

ARTICLES

An Unwelcome Implication for Omnivores?

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Abstract

Most people believe that animal agriculture for food production is permissible. At the same time, bestiality enjoys neither widespread social endorsement nor practice. It would be surprising, then, if it turned out that a commitment to the permissibility of one implied the permissibility of the other. This is the case that I make in this paper. Given the truth of some very plausible moral premises, I show that in a wide range of possible instantiations, if a social practice of raising animals for food is permissible, then so too is a social practice of raising animals for sex. While I don't explicitly argue for this, my hope is that this compels readers to reject the permissibility of animal agriculture rather than endorse the social practice of bestiality.

Keywords: animal ethics; social ethics; meat eating; veganism; vegetarianism

1. Introduction

Most people believe that animal agriculture for food production is permissible.¹ At the same time, bestiality enjoys neither widespread social endorsement nor practice. It would be surprising, then, if it turned out that a commitment to the permissibility of one implied the permissibility of the other. This is the case that I'm going to make in this paper. Given the truth of some very plausible moral premises, one can show that in a wide range of possible instantiations, if a social practice² of raising animals for food is permissible, then so too is a social practice of raising animals for sex.³ This, I will argue, follows *even* for social practices of bestiality which are significantly harmful to the

¹By "animal agriculture," I mean to refer to the institutions and social practices which together result in the raising and killing of animals for food.

²As the idea of a "social practice" indicates, this paper is not primarily about the permissibility of individual acts. This paper is about the justifiability of different social structures and the practices constituting them.

³An important note on the scope of my argument: I will be discussing the societies with which I am most acquainted. Mostly rich, "western" societies; societies where a vast majority of the population can be healthy absent animal agriculture, and thus, they don't *need* to raise and kill animals for survival. Social contexts wherein animal agriculture is necessary for sufficient nutrition are not subject to the argument I make in this paper.

animals involved. I take it that this conclusion is not altogether comfortable for a majority of readers, and so my hope is that the argument will compel people to reevaluate their stance towards animal agriculture. In other words, my aim in this paper is *not* to defend bestiality: it is to challenge the legitimacy of the social practice of meat-eating by showing its permissibility implies an absurdity.

To make the argument, I will need to substantiate two moral principles. The first holds that no *kind* of pleasure has any special justificatory force. I call this the “equality of pleasures principle.” The second holds that if it is permissible to perform an act to bring about some particular end, then, if some other act brings about the same end without doing any more harm, the second act is permissible too. This I call the “equivalent harms principle.” The first half of this paper is dedicated to both explicating and supporting these principles, then deploying them to argue for the conditional conclusion listed above.

Before proceeding, it is worth situating this paper in the existing literature to see how it progresses the conversation. I am not the first to observe that our attitudes toward different forms of animal use appear incoherent or hypocritical. Indeed, such inconsistencies have previously been leveraged in arguments against animal agriculture. For example, several authors have compared standard farming practices (e.g., debeaking, tail docking, and confinement in small cages) to the torture of companion animals and argued that, if the latter is impermissible, so too is the former (Norcross 2004; Engel 2016; McPherson 2015; DeGrazia 2009).⁴ Most relevantly, Jasmine Gunkel (2023) has recently advanced a parallel case argument against what she calls the “standard view,” which permits eating animal products while condemning bestiality and animal fighting. According to Gunkel, this view cannot be consistently maintained because all three activities share the property of causing great suffering without good reason, violating a basic moral principle (*ibid.*: 83). Like all parallel case arguments, her reasoning crucially hinges on ruling out possible symmetry-breakers, purported disanalogies between the practices which ostensibly justify our divergent moral assessments.

This paper seeks to advance the debate in two key ways. First, while previous work effectively pumps the intuition that there is something amiss in our divergent attitudes and judgements towards various forms of animal use, nobody has yet explicated *exactly* which principles, if correct, show these attitudes or judgements to be mistaken, hypocritical, or incoherent. This paper improves the ethical vegetarian’s position by introducing and defending the bridging principles needed to support the intuition at the heart of the arguments made by the above-mentioned authors. Second, my argument departs from standard parallel case reasoning by adopting a positive rather than negative structure. Instead of showing that no relevant difference has yet been identified, I construct a straightforwardly valid argument for the conclusion that if the social practice of meat-eating is permissible, so too is the social practice of bestiality. This imposes a new burden on critics: rejecting this conclusion requires denying a specific premise in my argument. This, I hope, will sharpen the dialectic between those who, like me, believe our practice of meat-eating is seriously objectionable and those who believe it is justified (or could be justified with some realistic improvements to the process).

The structure of this paper proceeds as follows: First, I’ll expound on and defend the two principles mentioned previously. Second, I’ll present the formulation of my argument – showing that by utilizing the principles we can derive the conditional

⁴Additionally, the moral status of bestiality has been explored by a number of philosophers (Levy 2003; Singer 2001; Morris 1997; Haynes 2012; Bensto 2023; Beirne 2001).

conclusion I stated above. Third, I'll consider and reject possible objections to the argument. And lastly, I'll conclude by summarizing the key moves of the paper and offering a brief meditation on the implications of my argument.

2. The Equality of Pleasures Principle

I'll begin by formulating the equality of pleasures principle in the following way.

Equality of Pleasures Principle (Unrestricted): If ϕ ing is permissible to bring about *some* form of pleasure, then ϕ ing is permissible to bring about *any* form of equivalent or greater pleasure.

Before arguing for this, a quick point on how I utilize the notions of “pleasure” and “forms of pleasure” throughout this paper. “Pleasure” here is meant to denote a pleasant/desirable physical or psychological state of being (Locke 1997: 216-19). A “form of pleasure,” in turn, is meant to demarcate the divergent ways in which these states arise or present themselves to sentient beings (Bentham 1907). I derive pleasure from food, jokes, sex, and friendship; we might, in turn, refer to these as gustatory, jocular, sexual, and social pleasures, respectively. I am not making any deep metaphysical claims about the nature of pleasure, and my argument doesn't rely on any particular view about such things. Whether these “forms” all collapse into the same fundamental thing – pleasure simpliciter – or they are distinctive, my argument will go through.⁵

Immediately, I want to make a move in the spirit of ecumenicism. Many will be tempted to reject the equality of pleasures principle because of so-called “sadistic pleasure,” pleasure whose object is another's suffering or victimhood. Philosophers ranging from Aristotle (2019: 191-3) to Rawls (1999: 27) and Kymlicka (2002) have held that pleasure of this kind is just bad, full stop. It thereby pulls no justificatory weight. If this is correct, then the equality of pleasures principle is false. Of course, there are plenty of others who may be willing to accept the equality of pleasures principle without restriction,⁶ but it is preferable if the argument I make in this paper doesn't hang on one's attitude towards this ongoing debate. The good news for us is that it doesn't need to. Neither a social practice of meat-eating nor bestiality need necessarily be done for sadistic reasons, and so it's possible to put this issue to the side for the sake of moving the paper forward. In this spirit, allow me to restate the equality of pleasures principle as such.

Equality of Pleasures Principle (Restricted): If ϕ ing is permissible to bring about *some* form of pleasure, then, besides sadistic pleasure, ϕ ing is permissible to bring about *any* form of equivalent or greater pleasure.

From now on, when I talk of the equality of pleasures principle, I mean to be referring to this slightly restricted version.

⁵I will also be assuming that pleasure is intrinsically valuable such that, *ceteris paribus*, the world is a better place with more pleasure, you have prudential reason to pursue pleasurable experiences, and you have moral reason to promote the pleasure of others.

⁶Cullity (2019: 26) calls the view that pleasure is good “no matter what [one is pleased by]” the “mainstream view,” and attributes it to “Plato, Brentano, Sidgwick, Moore, Ewing, Frankena, Chisholm, Lemos and Hurka.”

A final preliminary point. One might wonder if this restriction is objectionably ad hoc. I don't think it is. If sadistic pleasure is a counterexample to the equality of pleasures principle, it's because it's a special case. Plausibly, pleasure with another's suffering as its object has a character which renders it *intrinsically* disvaluable or wrongful. But other pleasures aren't like that. Obviously, you can act wrongly in pursuit of a nice taste, or a pleasant smell, or sexual fulfillment, but few contemporary philosophers believe that gustatory, olfactory, or sexual pleasure are *themselves* bad or wrongful.⁷ If we can be confident in the principle once we've excluded sadistic pleasure, then I don't see it to be anymore objectionably ad hoc than the principle, "Besides God, everyone has limits on their power." This "limited power principle," as we might call it, seems true, and an argument utilizing it to support a premise may very well be sound. That it contains an exception doesn't undermine this point, and because the exception is a genuinely special case (God is very unlike other beings), the principle is not unacceptably ad hoc. So too, *mutatis mutandis*, for the equality of pleasures principle and sadistic pleasure.

Enough preliminaries, why should we accept the equality of pleasures principle? On its face, the principle is intuitive and simple. If I am allowed to grind up some flowers from your garden because I enjoy the pleasant aroma, then surely I am allowed to grind those same flowers because I really like the color that is made by the grinding. Now, you might think *neither* kind of pleasure justifies my taking a flower. Maybe that is true, but that misses the point. The equality of pleasures principle is conditional. What the principle rules out is only that the *mere fact* that one derived some form of pleasure (say, olfactory) rather than another (say, visual) from *the very same act* (grinding up the flowers) could make a difference to whether one was permitted to perform the act in question. To reject the principle, one would need to hold that certain kinds of pleasure are sometimes or always more valuable than others, such that receiving the same quantity of one pleasure in a given context has more justificatory weight than receiving the same amount of another. Given that we've excluded pleasures which are purportedly of intrinsic disvalue, the onus is on one rejecting the principle to give us an explanation as to when and why this value differentiation occurs. The equality of pleasures principle ought to be our starting point, as it represents the simplest position on the justificatory potency of pleasures; what matters is the magnitude, not the kind. The amount of pleasure is like the total value of the money in your wallet. It buys what it buys, whether comprised of 100s or a lot of 1s.⁸

⁷It is important here not to confuse the permissibility of sex and the value of *sexual pleasure*. One might hold, for instance, that sex is only permissible within the contexts of a loving partnership, but this alone does not show that one takes sexual pleasure *itself* to be valueless. It is perfectly consistent to hold both that sexual pleasure is intrinsically valuable, and yet that an action (i.e., sex) which characteristically produces this good is only permissible if certain conditions are met. That said, there do seem to be genuine exceptions to the above. For instance, contemporary natural law theorists sometimes argue that only sexual pleasure derived from using the sex organs in accordance with their teleological function is good (Halwani 2023). These views are, however, minority positions in contemporary philosophy, which tends to have a much more liberal view of sex and sexual pleasure.

⁸One might wonder about the so-called "higher pleasures" discussed by Mill (1998). Roughly, Mill believed that the pleasures of the mind (higher pleasures), especially those which facilitate the perfection of one's deliberative capacities (say, like learning philosophy or appreciating beauty), were far superior to the lower pleasures involved in activities like eating a meal or playing a children's game. There are two ways to interpret Mill on this point, and neither causes a problem for the equality of pleasures principle as it applies to my broader argument. First, Mill might mean (as he seems to) that higher pleasures are categorically different from, and thus incommensurable with, the lower pleasures. In this case, we can further restrict the

But there are non-burden-shifting reasons to endorse the principle as well. Accepting the principle is the best explanation for our reaction to justifications that presuppose its falsity. So, we have an abductive argument. Let me show you what I mean through an example. Suppose Tom has misled Tina into having sex with him. He knew that Tina had strong political views which were opposed to his own, and so he pretended to endorse her views so that she'd sleep with him. That seems bad. Tom tricked Tina for sexual gratification! Imagine you confront Tom, and he says the following, "Oh no! You've got me all wrong. See, I have a very rare psychological make up. When I have sex, instead of experiencing the normal sexual pleasure others do, I experience incredibly potent taste sensations. Sex feels just like I am eating a decadent lava cake. So, what I did is much less wrongful than you thought!"

Suppose what Tom says about his strange psycho-physical constitution is true. I take it to be a datum that what we learn about Tom makes *no difference whatsoever* to the justificatory standing of his action. And by this, I don't mean his justification fails to change his action from being impermissible to permissible. I mean that what we learn about Tom simply doesn't move the normative needle *at all*. What could explain this? I posit that the best explanation is that the kind of justification he is offering *couldn't* move the needle. In other words, the form of pleasure he received isn't in itself justificatorily relevant. This is why we get the sense from Tom that he is somehow missing the point of your accusation. His justification borders on moral incoherence *just because* it presupposes the falsity of the equality of pleasures principle. And notice that this is not idiosyncratic to Tom's case. We might conjure up an arbitrarily large number of structurally identical cases (instances where we learn that one who appeared to do something wrong was doing so in pursuit of a form of pleasure we weren't expecting), and it seems to me that the form of pleasure will *never* make a difference in such instances. But if the equality of pleasures principle is false, then sometimes such justifications *should* move the normative needle. If you agree with me that it is highly unlikely we will find such a case, then you agree it is highly likely that the equality of pleasures principle is true.

Now, it only takes one counterexample to vitiate a principle, and, in addition, I cannot here rule out all possible alternative explanations for our reaction to Tom's attempted justification. The above, then, cannot decisively prove the equality of pleasures principle. However, insofar as the principle provides a simple and plausible explanation for our reaction to Tom-like cases, they provide strong evidential support for the principle's truth.

Finally, we might gain further confidence in the equality of pleasures principle by investigating a case which appears to present a counterexample but, on closer inspection, does not. Suppose Xander is known far and wide for both their cooking and sexual talents.⁹ Imagine that you don't like Xander all that much, but you could pretend like

principle to apply only to commensurable pleasures. On this more restricted principle, X quantity of *any* form of higher pleasure would have equal justificatory weight, and X quantity of *any* form of lower pleasure would have equal justificatory weight, but X quantity of lower pleasure would have *less* justificatory weight than X quantity of higher pleasure. For our purposes this is a non-issue, as eating and sex are both sufficiently "lowly," and so are commensurable on this first interpretation of Mill. Second, Mill might just mean that the higher pleasures are greater in magnitude. They are, that is, much *more* pleasurable for beings like us than the lower, base pleasures. On this interpretation, there isn't even a *prima facie* problem for the equality of pleasures principle. We can just consider higher pleasures a form of pleasure like any other and straightforwardly apply the principle as stated.

⁹I'd like to thank an anonymous reviewer for this case.

you did and benefit from these talents. Maybe if you flatter them a bit, you can get on their good side. The following claim might appear plausible. “It would be ok to ingratiate yourself with Xander to secure Q quantity of gustatory pleasure, but it wouldn’t be ok to ingratiate yourself with Xander to secure Q quantity of sexual pleasure.” If that were right, then we’d have a counterexample. However, once we get clearer on the case and its relation to the principle, we can see there isn’t an issue here.

The case above seems plausible only because “ingratiate yourself with Xander” operates as an equivocation. The equality of pleasures principle states that *vis-à-vis* the *very same action or set of actions* no form of pleasure can make a difference to its justificatory standing. But, when we start comparing different sets of actions – that is, when we make the “ ϕ ” explicated in the principle different – the principle is silent. But I suspect that is just what is occurring when we initially assess the above case. If we are persuaded by this case, we’re likely thinking something like this. “It seems alright to be a bit deceitful in order to eat some of Xander’s tasty food, but it wouldn’t be ok to do so to have sex with Xander.” After all, the proximate cause of the pleasures is not “ingratiating yourself with Xander,” it is what happens *after that*. But then the relevant actions here – eating Xander’s food and having sex with Xander, respectively – are not the same, we’ve illicitly represented two different actions as “ ϕ ,” and so this cannot constitute a counterexample to the principle as stated. There may very well be good reasons to worry about sexual relations that do not carry over to the sharing of meals. What we’d need for a genuine counterexample would be a case that explicitly held the actions fixed and shifted only the form of pleasure derived. Something like this, if true, would suffice, “It’s ok to ingratiate yourself with Xander and have sex with them to secure Q quantity of sexual pleasure, but it’s not ok to ingratiate yourself with Xander and have sex with them to secure Q quantity of gustatory pleasure.” But, if you’re like me, once we’ve properly formulated the case, it loses all initial plausibility qua counterexample to the principle. It again seems quite clear that the form of pleasure derived, in and of itself, couldn’t possibly make the difference with respect to your attempt to get in Xander’s good graces. What matters is what you’re doing, not the kind of pleasure generated by doing it.

3. The Equivalent Harms Principle

Let’s now evaluate the “equivalent harms principle.” I’ll begin by formulating it in the following way.

Equivalent Harms Principle (Unrestricted): If ϕ ing for the purpose of bringing about X is permissible, then, if ψ ing brings about X while causing no more harm to anyone, ψ ing is permissible too.

As an example, suppose that my home is being invaded. I take it that I am permitted to exercise deadly force to prevent the intruder from attacking my family. But suppose I could also stop them by pulling a lever that opens a trap door beneath their feet, immobilizing them in a net until the authorities arrive. Since being so detained is no more harmful to them than being killed, the equivalent harms principle says that pulling the lever is permissible. Put another way, if I know that 1) I am permitted to kill the intruder (ϕ) to prevent them from attacking my family (X), 2) pulling the lever (ψ) accomplishes the same goal (X), and 3) pulling the lever (ψ) does no more harm to anyone, then I know everything I need to know to infer that, 4) I am permitted to pull the lever (ψ).

Before investigating the principle further, two clarificatory points. First, the principle employs the Feinberg sense of “harm,” where harms are “those states of set-back interest that are the consequences of wrongful acts or omissions by others” (1984: 215). This precludes cases of non-wrongful setbacks to interests from counting as “harm” in the sense invoked by the principle.¹⁰ For example, Marley doesn’t harm Josh by outcompeting him in the job market. Second, what is meant by “no more harm to anyone?” The point here is that when comparing ϕ ing and ψ ing, there is no individual more harmed by the latter than the former. This principle is, in that sense, quite conservative. It is not enough that you lessen total harm, the principle applies only if there is nobody with a valid harm-based complaint against you choosing to ψ rather than ϕ .

Might there be counterexamples to the above principle? The best candidates orbit issues of consent. Sometimes Mike is permitted to ϕ specifically because Mika consented to that. It doesn’t immediately follow that Mike can do anything to Mika that is less or equivalently harmful. But we should be careful when trotting out consent to establish a counterexample. The principle states only that the alternative action is permissible when it brings about *the very same end* that justified the original action. So, for a counterexample, we need an instance where Mika consents to Mike ϕ ing to bring about X, ψ ing both brings about X and is no more harmful to anyone, and yet Mike is not permitted to ψ . Let’s build a case that has this profile and see what we think.

Suppose Mika has employed Mike to install a pool in her backyard while she’s out of town and unreachable. She hopes doing so will increase her property value by \$X. While she’s gone, Mike realizes that he could increase Mika’s property value in ways that Mika simply didn’t think about. For instance, he knows that if he resurfaces her driveway, this would raise her property value by \$X as well. Mika, let’s just stipulate, would be completely and totally indifferent between these two options. She quickly did some research and saw that installing a pool was an effective way to raise her property value, but had she looked a little more and noticed she could also resurface her driveway, she would have just flipped a coin between the two options. Still, Mika did not consent to her driveway being done. Our question is, is Mike permitted to take the second option anyway?

A few points need to be made clear before we can answer this. First, we are not asking whether Mike is likely to be in a position to know all this information about Mika and her preferences. We are assuming this is the case for the sake of the thought experiment. Second, we aren’t asking whether we have good reason for a general rule of thumb against doing this kind of thing. Surely this is the case, as real life is rife with uncertainty, and we ought to be careful as a result. Finally, we must be cautious not to smuggle in additional harms when evaluating the case. If Mika will be genuinely disturbed by not getting what she asked for, then clearly, she isn’t indifferent between the options that are actually available to Mike. So, with all of this put to the side, is it ok for Mike to do the driveway even though Mika hasn’t consented to this? I think the answer is *probably* yes. We can make sense of this on grounds of hypothetical consent. If Mika had all the relevant information, and she wasn’t clearly irrational, then she’d consent to having the driveway done. Notice that this will apply to every case in which consent purports to cause a problem for the equivalent harms principle. There is no instance in which someone who is rational would not hypothetically consent to some action which achieved the very same end as another with no more harm to themselves (holding fixed the harms to everyone else).

¹⁰Though I cannot defend this here, I will take a set-back to be “wrongful” when one’s interests are set back without one being liable for the set-back.

After analysis, I am inclined to accept the principle in full. Still, I imagine that cases like the above render this verdict somewhat contentious and so, as in the case of the equality of pleasures principle, I'll extend an olive branch to my more skeptical reader for the sake of moving the argument forward. Animals, as it turns out, do not consent to *any* of the treatments that we'll be discussing, and so this is really a nonissue in the practices I am evaluating.¹¹ For that reason, we can formulate a weaker equivalent harms principle, which is both extremely plausible and all I need for my argument to work.

Equivalent Harms Principle (Restricted): Assuming relevant parties have either 1) consented to both options or 2) consented to neither option, then if ϕ ing for the purpose of bringing about X is permissible, then if ψ ing brings about X while causing no more harm to anyone, ψ ing is permissible too.

One final point is worth raising in the spirit of maximal clarity. This principle, even in its restricted version, suggests that wrongdoing essentially involves a setback to interests. On one hand, this is obviously a substantive commitment and is therefore a place one might get off the boat. However, on the other hand, this entailment is far less exclusionary than it might appear, as the principle itself says nothing about what our interests *are*. If one takes a hedonistic account of welfare such that X is in one's interest iff X increases one's pleasure, and against one's interests iff it increases one's suffering, then this principle will countenance seemingly counterintuitive things. For instance, it entails that if it's permissible for me to mow my lawn using my own lawn mower, then, if I can use my neighbor's lawn mower without their permission to mow my lawn, and doing so doesn't cause them any suffering (say, they never find out), then I can use their lawn mower too. If this strikes you as an unacceptable conclusion, the problem *might* be the principle, however, it might also be the impoverished conception of welfare we assumed. If one accepts, as many do, that one has an autonomy interest in controlling the property to which one has an entitlement, then there is no mystery in seeing how you set back this interest when you use your neighbor's lawn mower without their permission.¹² This action, then, harms them. So, while the principle does necessitate a tight connection between harms and wrongs, it will still be plausible to a wide range of readers given a sufficiently capacious view of what is in our interest.

4. The argument

With both the equality of pleasures and equivalent harms principles argued for, I can formalize and make the argument for which this paper was written. Let A = a social practice of raising, killing, and eating animals for Q quantity of gustatory pleasure, let B = a social practice of raising, killing, and eating animals which is identical to A, except it generates Q quantity of sexual pleasure, and let C = a social practice of bestiality for Q quantity of sexual pleasure.

¹¹For discussion of consent as it relates to the moral status of bestiality, see: Bensto (2023: 9-13). For explicit exploration of the role consent plays in the moral status of bestiality *as compared to meat-eating*, see: Gunkel (2023: 86-7).

¹²I want to thank an anonymous reviewer for providing the lawn mower case and for pushing me on this point.

1. If A is permissible, then B is permissible (equality of pleasures principle).
2. If B is permissible, then, if C causes no more harm to anyone than B, then C is permissible (equivalent harms principle).
3. So, if A is permissible, then, if C causes no more harm to anyone than B, then C is permissible.

The best way to get an intuitive grip on the argument is to imagine comparing three distinct societies. Start with society 1, which raises and kills animals because they like the taste of meat. Now, look to society 2. They raise, kill, and eat the exact same types of animals, in exactly the same number, and in exactly the same way as society 1; however, they do so for sexual pleasure. All the members of society 2 have a strange psycho-physical constitution such that eating meat elicits sexual rather than gustatory satisfaction in them, the *quantity* of pleasure received, however, is identical across the two societies. The first step of the argument is to compare societies 1 and 2. Since the only difference between them is the form of pleasure the participants receive through the practice, the equality of pleasures principle says, if society 1's practice is permissible, then so is 2's. Now, consider society 3. Like society 2, they use animals for sexual pleasure, but instead of bringing this about by killing and eating them, society 3 directly engages in sexual acts with the animals they raise, i.e., they practice bestiality. Let's suppose that society 3's practice of animal use is no more harmful than 2's, and, in addition, the people in society 3 get just as much sexual pleasure from their practice as people in society 2 get from theirs.¹³ The equivalent harms principle says, if what society 2 is doing is fine, then so is what society 3 is doing. At this point, we can infer the central conclusion of this paper. If we assume that what society 1 is doing is permissible – that is, raising and killing animals to satisfy their gustatory preferences – then there is no room to criticize society 3 for engaging in bestiality to satisfy their sexual preferences.¹⁴

Abstracting a bit from the explanatory device of cross-society comparison, the core upshot is this. For any justified social practice of meat-eating aimed at bringing about gustatory pleasure, there exists a counterpart justified social practice of bestiality aimed at bringing about sexual pleasure. As long as the practice of bestiality, when compared to the meat-eating practice, secures just as much pleasure and does no more harm, the two are on a moral par.

5. Objections

5.1. “We don’t kill for mere gustatory pleasure”

An obvious objection one might raise is that in our actual culture, the social practice of meat-eating is not *just* for gustatory pleasure. It serves multiple other functions; namely,

¹³If it bothers you that this involves comparing the harm of social practices on different individuals, rather than looking at the effects of the two practices on the very same individuals, then we could reformulate this to say that the bestiality practice of society 3 is no more harmful to anyone than an alternative meat-eating practice they might have had would have been. And we can stipulate that the two practices would have involved exactly the same people and animals. Perhaps, for instance, all the genetic information for the animals involved was already saved in a “frozen zoo,” and the decision was just about what purpose to bring them into existence to serve. The cross-society comparisons is simply a device to help us see the underlying structure of the argument presented at the beginning of the section. If we want our device to mirror the structure of the principles exactly, we could conceive of the three societies as different possible ways the exact same people might interact with the exact same animals.

¹⁴Though the argument when formalized would *directly* state that society 3's practice needs to generate as much pleasure and do not more harm than society 2's practice, we know that these magnitudes are identical between society 2 and 1, and so we can formulate the conclusion as I have above with no issues.

economic productivity, cultural enrichment, and, of course, nutrition. These are not trivial pleasures. Our meat-eating practices serve an important, even crucial, social function. *If* we imagine a society that killed animals merely for gustatory pleasure, then maybe my argument would go through, but since that is not the way in which *our* animal killing functions, my argument does not meaningfully target meat-eating in the real world. At least, one might argue.

We need to draw a distinction here between the effects of a social practice, and the reasons some social practice is chosen to bring those effects about. There is no doubt that our social practice of meat-eating serves the above-stated functions. It does, just as a matter of fact, create jobs and provide nutrition. But the question remains, why *this practice in particular*? In the societies I aim to criticize in this paper, it is completely possible and practical to have a functioning economy, instantiate cultural values, and provide adequate nutrition without a practice of animal farming (Berners-Lee et al. 2018), and so these reasons do not provide a sufficient explanation. In those societies where the killing of animals serves necessary ends that cannot be served in some other way, e.g., in societies dependent on animal protein for survival, my argument has no bearing. That is a feature, not a bug, but this is simply not the situation in which those in wealthy western nations find themselves.

To see this distinction clearly, just imagine a counterpart culture to our own which practices bestiality rather than meat-eating. Suppose you tell them “Sexual pleasure is not a very good reason to have such a practice.” What would you think of the following response? “Well, we do not practice bestiality *merely* for the purposes of sexual pleasures. It is also an economic boon, a form of social bonding, and an important source of emotional intimacy. These are not trivial pleasures, so your description of our practice is far too vulgar!” Suppose further that all of those ends – economic development, social bonding, and emotional intimacy – could be served as well or nearly as well in other ways. The natural response would be to tell them that while their practice of bestiality certainly brings about these *effects*, the reason for which *this practice in particular* is chosen as opposed to others seems to be because it gives you an additional good, the sexual pleasure. And so, the original objection – that sexual pleasure is not a good enough reason to have a social practice of bestiality – is perfectly felicitous after all. As far as I can tell, this is just the case we are in with respect to our social practice of meat-eating. All the proposed, more noble, justifications are ones which do not essentially rely on animal killing. The one thing that does, the thing which appears to be doing much of the explanatory work, is that people like the taste of animal flesh.

There is another problem with this objection, and it is much more straightforward. It is clear that at least one reason for our practice of meat-eating is taste pleasure. Perhaps there are many other reasons which weigh in its favor, but it also serves this purpose. If that is true, then all we need to do to get my argument to work is imagine a case where a counterpart society’s practice of bestiality created as much or greater sexual pleasure *and* serves equally legitimate and important social values to an equivalent degree. As I suggest in the imagined counterpart case above, there are many such values one can suppose a society’s social practice of bestiality to serve. Perhaps it is a central activity in many holiday traditions. Maybe it is something that brings friends together for important socialization. Maybe it gives people a sense of intimacy and emotional connectedness to the world. As long as the scales are equalized, my argument goes through. So, even in the best case for nonessential meat-eating, in the case where the majority of the reason for the practice has nothing to do with trivial pleasures at all, we

can still concoct a society with a practice of bestiality which is justified if the meat-eating practice is justified. This objection, then, simply doesn't avoid the problem.

5.2. "Bestiality doesn't cause equivalent harms"

One might look at this paper's argument and think, "so what?" The argument explicitly states that a social practice of bestiality is permissible if the social practice of meat-eating is permissible *and* the bestiality causes no more harm to anyone. If one believes bestiality couldn't possibly fit this description – if, for instance, bestiality is necessarily more harmful to animals – then my argument poses no problem for proponents of meat-eating. This, however, is clearly too strong a position. We can undoubtedly imagine institutions promoting and facilitating meat-eating, which are so cruel that the argument that it is *possible* for a system of bestiality to be less harmful is trivially easy to make.

Take, for instance, our actual system of animal husbandry. A system in which roughly 70 billion land animals a year are slaughtered for food, 95% of them living the entirety of their lives in factory farms under conditions which can only be accurately described as torturous (The Humane League 2021).¹⁵ This would be an uninteresting paper if I aimed only to show that if a system like *that* is permissible, then a system of bestiality is permissible. Instead, let us shoot a little higher. The interesting question is if the best (realistic) case for meat-eating as a social practice can avoid the claim that a social practice of bestiality could be less harmful. For this reason, I am not going to be focusing on the institution of meat eating as it actually exists. Instead, I will imagine a world in which all animals are raised and slaughtered "humanely." By this, I mean they live their lives in a way that allows them to exercise normal species-specific capacities and are killed painlessly. The animals are, of course, still killed young. And it is worth noting that in this world, the pleasure derived from the practice will be reduced *dramatically*, as the price of meat would skyrocket to levels prohibitive for many.¹⁶ But I hope my meat-eating readers will believe I am giving the practice a fair shake by dealing with this counterfactual as opposed to the actual state of meat production. I will assume that 100% of slaughters are painless and that significantly fewer animals are killed. Can a system of bestiality be less harmful than *this* sort of social practice? If one wants to deny this, they need to hold that bestiality is more harmful either to persons or to animals (or both) than our imagined system of meat-eating. So, let's look at these options, starting with the latter. Might bestiality be a much more serious harm to an animal than killing?

The answer to the above will depend on what the act of bestiality is and which nonhuman animals we're talking about. I don't desire to get into graphic details about bestiality, but I think that we can easily imagine acts of bestiality which are not going to be seriously harmful to an animal. Both Singer (2001) and Bensto (2023), for example, forward cases wherein a woman declines to prevent her dog from initiating various sexual acts with her. Plausibly, such a case is deliberately chosen to be as innocuous as

¹⁵For an impactful description of the average life of animals in the factory farming system, I recommend DeGrazia (2009: 151-3).

¹⁶A November 2024 report by the USDA (2024a, 2024b) showed that "pasture raised" chicken breast sold for an average of \$13.57 more *per pound* than factory-raised chicken. This represents an increase of nearly 350% when compared to the national average. In the same month's report on "grass fed" beef, we see similar numbers, with price increases for steak from a grass-fed cow reaching higher than 200% above steaks from factory-raised counterparts. It is worth noting that even these numbers likely underestimate the costs of truly humane farming, as pasture-raised chicken and grass-fed cow are not guaranteed a painless death and are often sent to the very same slaughterhouses as their less fortunate, factory-farmed cousins.

possible, but the point stands. If there are cases of bestiality that are not harmful to animals, then the claim that bestiality is always more harmful to animals than killing is false. This is not to say that bestiality is never harmful, nor is it an attempt to defend bestiality. Rather, it is to say that my interlocutor is on shaky ground if they are relying on the claim that bestiality is more harmful than killing to avoid the conclusion of my argument. At least for social practices of bestiality constituted by acts like the above, this will simply not be the case.

Despite this, it is important to note that according to my argument a social practice of bestiality would not have to be harmless to be justified if a social practice of meat-eating is justified. It would just have to do *no more* harm than the equivalent (in terms of pleasure generation) practice of meat-eating. Here, another issue asserts itself. I've stated that I will imagine a meat-eating practice which consists entirely in painless killing. If one believes that painless killing is completely harmless to an animal, then my argument might run into trouble, as it will be impossible to do less harm to animals in a practice of bestiality. We might be pushed to think that at best I've shown that a system of completely harmless bestiality is permissible if a system of painless killing for meat-eating is permissible. This is still an uncomfortable conclusion, but it is certainly a less serious bullet to bite than what my argument will in fact imply, which is that because killing is typically a serious harm to animals, if a system of meat-eating is justified, a system of *even quite harmful* bestiality is justified too. The justifiability of a social practice of bestiality which seriously harms the animals involved is, I hope my reader agrees, a total nonstarter.¹⁷ So my argument puts one who wants to defend even an idealized social practice of meat-eating in an unenviable position. Of course, this relies on the claim that even painless death is a significant harm to animals. I turn to this point now.

To see if painless death is usually harmful to animals, we might benefit from first explicating a view of what makes *anyone's* death harmful to them. We'll then be in a better position to see if this applies to beings like cows, chickens, and pigs. I'll be assuming a version of the deprivation account of the badness of death (Kagan 2012: 206-212) in this paper.¹⁸ The view holds that how bad your death is for you depends (roughly) on how much good you miss out on by dying. On this account, it seems clear that an animal's death can be seriously harmful for them. If you kill a cow who would have lived 20 more good cow years had you not killed them, then you seriously deprive the cow, which is very bad for them. In turn, this constitutes a significant harm.

Many have thought that this account, as stated, is too simple. There needs to be some degree of psychological continuity which connects the being deprived by death with the being who would have received the goods in the future if death is to be a deprivation *for the being who died* (McMahan 1988: 56-8). A being who exhibits a truly moment-to-moment existence cannot have a prudential interest in their own future. In fact, it may

¹⁷Some philosophers have been willing to accept the possible moral permissibility of harmless bestiality (Bensto 2023; Singer 2001; Morriss 1997; Levy 2003). I know of none who have defended the permissibility of bestiality which seriously harms animals.

¹⁸The deprivation account needn't be true for my argument to work. All that needs to be the case is that death is harmful for animals. There are other accounts of death's harm which would secure this conclusion. For example, Benatar's "annihilation" account (2017: 102-10), where the mere cessation of living constitutes a bad for a living creature, would arguably support the view that animals are harmed by death. In addition, Nussbaum (2022: 159-69) argues for what we can call an "interruption" account, which holds that what is bad about death is that it frustrates the fulfillment of ongoing projects or otherwise distorts the narrative shape of a life. She defends the claim that this view grounds the harm of death for many animals.

be a kind of infelicity to call it “their” future at all, as it’s unclear that this kind of being would have anything like a temporally extended identity. Given this plausible augmentation of the deprivation view, the relevant question for us is, “Do animals have sufficient psychological continuity to make a painless death bad for them?” Another way of asking this question is, are nonhuman animals such that the goods they miss out on by dying count as goods *they* would have had, i.e., do they maintain identity over time?

To give a detailed argument on animal cognition would fall outside the scope of this paper, but because the claim that death is bad for an animal is quite important to my case, I will briefly survey some empirical and philosophical reasons to suppose that many animals have the kind of cognition required for their death to be bad for them. First, there is significant scientific evidence suggesting that animals have temporally extended selves, displaying both future planning and episodic memory. For instance, Hills and Butterfill (2015) argue that the foraging behaviors most animals engage in requires a rudimentary sense of a self over time to distinguish between real and simulated activity. Roughly, during scavenging and foraging behaviors (or, more artificially, maze-solving), animals must be able to imagine they took some act, predict what the outcomes would be, and know that they didn’t *actually* take that act if they are to be successful. They seem to be engaging in mental projection and subsequently delineating between mental representations and real selves. At least one study (Marino and Colvin 2015: 6) shows that pigs, when presented with two crates representing different amounts of confinement time, learn to identify which is which and come to prefer the crate that they associate with less future confinement. And Marino (2017) surveys evidence that shows that even the humble chicken displays signs of relevant cognitive sophistication. For instance, studies show chickens exhibiting self-control by forgoing immediate rewards to increase total rewards received at a future time, suggesting the chicken is engaging in mental time travel (ibid.: 134). These studies represent a very small portion of the growing body of evidence suggesting animals have a rich, temporally connected inner life (Healy et al. 2024; Jelbert et al. 2014; Panoz-Brown et al. 2016; Clayton and Dickinson 1998; Jozet-Alves, Bertin, and Clayton 2013; Clayton, Bussey, and Dickinson 2003; Crystal 2010, 2021; Roberts 2012).

With respect to the philosophical case, the strongest arguments work by assuming animals are the kinds of moment-to-moment creatures required for their death to be harmless and then noticing absurdities. For one, this view implies that it is worse for your otherwise happy, healthy dog that you pinch them than gas them to death (McPherson 2018; Gunkel 2023: 91). Most people find that *prima facie* outlandish. Second, animals can be highly intelligent. If, for example, a pig lacks the psychological profile needed for death to be bad for them, then killing 2-year-old humans may very well also be unproblematic. At the very least, it doesn’t harm *them*. If rejecting my argument requires one to endorse infanticide, then I take that as a bullet to bite. Third, it is hard to see how lifesaving surgeries could be justified on this conception of nonhuman cognition. Suppose you have a dog who needs to undergo a procedure which will cause some serious discomfort over the next month or so during recovery but will cause them to live an additional five happy dog years.¹⁹ This is not only permissible, but arguably required if you’re to be a responsible companion to your pet.²⁰ However, if my

¹⁹Case inspired by McMahan (2008), Harman (2012), and McPherson (2014) who forward a similar argument.

²⁰For an objection to this view, one might investigate Belshaw’s (2015) work, which argues that given the quality of life animals are capable of, it is nearly always better for them to die than continue living.

hypothetical interlocutor is correct, then getting this surgery is probably wrong. It is morally tantamount to inflicting a month's worth of pain on one dog to further another dog's life by 5 years (or, perhaps more precisely, to bring several new dogs into existence over a 5-year period). This is objectionable, as tradeoffs like this fail to respect the separateness of morally important beings. And so, if animals lack the psychological continuity required for their death to be bad for them, life-saving surgeries like this are at best highly questionable and at worst seriously immoral. This has to be incorrect.

While I can't hope to offer more than a cursory glance at the complicated questions of animal cognition and the ethics of death, I believe the considerations surveyed render the claim that animals can be harmed by a painless death presumptively quite plausible. Perhaps their deaths are *less* bad given a lack of far future goals that give one's life a kind of narrative (Korsgaard 2018: 7). And it may be the case that additional factors come into play when we are discussing the death of normally functioning humans,²¹ but none of this changes the fact that it would normally harm an animal to rob them of the positive experiences they'd have had otherwise. And that's all that needs to be true for my argument.

Finally, let's look at anthropocentric concerns. Maybe it's the case that while killing is often very harmful to animals, it turns out that animals are not the relevant locus of concern with respect to practices of bestiality. Maybe the issue is that such a system would be more harmful to *humans* than a system of meat-eating. To put my cards on the table, I think this move is extremely unlikely to work. Unless you take a highly moralistic account of sexual activity, it's very hard to see why bestiality is *necessarily* harmful to humans. Unless there is some harm intrinsic to it – perhaps, for instance, bestiality degrades your humanity or something in this vicinity – then it looks like whether it is harmful will just depend on the individuals involved and the social contexts they're in.

We can again imagine a counterpart culture to our own, one where a counterpart philosopher to myself is making a counterpart argument, but with all the mentions of “meat-eating” and “bestiality” switched. In that culture, bestiality is the norm, but the thought that one would *murder* an animal just because they enjoy the taste of their flesh is repugnant. In that culture, my counterpart is arguing that if their current social practice of bestiality is permissible, then a system of meat-eating for gustatory pleasure would be permissible. The counterparts of those who wish to deny my conclusion make the following point: “But meat-eating would degrade our humanity! So, while it could be made similarly harmful from the animal's point of view, *killing* for something so trivial as taste pleasure is anathema to a society of moral persons and corrosive to our dignity.”²²

What could my real opponent say to their counterpart here? Which one of them is right? In the actual world, people take bestiality to be perverse and devious, while in the counterpart world, killing for meat would be seen in just the same light. Neither has an obvious claim to an objective criterion of moral dignity. It seems that as long as the people in the counterpart society weren't too bothered by it, they are not going to be

²¹As a simple example, humans are often especially emotionally connected and dependent on one another, and this plausibly gives us more reasons to worry more about human deaths than the death of other animals.

²²Gunkel, in fact, makes roughly this argument when she states that “Animal product consumption is a practice that epitomizes what might erode fundamental parts of human identity. Despite its ubiquity, it conflicts with values that are central to our human identity, values such as compassion, and kindness towards the vulnerable” (2023: 94).

harmed or have their humanity degraded via bestiality, at least not any more than is done by an institution of meat-eating. One could just pound the table here and say that the perspective of the actual world is correct while the counterpart world is making a mistake, but one needs to argue for that. What specifically about bestiality causes it to be intrinsically harmful to our character/dignity/etc.?

Neil Levy (2003) has, to my mind, done the most to give content to this thought. His argument is that certain social limits are constitutive of our identity.²³ We think of ourselves not just as biological individuals, but as persons acting in accordance with a socially defined nature. As Levy puts it “to the extent that someone engages in bestiality, she will find it harder to retain a grip on her identity as a full member of our community, and we will find it harder to admit her to full membership [. . .] Crossing the species boundary is a significant act, at least for us, here and now, as we currently define ourselves” (ibid.: 454). And, for all I’ve said, this may very well be right. But we can see immediately that this sort of argument against bestiality cannot break symmetry between the two societies we are imagining. In our counterpart society, they would have defined themselves in accordance with norms which admonish animal-killing and accept bestiality. For *them* it would be similarly identity-undermining to engage in killing an animal to eat them. My claim is that neither society is positioned to tell the other that *their* identity-constituting norms are correct while the other’s are faulty. And, in fact, Levy agrees with this, and ultimately concludes that, while it can be rational *for us* not to engage in bestiality (for identity-preserving reasons) it is not, in and of itself, immoral. One can hold out here and simply assume there must be some way that bestiality is undignified (truly and objectively) in a way meat-eating isn’t, but I for one see no way to make this point without objectionable cultural chauvinism as the basis.

Apart from all of this, there is good reason to believe that a social practice of meat-eating is seriously harmful to humans. Meat-eating has been linked to increased risk of cancer (Wolk 2017; Anderson et al. 2018) as well as heart disease and death (Iqbal et al. 2021). It also *possibly* contributes to global pandemics (Débarre 2024). Additionally, animal agriculture contributes to huge amounts of climate change-inducing emissions (Steinfeld et al. 2006), uses incredible amounts of water (Hoekstra 2008), and inefficiently utilizes massive swaths of Earth’s arable land (Thornton, Herrero, and Ericksen 2011). It is unclear to what extent these costs would be mitigated under an “ideal” meat-eating regime where all animals were raised in nonharmful conditions and killed painlessly. In fact, issues of land use and water might be worse under such a system.

So, even in the best realistic case for a social practice of meat-eating, it is very hard to see how bestiality will necessarily, or even usually, cause more harm to humans. If this isn’t the case, then we will be able to imagine counterpart societies which receive as much sexual pleasure as the meat-eating society receives in gustatory pleasure and which additionally causes no more harm. My argument has been that in comparisons of that kind, if the one is permissible, so is the other.

6. Conclusion

My goal in this paper has been to defend a conditional. What I take myself to have shown is that even for an idealized version of the social practice of meat-eating, if it is permissible, so too are many social practices of (even quite harmful) bestiality. As the

²³For another response to Levy’s argument, see: Gunkel (2023: 93-4).

argument is built on what I take to be plausible moral principles – essentially, that no kind of pleasure is especially morally justificatory, and that if you are allowed to do harm, you are also allowed to do equal or less harm if it achieves the same end – one who wishes to deny the conclusion has work to do. I’ve suggested that a problem cannot be found in evaluating harms to animals or humans, because bestiality needn’t significantly harm either, and meat-eating practices usually seriously harm both. In addition, I’ve argued that the fact that a practice of meat-eating might also serve some other ends doesn’t hinder my argument, as we can imagine a counterpart bestiality-practicing society whose animal use generates equivalent pleasure *and* serves equally important social ends.

While I have not directly argued for this, my desire is that one who accepts the conditional conclusion of my argument chooses to reject the social practice of meat-eating rather than endorse social practices of bestiality. The alternative, or so it seems to me, is to essentially deny that animals have any moral worth whatsoever. If even harmful social practices of bestiality are permissible, then “why not vivisection for fun?” (Gunkel 2023: 96) Even though this question is asked rhetorically, it seems to me that this is where we may genuinely land if my argument is correct *and* if social practices of meat-eating are permissible. This is surely unacceptable for anyone who isn’t antecedently committed to the moral valuelessness of animals. For that reason, when confronted with the conditional conclusion of my argument, to ponens rather than tollens is, to my mind, not a genuine option. My hope is that a majority of readers will agree.

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