia, *Animal Rights: A Very Short Introduction* (New York: Oxford University Press, 2002). One other philosopher who argues that animals are incapable of valuing their own lives is Ruth Cigman. See Cigman, "Death, Misfortune, and Species Inequality," *Philosophy and Public Affairs* 10, no. 1 (1980): 47–64.

Personally, I do not think it is entirely clear whether animals can or cannot have this concept. On the one hand, there is a strong case in support of the view that animals cannot have this concept. Based on our everyday observations of animals' behavior (combined with our knowledge of their comparatively less complex neurophysiology), it seems reasonable to think that animals have, at most, a very limited degree of self-consciousness—that is, a limited introspective awareness of their own conscious states (e.g., their desires, beliefs, perceptions, sensations).<sup>11</sup> They do not appear capable of the sorts of self-reflective activities that we would expect from beings who are aware of their own conscious existence, activities such as philosophical reflection (e.g., contemplating one's own existence, what one wants out of life, what things one ought to believe and desire), planning out one's life, and communicating one's thoughts through language.

On the other hand, even if animals do not have the level of self-consciousness that humans normally possess, it makes sense to think that concepts can vary in their degree of detail. That is, having concepts is not an "all-or-nothing" affair. For example, my concept of a tree is probably less detailed than a biologist's concept of a tree, and a dog's concept of a tree is probably less detailed than mine.<sup>12</sup> Similarly, the concept of oneself as a continuing subject of experiences may vary in degree of detail. Given this realization, perhaps a case could be made that some animals have at least a "minimum concept" of themselves as continuing subjects of experiences. It may be that some animals have some minimal awareness of some of their experiences, and some minimal awareness of their experiences as persisting over time (e.g., memories of painful experiences). If so, then this could support the view that animals' displays of fear and self-protective behavior in the face of threats to their lives is evidence of their having a desire to live.

It is questionable, then, whether any animals are capable of having a desire to continue living. Determining whether animals have this capacity is an exceptionally difficult matter. So, let us consider some other possible ideas about how animals might have an interest in continued life, as well as some of the challenges to these ideas.

#### IV. LONG-RANGE DESIRES AND FUTURE OPPORTUNITIES

If a being is incapable of desiring to live, then how could it have an interest in continued life? One idea is that while a being may be incapable of desiring to live, death still harms that being if it thwarts other important desires which that being possesses. Human beings typically possess a variety of long-range, future-oriented

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<sup>11</sup> It is possible that some animals may lack introspective awareness of their experiences, yet have some degree of another kind of self-awareness, such as awareness of one's own body as distinct from one's external environment. However, what is at issue is whether animals have awareness of their own experiences.

<sup>12</sup> In my other work, I make this argument in more depth. The view that concepts do not vary in degree of detail (i.e., that having concepts is an all or nothing affair) is unreasonable because (1) humans

desires, plans, projects, or goals in their lives. That is, they have enduring desires to personally achieve certain goals or have certain experiences over the course of their lives, to live their lives in certain ways, or to become certain kinds of persons in their lives. Typically these desires reflect a person's particular conception of a meaningful, fulfilling life. For example, people have long-range desires to be successful in their chosen careers, to have meaningful social relationships, to raise a family, or simply to be a morally good person. When people die, their long-range goals are permanently thwarted, regardless of whether they are capable of desiring to live or not. Indeed, I believe this is a primary way in which death harms people.<sup>13</sup>

But is it reasonable to think that death harms animals in the same way? In the case of most animals, it seems doubtful that they possess long-range projects in the way that humans typically do.<sup>14</sup> Animals' desires typically seem limited to more short-term or momentary goals, such as desires for food, sex, or some temporary adventure (e.g., animals chasing each other). Having long-range plans and projects in one's life requires having a relatively sophisticated level of awareness of oneself and one's future. Most animals do not seem to have this level of self-awareness. Moreover, it might be thought that some long-range projects require a degree of reasoning beyond the capacities of most animals—the kind of reasoning involved in planning for long-term goals. Therefore, this approach appears insufficient (or at least very questionable) for arguing that animals have an interest in continued life.<sup>15</sup>

But perhaps there is some other reason to think that animals have an interest in continued life, even if they lack the capacity to desire to live as well as long-range desires which would be thwarted by death. One candidate consists in the idea that death harms many animals not because it thwarts any desires which animals have, but rather *because it forecloses future opportunities for animals to find satisfaction or enjoyment*. According to this theory, life has value for many animals because it allows them these future opportunities for satisfaction. Let us call this *the future opportunities view*. David DeGrazia is one philosopher who has defended this view. According to DeGrazia, death harms many animals because “it forecloses

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possess concepts to varying degrees (i.e., we do not all share the same beliefs about bones or trees, for example), and (2) as Tom Regan points out, this view cannot make sense of the commonsense idea that we are capable of learning more about particular concepts (e.g. bones, trees) during our lives. See Tom Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 1985). See also David DeGrazia, *Taking Animals Seriously* (New York: Cambridge University Press, 1996).

<sup>13</sup> Joel Feinberg defends this view of the typical harm of death for persons. See Joel Feinberg, *Harm to Others* (New York: Oxford University Press, 1987), pp. 79–95.

<sup>14</sup> I don't think it's clear that all animals, particularly the more intelligent animals such as primates, entirely lack long-range desires. For example, is it so unreasonable to think that some relatively intelligent animals who are parents have some form of an ongoing goal or concern to be good parents to their offspring?

<sup>15</sup> As DeGrazia has pointed out, the appeal to long-range desires is also insufficient for arguing that human infants are harmed by death.

the valuable opportunities that continued life would afford” them.<sup>16</sup> These valuable opportunities for animals include future experiences of pleasure and contentment.

Indeed, because of the aforementioned problems of a desire-based approach, DeGrazia believes the future opportunities view is much more promising as an account of animals’ interest in continued life. He states, “On this view, then, one need not have sophisticated conceptual abilities or future-oriented projects to be harmed by death. Sentience alone would entail that one can have valuable experiences and that death would cut off such experiences.”<sup>17</sup> A similar view is defended by Jeff McMahan. According to McMahan, “What makes the death of . . . [an] animal bad is primarily that death deprives it of a range of future goods that its life would otherwise have contained.”<sup>18</sup> Like DeGrazia, McMahan also believes that this future goods view is superior to a desire-based approach to the harm of death for animals, since animals have relatively few if any desires which are frustrated by death.

Appealing to the foreclosure of valuable future opportunities is common as an explanation for why death harms human beings. According to Don Marquis, for example, the loss of a normal adult human’s life “is one of the greatest losses one can suffer,” and this is because “the loss of one’s life deprives one of all the experiences, activities, projects, and enjoyments that would otherwise have constituted one’s future.”<sup>19</sup> Likewise, it might be thought that death harms many animals in a similar fashion: by depriving them of valuable future experiences.

As an account of animals’ interest in continued life, however, the future opportunities view is faced with significant philosophical difficulties. One such difficulty—which we can call *the identity problem*—is raised by the work of Michael Tooley.<sup>20</sup> According to Tooley, in order to have an interest in continued life, it is not enough that an organism has something like future opportunities for fulfillment: *it must also be the case that these opportunities would belong to the same continuing subject of consciousness (i.e., the same continuing self).*<sup>21</sup> This

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<sup>16</sup> David DeGrazia, *Animal Rights*, p. 61. See also DeGrazia, *Taking Animals Seriously*. DeGrazia indicates that Regan also shares this view, but I don’t think this is so clear. According to Regan, death harms many animals because it permanently deprives them of “all possibilities of finding satisfaction.” He explains, “Once dead, the individual who had preferences, who could find satisfaction in this or that . . . can do this no more.” Regan never specifies that he is referring to *future* possibilities of finding satisfaction. At the very least though, if Regan is not defending the future opportunities view, it is unclear what kinds of animal desires he thinks are thwarted by death. See Regan, *The Case for Animal Rights*, p. 100.

<sup>17</sup> DeGrazia, *Animal Rights*, p. 61.

<sup>18</sup> Jeff McMahan, “Preferences, Death, and the Ethics of Killing,” in Christoph Fehige and Ulla Wessels, eds., *Preferences* (Berlin and New York: Walter de Gruyter and Co., 1998), p. 477.

<sup>19</sup> Don Marquis, “Why Abortion is Immoral,” *Journal of Philosophy* 86 (1989): 183–202. (Marquis goes on to argue that to abort a human fetus harms the fetus in a similar way.) McMahan also explains the badness of death for humans primarily in terms of the foreclosure of valuable future possibilities. See McMahan, *The Ethics of Killing*, p. 182.

<sup>20</sup> See Tooley, *Abortion and Infanticide*.

<sup>21</sup> Tooley usually speaks not in terms of the interest in and right to life, but rather in terms of the interest in and right to continued existence because he thinks that continued existence is what really

requirement accounts for the possibility of an organism whose continued life would allow it future opportunities, but not ones that would belong to the same continuing subject of consciousness, even though they would be “associated” with the same biological organism. In this case, the organism existing now would not have any stake in the future opportunities that continued life would afford, since those opportunities would belong to an entirely different self.<sup>22</sup> The opportunities would no more belong to the present organism than the future opportunities of an entirely different organism.

As an example, Tooley asks us to imagine the case of a human whose mind is completely “reprogrammed” so that he or she has entirely different memories, beliefs, and personality traits. He or she no longer has any memories of or other psychological connections to the past self. This human would be a completely different subject of consciousness from the one who existed prior to reprogramming. In this case, the original self would not have an interest in any opportunities of the reprogrammed self, even though the opportunities would be associated with the same continuing biological human. As another example, Tooley argues that a human embryo does not have an interest in continued life. Although it will likely develop over time into an infant and then an adult person who has the kinds of desires and opportunities that an adult usually has, those future opportunities do not belong to the same continuing subject of consciousness since the embryo isn’t even a subject of consciousness yet.

So, what is required in order for future opportunities for fulfillment to belong to the same continuing self? According to Tooley, future opportunities belong to the same continuing self *only if the subject of consciousness, at some time in its existence, has the concept of itself as a continuing self.*<sup>23</sup> If a subject of consciousness never has the concept of itself as a continuing self, then it essentially consists in nothing more than a continuing series of new selves. Having the concept of oneself as a continuing self is necessary in order to “unify” subjects of consciousness existing at different times.

If Tooley is correct, this leaves us once again facing the difficult question of whether animals ever have the concept of themselves as continuing selves. As we have seen, Tooley suggests that they do not and there is some support for his view. It does seem to fit our ordinary observations of animals that they are largely incapable of thinking about their mental states. Such thought requires a level of abstraction that we normally do not attribute to animals. If Tooley is correct, it follows that death does not actually deprive animals of any future opportunities

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matters, and that there are ways in which one can cease to exist without losing one’s biological life—for instance, if one’s mind is completely reprogrammed. For simplicity’s sake, I speak primarily of the interest in continued life and the right to life. See Tooley, *Abortion and Infanticide*, p. 102.

<sup>22</sup>Tooley, *Abortion and Infanticide*, p. 120. Tooley’s argument specifically concerns what is required in order for *desires* existing at other times to belong to the same continuing self. However, I take his argument to apply equally to what is required in order for future opportunities for fulfillment to belong to the same continuing self.

<sup>23</sup>Tooley, *Abortion and Infanticide*, p. 120.

for fulfillment, since any future opportunities would belong to completely different subjects of consciousness.<sup>24</sup>

But even if this difficulty can be overcome, the future opportunities view is faced with another problem. Even supposing that animals have future opportunities for fulfillment which belong to the same continuing selves, it is unclear what makes these future opportunities *good for them*—or conversely, why depriving animals of these future opportunities is bad for them (i.e., why it harms them). The problem is one of *normative justification*. The concept of interests is a normative concept, insofar as a being's having an interest in something implies that that thing is good for that being.<sup>25</sup> The future opportunities view suggests that animals have an interest in their future opportunities for fulfillment—in other words, that these opportunities are good for animals. However, even if animals have these future opportunities, it is wholly unclear why we should think that their opportunities have value for them. What justifies this normative claim? Where does this value derive from? What is it that makes these future opportunities good for animals?

In the case of persons, it is not so mysterious why future opportunities for fulfillment would be good for someone. A person most likely would look into his or her future and want to have future opportunities for fulfillment. Foreclosing those opportunities thwarts the person's desire to have the future opportunities. In this case, it's understandable how future opportunities are good for the person and how foreclosing those opportunities would be bad for him or her, because he or she has a desire for these opportunities. I don't wish to suggest that everything a person desires is good for him or her—there can be things a person desires which turn out to be bad for that person. However, there clearly exists a basic link between *desiring* and *valuing*. When we desire something, we regard that thing as good to some degree, meaning simply that we have a positive feeling toward it.<sup>26</sup> Because of this link between desiring and valuing, the thought that satisfying an individual's desires is *prima facie* good for him or her and thwarting these desires is *prima facie* bad for that individual is not entirely mysterious.<sup>27</sup> Moreover, when what's actually good for us doesn't coincide with anything we desire, it's commonly the

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<sup>24</sup> One possible reply to this personal identity objection is to contend that animals' future opportunities would belong to the same continuing subjects of consciousness because there is sufficient *psychological connectedness* between the past and future selves. In other words, having the concept of oneself as a continuing self is not necessary in order to unite the past and future selves into one continuing self. Exactly what "psychological connectedness" entails would need to be spelled out.

<sup>25</sup> To be clear, the fact that some being possesses interests is not normative from a third-person standpoint. The fact that a being other than me has interests does not, in itself, imply that anything is good from my own perspective. Rather, to have interests is normative from a first-person standpoint. If a being has an interest in something, it implies that that thing is good specifically for that being.

<sup>26</sup> Of course, sometimes we desire things that we regard as bad—for example, someone who desires drugs as the result of an addiction but wishes she could quit. However, the point still remains that the person does regard the drug as good to some degree insofar as she desires it.

<sup>27</sup> In other words, the fact that something satisfies our desires is an initial reason to think it is good for us—and a sufficient reason in the absence of other competing prudential considerations.

case that it would satisfy desires we are at least capable of having (and that we ought to have), as in the case of a depressed, suicidal person who presently has no desire to live.

However, in the case of animals, it is questionable whether the foreclosure of future opportunities would thwart any desires which they are capable of having. Unlike the case of persons, it is unclear whether animals have the capacity to care about their future opportunities. Having this capacity would seem to require having the capacity to conceive of oneself as a persisting individual and, as I've explained, it's dubious whether animals have this capacity.<sup>28</sup> If animals lack the capacity to care about their future opportunities, then it's unclear why their future opportunities would be good for them, or why the foreclosure of these opportunities would harm them. Where does this value come from?

The same point can be made with respect to human infants. It is questionable whether the foreclosure of infants' future opportunities thwarts any desires which they are capable of having. As a result, it's unclear why we should think that this foreclosure harms them. We may regard it as a tragedy or misfortune that an infant was unable to grow up to become a person who seeks to accomplish certain goals and projects, but this is not the same thing as saying that the foreclosure of these opportunities harms (or is bad for) the infant itself.<sup>29</sup> It may be replied that the foreclosure of future opportunities thwarts desires that infants or animals would have in the future. But this reply does not explain how this foreclosure is bad for the individuals who exist right now. Along the same lines, it might be argued that there are other things which can harm infants (or even fetuses) but which don't thwart any desires which these beings are presently capable of having—for instance, a parent's decision to smoke around a baby.<sup>30</sup> I don't deny that such actions could harm the person an infant will become in the future. But this is not the same thing as saying that these things harm the infant now. If an action truly does not thwart any desires which an infant is presently capable of having, then the idea that it harms the infant is mysterious.

The problem, as I conceive of it, is Humean in nature. To claim that animals have future opportunities for fulfillment is a purely descriptive claim about what is the case. On the other hand, to claim that these opportunities are good for animals is a normative or evaluative claim. Hume famously observed that such a move from

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<sup>28</sup> To be clear, my suggestion is not that a being cannot have an interest in something it is incapable of valuing; rather, my point is that it's unclear how a being can have an interest in something which it is not only incapable of valuing, but also which has no impact on *anything* which the being is capable of valuing.

<sup>29</sup> To be clear, I am not claiming that death does not harm infants. I believe it does, but that we cannot account for this harm through the future opportunities view.

<sup>30</sup> Along these lines, McMahan has argued that reference to desire-frustration cannot fully account for the badness of death because (1) "this idea cannot recognize that death can be bad for fetuses, infants, and animals," and (2) "it seems clear that the loss of future goods that are undesired at the time of death can contribute to the badness of death." See Jeff McMahan, *The Ethics of Killing* (New York: Oxford University Press, 2002), p. 182.

*what is the case* to *what is good* (or what ought to be the case) requires some explanation and justification.<sup>31</sup> If animals are not capable of caring about their future opportunities, then it's unclear what this justification is supposed to be. One possible reply to this challenge is that the goodness of the future opportunities somehow inheres in the opportunities themselves, as a mind-independent property of the opportunities themselves. However, this idea, which amounts to a kind of "value objectivism," seems very strange. Hume would tell us to examine these future opportunities and see if we can find in the opportunities themselves their alleged "goodness." An individual doesn't find the goodness of her own future opportunities until she turns her reflection inward and finds a positive feeling that she has toward those opportunities. Likewise, J. L. Mackie, arguing against the notion of objective values, made the point that "if there were objective values, then they would be entities or qualities or relations of a very strange sort, utterly different from anything else in the universe."<sup>32</sup>

The idea that animals have an interest in continued life, then, is faced with the following challenge. It is questionable whether animals possess the level of self-awareness and the conceptual capacities that would seem to be required for having a desire to live. Moreover, animals do not appear to have other kinds of present concerns which would be thwarted by death, since they lack the kinds of long-range desires, projects, and plans that humans typically possess. However, the appeal to the idea that death harms animals because it deprives them of future opportunities for fulfillment faces significant problems: (1) it's not clear whether animals have future opportunities belonging to the same continuing selves, and (2) even if they do, it is unclear what makes future opportunities good for animals, since it's questionable whether animals are capable of caring about those opportunities. Based on these considerations, it might seem reasonable to conclude that animals do not have an interest in continued life. However, I believe this conclusion would be mistaken.

## V. WHY ANIMALS HAVE AN INTEREST IN CONTINUED LIFE

To understand how it is that many animals have an interest in continued life, I believe we must focus not on the future opportunities which continued life would afford animals, but rather on the kinds of present desires or goals which are thwarted by death. The common assumption is that animals do not have the kinds of desires which would be thwarted by death. They do not have long-range desires in their lives like the pursuit of a career, a relationship, or a family. But even assuming that this is a correct description of animals, is it true that long-range desires are the only kinds of desires which can be thwarted by death? The belief that they are, I suspect, is rooted in the assumption that desires are typically rather temporary or fleeting

<sup>31</sup> See David Hume, *A Treatise of Human Nature* (1740), bk. 3, pt. 1, sec. 1.

<sup>32</sup> J. L. Mackie, *Ethics: Inventing Right and Wrong* (Harmondsworth: Penguin, 1977).

in nature. They come and go. For example, a desire for food or sex is something which one experiences only temporarily, particularly if the desire is soon fulfilled. It may be difficult, then, to see how death could thwart a being's desires if a being is not capable of having any long-range desires or plans.

We are liable to accept the belief that most desires (including all animal desires) are fleeting if we think that one can have a desire only if one is presently experiencing that desire. However, this view of desires is shortsighted. Although it is true that some desires are fleeting, a more enlightened view of desires recognizes that many desires are more enduring insofar as they are *dispositional* in nature. For instance, consider the desire to live. Do we have a desire to live only when we are currently experiencing a desire to live? If this were true, then we would hardly ever have a desire to live, since it is infrequent that we actually experience this desire. One time when we usually do not experience a desire to live is while we are sleeping. Imagine that someone kills you (or attempts to do so) while you are sleeping, without you ever noticing, and then seeks to justify the act by claiming that you did not desire to live because you were not experiencing this desire. The claim would be mistaken, for even when we do not presently experience a desire to live, there is still a sense in which we continue to have a desire to live. We continue to have a desire to live because this desire is dispositional, meaning that *we would likely experience this desire given the appropriate circumstances*—for instance, if we perceive our lives to be threatened.<sup>33</sup>

Other desires can be dispositional too. For example, consider again the various long-range desires or projects that many people have, such as a desire to get an education in college, a desire to find romantic love, or a desire to be a good friend to someone. Most likely, a person does not experience these desires constantly. However, it would be inaccurate to suggest that a person no longer wants to achieve these goals when she is not actually experiencing the desires. Sometimes we simply are not thinking about our desired long-range goals. This doesn't mean that our goals and desires cease to exist; rather, they merely become our latent goals, for the time being.

The question we should be asking, then, is whether animals have any dispositional desires which would be thwarted by death? Even if it is true that animals do not have long-range projects or desires, I believe there is another sense in which many animals have enduring, dispositional desires—namely, insofar as they have various *enjoyments* or *likes* in life. Of course, different animals of different species

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<sup>33</sup> Michael Smith defends a dispositional analysis of desires in his book, *The Moral Problem*. According to this analysis, "desires have phenomenological content just to the extent that the having of certain feelings is one of the things that they are dispositions to produce under certain conditions." See Michael Smith, *The Moral Problem* (New York: Blackwell, 1995), p. 114. Smith's analysis covers a lot more ground than just the phenomenological content of desires, but it need not concern us for our purposes here. DeGrazia also endorses the view that desires as well as beliefs can be dispositional "in the sense that one can have them over long periods of time during which one is not consciously attending to or manifesting them." See DeGrazia, *Taking Animals Seriously*, pp. 101–02.

may tend to find enjoyment in different things. But among the things that many animals are capable of enjoying are family and other social relationships, forms of play, exploring the environment, environmental comforts (e.g., a warm day, a cool breeze, comfortable shelter), physical activity (e.g., running, swimming), and the pleasures of food, sleep, and sex. To enjoy something entails that one experiences a feeling of satisfaction or mental pleasure (distinct from a purely physical, bodily pleasure) upon having or experiencing that thing. Moreover, it entails that one *likes* the thing that one enjoys, meaning that one has and experiences a positive feeling or attitude of approval or favorability toward that thing.<sup>34</sup> In this way, one's enjoyment of a thing entails that one desires that thing. One has a feeling of care toward the thing one enjoys, in such a way that one is disposed or motivated in one's behavior to pursue that thing. It is in this sense that a being's enjoyments count as desires (and thus, are the kinds of things which can be satisfied or thwarted).<sup>35</sup>

It might be doubted though whether enjoyments are really the kind of thing which can ground an enduring interest in continued life. Aren't enjoyments experiences that are rather temporary and fleeting? My response is that, in many cases, enjoyments should be viewed not just as temporary experiences but rather, like many desires, as dispositional. To have an enjoyment need not mean that one is presently experiencing this feeling of satisfaction and liking, but rather it can also imply there are certain things in life that one has a continuing tendency to experience enjoyment over. For example, if I periodically enjoy making art, but I'm presently not in the mood to do so, it doesn't make sense to say that I no longer enjoy or like making art, so long as it is something that I still feel enjoyment over on occasion. Similarly, insofar as many animals periodically enjoy forms of play, it makes sense to think they have an enduring disposition or continuing tendency to feel enjoyment over playing, even when they are not presently experiencing that enjoyment.

In short, it seems reasonable to think that there is an explanation for why beings would desire and enjoy the same things on repeated occasions, the explanation being that there is an enduring disposition there to desire and enjoy those things. In the case of human beings, obviously a person can tell us that he or she has an enduring desire or enjoyment for some thing even when he or she is not presently experiencing that

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<sup>34</sup> In other words, I understand *enjoyment* here to not be synonymous with pleasure, since only enjoyment includes a favorable attitude towards one's pleasant experience. This distinction is similar to the difference between pain and suffering. Pain is a sensation and does not itself entail an attitude of dislike, since it's possible to like the feeling of pain. Suffering, on the other hand, involves not only pain or a negative feeling but also an attitude of dislike toward that experience.

<sup>35</sup> Understood in this way, are enjoyments the kinds of mental states that animals are capable of having? This is a large philosophical question in itself and there isn't sufficient room to address it here. To show that animals can have enjoyments requires showing, in particular, that they are capable of having propositional attitudes, since I have said that enjoyments involve desires. Having desires is commonly thought to require having certain related beliefs, and both desires and beliefs are commonly thought to be propositional attitudes, attitudes which can be represented as being about propositions or sentences (e.g., I believe *that the sun will rise*). I assume here, for the sake of my argument, that animals are capable of having these attitudes, and I have defended this point in other unpublished work.

desire or enjoyment. However, just because we can't ask animals why, on repeated occasions, they desire, enjoy, and pursue the same kinds of things doesn't mean that there isn't a similar explanation, namely, that they have enduring dispositions to enjoy those things. The alternative would seem to be that it is simply a coincidence that they happen to desire and enjoy the same things on repeated occasions.

Once we learn to view animals' enjoyments as enduring dispositions, it becomes easier to see how many animals have an interest in continued life. Animals have an interest in continued life insofar as they cannot continue to enjoy the things that they enjoy unless they are able to continue living. Life is necessary as a means to the satisfaction of their various enjoyments in life. Death harms animals insofar as it thwarts their enjoyments in life, preventing them from pursuing and enjoying the things they enjoy in life. Understood in this way, it becomes apparent that life is likely among the things which have the greatest value of anything for many animals, for life is necessary as a means to everything that animals enjoy in life. Correspondingly, death is typically one of the worst possible harms for many animals because it thwarts everything they enjoy in life and it does so permanently. Death denies animals of being able to pursue or partake in their various enjoyments ever again.

My account of animals' interest in continued life differs from the future opportunities view because I appeal to the idea that animals *presently* have desires which would be thwarted by death, rather than appealing to the foreclosure of *future opportunities* for enjoyment or fulfillment. As I showed earlier, the appeal to future opportunities is problematic because it's unclear whether future goods can even be connected to the same continuing subjects of consciousness. Moreover, it's unclear how the foreclosure of future opportunities would thwart any desires which animals are capable of having, and therefore, how it would harm animals. On the other hand, my appeal to animals' enjoyments in life avoids these problems. Because animals' enjoyments in life are dispositions which they continually possess in the present, there is no need to show that the same continuing subject of consciousness persists over time. Regardless of personal identity, there is a subject of consciousness who is harmed when its enjoyments in life are thwarted by death. This approach avoids the second problem as well because, unlike animals' future opportunities, it is not a complete mystery why we should think that the things which animals enjoy have value for them, since animals desire those things.

To be clear, death can harm animals even if they do not experience any suffering or frustration in the process of being killed—for example, even if they are killed painlessly while unconscious under an anesthetic. This is the case because regardless of whether they experience any suffering or frustration, death still typically thwarts animals' enjoyments in life. Even while unconscious, animals still possess enjoyments in life insofar as these enjoyments are dispositional.

It is possible that someone may object to this last point, arguing that it doesn't make sense to think that a being can be harmed unless it experiences or is aware of being harmed. However, this objection is deeply counterintuitive. For one, I think

that most of us believe that a human being who is killed in his or her sleep without ever realizing it is typically harmed by being killed, even though he or she does not experience any suffering or frustration. Therefore, the fact that animals might not experience the harm of death is no reason to think that it doesn't harm them. Moreover, there are other ways in which it seems that an individual can be harmed without being aware of it. For example, a woman's husband cheats on her, against her wishes, without her ever knowing it. I believe that the woman is harmed (i.e., she is worse off) as a result of her husband's actions, even though she does not experience any harm.<sup>36</sup>

Now, the objector might reply that in my examples the human beings are at least *capable* of having awareness of the harms caused to them. However, once again, there seem to be instances in which humans can be harmed by things of which they are not capable of being aware. Infants, the severely mentally handicapped, and the severely senile can be harmed by things such as diseases and pollution, despite their inability to understand these things. Moreover, for all we know, there may be things which are presently harming normal, adult humans—insofar as they thwart our basic desires such as for health and continued life—but which lie beyond our current understanding (i.e., things which science has yet to discover or explain). In short, the fact that animals are incapable of being aware of how death thwarts their enjoyments in life does not negate the fact that death does thwart their enjoyments in life.

Which animals have an interest in continued life? To sufficiently answer this question is beyond the scope of this paper. However, the answer depends on which animals it's reasonable to think are capable of having enduring desires or enjoyments in life. It requires an examination of the behavioral and physiological evidence for attributing desires to animals. Which animals exhibit the pursuit of goals in their behavior? Which animals behave as if they *care* about the goals they pursue? Which animals behave as if they have beliefs related to their goals? Which animals possess the physiological mechanisms necessary for having both desires and beliefs, particularly some form of complex central nervous system? These are some of the main questions we will need to answer to decide which animals have some interest in continued life.<sup>37</sup>

As one final point, to conclude that many animals have an interest in continued life does not imply that life has the same value for animals as it does for humans (or even the same value for all animals) or that death is as great a harm for animals as it is for humans. The comparative value of life (i.e., the value of life for animals

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<sup>36</sup> Steve Sapontzis makes the same point, arguing that suffering a loss (including death) need not entail awareness of the loss. See Sapontzis, *Morals, Reason, and Animals* (Philadelphia: Temple University Press, 1992), pp. 170–73.

<sup>37</sup> I have sought to address this question in other, unpublished work. My own view is that it is reasonable to attribute desires or enjoyments in life to a wide range of animals including all vertebrate animals and some invertebrates, such as the cephalopods. I argue that all of these animals meet both reasonable behavioral and physiological criteria for having desires and beliefs.

compared to the value of life for humans) is a separate issue from the question of whether life has any value at all for animals. I have argued here simply that animals have some interest in continued life, and that it is one of their most significant interests.<sup>38</sup>

## VI. CONCLUSION

Discussions of our moral obligations to animals often focus on the suffering we may cause animals. Less attention is given to the question of whether it is ethical simply to take the lives of animals, independently of any suffering we may cause them. When this question is addressed, it is commonly believed or assumed that animals do not have any right to life or that there is little if anything wrong with killing an animal, if done painlessly. One of the main rationales for this belief consists in the thought that while animals do have a basic interest to avoid feeling pain, they do not have an interest in continued life.

Some philosophers have sought to defend the idea that animals have an interest in continued life. However, the idea that animals have an interest in continued life is faced with significant challenges. It is unclear whether animals can value their own lives and they do not seem to possess long-range life-projects in the way that humans typically do. Moreover, although it may be argued that animals have future opportunities for fulfillment, it is questionable whether we harm animals by depriving them of these future goods. For one, it is not clear that future goods would even belong to the same continuing subjects of consciousness. But even if they would, depriving them of these future goods does not seem to thwart anything they are capable of valuing now, and therefore, it's not clear how animals are harmed.

I have sought to defend the idea that many animals have an interest in continued life. However, I have suggested that an account of animals' interest in continued life ought to focus not on their future opportunities but rather on the kinds of present desires which are thwarted by death. In particular, I have argued that many animals have various dispositional enjoyments in life which are indeed thwarted by death. Consequently, death is one of the greatest possible harms for these animals.

Because many animals have an interest in continued life, it follows that they meet a major requirement for having a right to life. Does meeting this requirement mean that they have a right to life? Not yet, for it remains to be answered whether there

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<sup>38</sup> Another possible challenge to my view stems from a general skepticism that death harms anyone. As Thomas Nagel explains, "There are special difficulties, in the case of death, about how the supposed misfortune is to be assigned to a subject at all. . . . So long as a person exists, he has not yet died, and once he has died, he no longer exists; so there seems to be no time when death, if it is a misfortune, can be ascribed to its unfortunate subject." See Thomas Nagel, "Death," in *Mortal Questions* (New York: Cambridge University Press, 1991). It is not my goal in this paper to address this general form of skepticism over the harm of death. My own view is that the harm of death must occur at the very instant that death occurs, to the subject whose life ends and whose desires in life are permanently thwarted at that moment. This answer appears to be different from Nagel's, but it is beyond the scope of this paper to go into this issue.

are additional requirements for having a right to life and whether animals meet these other requirements. For example, it might be thought that animals don't have a right to life because even if life has some value for them, it is much less than the value of life for humans. Moreover, some philosophers have thought that having moral agency is a requirement for having rights at all. These are issues which must ultimately be addressed.<sup>39</sup> Regardless, though, because death is among the greatest of harms for many animals, we should give much greater moral consideration to their lives themselves, in addition to their suffering.

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<sup>39</sup> I have sought to address these issues in other work I have done. My own view is that having an interest in continued life ultimately is both necessary and sufficient for having a basic moral right to life. One other important issue which must be reserved for other work is whether an animal (or a human, for that matter) can ever have an interest in not living but rather in dying.