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FEATURE ARTICLE

# Puppies, Pigs, and Potency: A Response to Galvin and Harris

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First, my thanks to John Harris and Richard Galvin (2012, pp. 368–383 this issue) for their careful attention to my argument. The last time I responded to a paper pressing the causal impotence argument against my article, it was a futile attempt to justify general meat-eating. This time the attempt, equally futile, is to demonstrate a weakness in act-utilitarianism. Interestingly, the last attempt to press the causal impotence objection was also a co-authored paper. This is a sign of the unassailable strength of my original argument. It takes at least two philosophers even to try to assail it.

Here's the essence of their argument: 'it seems reasonable to suppose that any of us forgoing eating factory-farmed meat, whether on one occasion or even over a lifetime, is unlikely to result in any decrease in animal suffering. But then the act-utilitarian rationale for refusing to eat factory-farmed meat vanishes: no payoff in terms of reducing animal suffering entails no coherent act-utilitarian rationale for abstaining.'

The first point I would like to make is that my argument does not assume a particular ethical theory. I did not explicitly argue from act-utilitarianism to the immorality of eating meat. Of course, most of my arguments are consistent with act-utilitarianism. There is a good reason for that. Most of my arguments are good. There is one notable exception. The chocolate mousse a la Bama argument is not very good, at least in the traditional truth conducting sense. That is because it appeals to more deontological or virtue-oriented intuitions. So why did I include it? Two reasons. First, as I am constantly being reminded by the puzzled behavior of some of my fellow ethicists, some people actually regard their non-consequentialist intuitions as reliable. Although I would prefer that these poor benighted souls held the correct practical moral beliefs for the correct reasons, I would also by far prefer that they held the correct practical beliefs for bad reasons than that they held incorrect practical beliefs. Second, the chocolate mousse argument enabled me to include a joke about inbreeding in Alabama. Unfortunately, Blackwell's made me take

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the joke out of the published version on the grounds that it might be ‘offensive’ (that was the point!). Luckily for everyone with access to the worldwide web, the original unexpurgated version of the paper is available on my webpage. The joke is also included in the shorter version of the paper reprinted in the Rachels and Rachels anthology, *The right thing to do*.

I do have one more point to make about the chocolate mousse argument before moving on to the meat of John and Richard’s response to me. I claim in my article that it is obvious that no decent person could order Chocolate Mousse a la Bama. John and Richard respond that that is because “‘no morally decent person’ is an act-utilitarian”. They base this on the claim that there is no good act-utilitarian rationale for not ordering the mousse. While I dispute that claim, I do not actually need to deny it in order to argue that a morally decent act-utilitarian would not order the mousse. John and Richard seem to assume, along with philosophers such as Bernard Williams and Michael Stocker,<sup>1</sup> that if act-utilitarianism favors a particular action, a good act-utilitarian must be motivated to perform that action. However, this simplistic approach to moral motivation has been decisively refuted over the years by philosophers such as John Stuart Mill, Henry Sidgwick, Peter Railton, Julia Driver, and myself.<sup>2</sup> Given the fact that human motivational structures are not infinitely malleable, the best set of dispositions, from an act-utilitarian point of view, will almost certainly involve some dispositions that will, on occasion, lead the agent to act in a nonutilitarian fashion. This is why, for example, the tired old complaint that utilitarians cannot engage in friendships, has no grounds for argument.

On to the more serious argument. As John and Richard point out, I argue that we are not, in fact, causally impotent. I base this on standard expected utility calculations. Their response is twofold. First, they claim that there are, in fact, situations in which I can be certain that my choice to eat or not to eat a particular piece of factory-farmed meat will make no difference in terms of animal suffering. They construct the scenario of the ever-so-tasty chicken sandwich under the heat lamp and because it is nearly closing time, I know that this sandwich will be thrown away, if I do not eat it. Presumably, I also know that the Wendy’s folks do not adjust their purchasing according to how many sandwiches they throw away at the end of the day. I also know that no one will see me eat it, who would be thereby in any way influenced in favor of eating factory-farmed meat. I also know that eating this sandwich will, in no way, make me more likely to eat meat in future circumstances in which eating meat might have an effect on animal suffering. Notice how many suppositions we have to add to John and Richard’s original example, in order to get the results that they want. So, let us grant all these suppositions. My argument in my paper does not give us reason not to eat this sandwich. Fair enough. I am quite happy to claim that, if and when we find ourselves in such situations, we do not have moral reasons—related to animal suffering—not to eat meat. I see no problem with this. First, I suspect that these situations are going to be far rarer than John and Richard seem to think. Second, what is the problem with claiming that we have no moral reasons related to animal suffering to not eat the meat in these cases? Unlike Tom Regan, I do not start with the supposition that eating meat, even factory-farmed meat, is wrong under all circumstances, and then look for, or construct, a moral theory that will give me that result. I follow the arguments where they lead. In particular, I follow the arguments of the true moral theory where

they lead. These arguments show that buying and consuming factory raised meat is almost always significantly morally worse than various other easily available alternatives.

John and Richard's second line of attack seems to consist in challenging my use of expected utility calculations. Although their detailed analysis deserves a similarly detailed response, I only have the space here to discuss three of their claims. First, even if the average number of consumers giving up factory raised meat to cause a market adjustment is 10,000, it does not follow that I have a 1-in-10,000 chance of causing the correction. The chance may be higher or lower, depending on the circumstances. They seem to be talking about objective probabilities here. If I do not have knowledge of the specific circumstances, my subjective probability will still be 1-in-10,000. The puzzling thing about this claim of John and Richard's is that they also claim that objective probabilities will be either 1 or 0. That claim, of course, rests on the highly contentious claim that human behavior is not subject to indeterminacy. Since that is a matter for the neurophysicists, I will not go into it here.

I should make a point about my choice of a 1-in-10,000 chance. The number is simply a medium-sized number that seems fairly plausible to me. I have no idea what is the actual number of people whose change in meat-eating behavior would cause an adjustment in the number of animals bred and tortured for our pleasure. Given that the market is not totally irrational, there must be such a number, and it must not be astronomically high. However, it does not matter what the number actually is. Given that whatever correction takes place will be larger, the larger the number of consumers required to precipitate it, the expected utility calculation remains the same. Only, as I say in my article, if we know that there will never be a large enough change in meat-eating behavior to precipitate any counterfactual change in animal breeding, can we safely assert that my behavior will make no difference. But not only can we not know such a thing, there is, in fact, excellent evidence that the incidence of vegetarianism is rapidly increasing.

The next claim I want to consider briefly is contained in this passage:

while collective abstaining from eating factory-farmed meat would likely reduce animal suffering, one person's abstaining on some specific occasions is likely to have no such beneficial effect whatsoever. (Harris & Galvin, 2012, p. 383, this issue)

The response is obvious. If there really is no doubt that collective action will have causal impact, then at least some individual instances must have causal impact. Collective action is not some mysterious metaphysical category. It is simply lots of individual actions. If none of these actions have causal impact, collective action cannot have causal impact. Unless we have convincing reason to think of this particular action that it cannot have causal impact, we must regard it as having some, perhaps very small, chance of having such impact. As I said above, there may be a small number of relevant choices, regarding which we can be almost certain that our behavior will have no impact on animal suffering. In many other cases, the rational attitude to take is that there is a very small chance of our behavior having an impact on animal suffering. The mistake that John and Richard make in a large part

of the paper is to equate very small chances with zero chances. This may be psychologically common but it is hardly, thereby, ethically justified.

This brings me to the final claim of John and Richard's paper that I would like to discuss concerning our common reactions to cases involving very small risks of very bad things. Consider this passage from their article:

we risk great harms for trivial benefits all the time and it is not clear that we bear moral responsibility even when the risks do not obtain, especially on act-utilitarian grounds... You may desire a cup of coffee, but you realize that every time you drive your car you risk getting into a fatal car crash. Now, given the harms risked are so great, and the benefits gained by engaging in the risky behavior are small it appears that Norcross would have to forbid your trip for coffee. (Harris & Galvin, 2012, p. 378, this issue)

This is puzzling, on at least two counts. First, they are confidently predicting that I will forbid the trip for coffee based on the vaguest description of the size of the risk and the benefits. How small are the risks? 1-in-10,000? 1-in-1,000,000? 1-in-1,000,000,000? The differences are significant. How much do I enjoy coffee? Perhaps the difference in value between my coffee-deprived and my coffee-enhanced experiences really is more than a one millionth of the value of my life, but not more than a ten thousandth of that value. Since I have argued in several places in print that there is a number of fairly minor headaches, the prevention of which is worth more than a typical human life,<sup>3</sup> I am quite prepared to accept that a sufficient number of coffee experiences is more than my life is worth.

The second puzzling thing about their claim is the implication that if 'we' risk great harms for trivial benefits all the time and do not hold ourselves or others morally responsible for doing so, then we are not morally responsible. Although, as I said above, we may well be morally justified in taking car trips for coffee, depending on the actual risks and benefits involved, it is almost certain that many other forms of risky behavior are not justified. The fact that 'we' commonly engage in such behavior and do not find it morally problematic gives us no reason whatsoever to think it is not morally problematic. It was not so long ago that 'we' found nothing morally problematic in Jim Crow laws or denying the vote to women. More specifically, with regard to risky behavior, people in general are not good with large numbers, either as numerators or denominators. If you ask someone how much money they would require to engage in behavior that has a one in a million risk of death, it is highly unlikely to be significantly different from how much they would require to engage in behavior that has a one in ten million risk of death, certainly not ten times more. To argue from common attitudes to risky behavior, to a denial of expected utility theory, is similar to arguing from the fact that most people have intransitive preferences to a denial of the transitivity of 'all things considered better than'. That is why ethics is a philosophical discipline and not merely a psychological one. People are irrational. Ethics is not.

## Notes

<sup>1</sup> See, for example, Williams, *A Critique of Utilitarianism*, (1973) and Stocker (1990).

<sup>2</sup>See, for example, Mill (2003), *Utilitarianism*, Sidgwick (1981), *The Methods of Ethics*, Railton (1984), Driver (2001), Norcross (1997b, 2012).

<sup>3</sup>Norcross (1997a, 1998, 2002).

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