

## **Permissible Use and Interdependence: Against Principled Veganism**

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**ABSTRACT** *Are animals not ours to use? According to proponents of veganism such as Gary Francione, any and all use of animals by humans is exploitative and wrong. It is wrong because animals have intrinsic worth and humans' use of animals fails to respect that worth. Contra Francione, I argue that there are conditions under which it may be morally appropriate to collect, consume, sell, or otherwise use animal products. Francione is mistaken in his belief that assigning intrinsic worth to a being is impossible if said being is also conceived as a resource. Using and (non-instrumental) valuing are not mutually exclusive; if they were, many if not most human relationships would be deemed morally unacceptable. Through a series of thought experiments involving intra-human relationships, I suggest that moral condemnation of relationships within which a less dependent party regularly takes from a more dependent party is indefensible. In fact, relationships of use between asymmetrically dependent parties are essential to the functioning of cooperative society, and are therefore desirable. My aims with this article are to convince readers of the need to reject principled veganism, and to garner support for new philosophical accounts of morally appropriate human-nonhuman animal relationships.*

### **Introduction: Are Animals Not Ours to Use?**

In a recent publication defending abolitionism,<sup>1</sup> Gary Francione claims that:

. . . ethical veganism is the *only* position that is consistent with the recognition that for purposes of being treated as a thing, the lives of humans and non-humans are morally equivalent. Ethical veganism must be the unequivocal moral baseline of any social and political movement that recognizes that non-humans have inherent or intrinsic moral value and are not resources for human use.<sup>2</sup>

I argue, contra Francione, that there are conditions under which it may be morally appropriate to collect, consume, sell, or otherwise use animal products.<sup>3</sup> Critical analysis of Francione's position (identified as principled veganism<sup>4</sup>) that includes a series of thought experiments involving intra-human relationships will yield two conclusions. First, there is nothing essentially morally problematic about relationships within which independent parties use products from dependent parties. Second, such relationships actually form the bedrock of a cooperative society that includes a diversity of abilities, preferences, dependencies, and vulnerabilities among individuals. If I am right, then given the parallels between these human to human relationships and human to (domestic) animal relationships clearly present within a non-speciesist<sup>5</sup>

framework, two things follow: we ought to reject principled veganism, given that it is conceptually and empirically misguided,<sup>6</sup> and we ought to explore alternative frameworks within which to identify, understand, and encourage appropriate and desirable relationships between humans and animals. In agreement with Sue Donaldson and Will Kymlicka, I believe that '[e]nding the human exploitation of animals is a necessary start, but we need to know what non-exploitative relations might look like'.<sup>7</sup>

#### *A Brief Note on Connections to Disability Theory*

The proceeding argument that appeals to intra-human relationships involving persons with disabilities in order to tease out problematic assumptions common in the animal rights debate may strike some as discomfiting or even offensive. I am sympathetic to these concerns, and believe the discomfort is warranted. But it is precisely the pervasiveness of negative attitudes towards and exclusion from the political sphere of certain humans — namely, those with cognitive disabilities — that have helped motivate this article. Disability theory has inspired a new line of critical inquiry among political scholars by revealing the insufficient attention paid to the role of interdependence in human society, as well as the Western political tradition's deeply embedded tendency of defining the legitimate political subject (citizen) in opposition to those who fail to conform to standards of rationality (the other). In a recent paper critiquing Charles Taylor's construction of the citizenry as that which excludes the 'abnormal' and the conceptualisation of individuals with disabilities in Western political thought more generally, Barbra Arneil identifies and problematises notions of disability that do not merely limit but preclude possibilities for viable political subjecthood.<sup>8</sup> Portrayed as the rightful objects of charity as opposed to justice, individuals with disabilities are effectively excluded from meaningful participation in cooperative society. The reality of human interdependence is obfuscated by this tradition's presumption of a sharp and important distinction between individuals with and without disabilities, thereby ensuring a narrow and overly exclusive political community. Worsening the problem and ensuring a continuing cycle of exclusion is the fact that a lack of opportunities for meaningful participation will render individuals with disabilities even less visible in the community, effectively narrowing the already limited space for their contributions to that community.

In surveying feminist and disability rights responses to mainstream Western political thinking, Arneil is also able to uncover and critique the narrative of tragedy embedded in discussions of disability.<sup>9</sup> Part of what my argument is intended to show is that this misguided notion of disability as tragic bears analogous relations to those attitudes of pity undergirding abolitionist arguments in the animal rights debate. The dependent nature of domestic animals has been characterised as not only deeply abnormal but as so undesirable that it should motivate their eradication from existence. I believe that this position is clearly wrong, and that in fact we may in some cases be obliged to facilitate reproduction. Given the long and appalling history of forced sterilisation of individuals (usually women) with disabilities, and the ongoing implicit social aversion to couples with disabilities bearing children, it should be quite clear that attitudes of pity and the narrative of tragedy have contributed significantly to the continuing marginalisation of individuals with disabilities.

### **Background: Abolitionism and the Condemnation of Human-Animal Relationships**

Principled veganism is herein characterised as identifying any and all use of animals by humans as inherently exploitative and therefore wrong. This condemnation of use<sup>10</sup> is *total*; it applies not merely to the consumption of animal flesh, for instance, but rather to any use of any of their products or labour (and may therefore also be referred to as the ‘no use’ principle). Notably, use itself may be conceptually and empirically distinguished from exploitation in the context of intra-human relationships for Francione. It is domestic animals’ essentially dependent existence and legal property status that render our relationships to them unacceptable. Use cannot be disentangled from exploitation in the context of human-animal relationships, and for this reason, humans are morally bound to abide by the no-use principle.

It might be objected that the above analysis neglects a key distinction that, while never explicitly stated, is implied in Francione’s argument for the no-use principle. Francione, the objector could claim, is arguing that it is impermissible to treat animals as *mere* resources, just in the same way that it is impermissible to treat humans as such. Thus, just as Francione may allow that it is not impermissible for some individual to have a shop assistant ring up her purchase (provided the assistant is not working under conditions of enslavement), he may perhaps permit humans to treat animals as resources in a way that does not depend on those animals being relegated to property status. Applying this reading, it may be deemed clearly impermissible to continue to subject animals to the Draize test, in which some experimental product is applied directly to the eyes and/or skin of the animal, who is conscious and restrained, in order to test for the product’s safety.<sup>11</sup> On the other hand, it might be deemed permissible to bring dogs into nursing homes as part of a senior’s mental health program, (provided those dogs are not treated as mere means for increasing human quality of life). The presence or absence of implied property status is therefore what conditions the permissibility of use, in the sense that treating some being as a mere resource may only be justified through conferring property status to that being, thereby rendering such use wrong given the wrongness of conferring that status. In Francione’s words, ‘[t]he abolition of animal exploitation necessarily requires a paradigm shift away from the status of animals as property and to the position that animals are moral persons. Personhood is inconsistent with the property status of animals and with any animal use, however “humane” ’ (2010, p. 4). Property status, for abolitionists such as Francione, precludes recognition of inherent worth, and using animals as mere resources implies or requires property status. The no-use principle is thus more accurately interpreted as the no mere use principle.

It may be plausible to read this distinction between using as resource and using as mere resource into Francione’s argument, but doing so will not effectively defend against the criticism I wish to make. If treating animals as mere resources is a product of their property status, removing or discounting that property status should allow for permissible use; that is, use in the same vein as that pursued in relation to other humans. If the principled veganist is willing to accept that we may use other humans in the sense described above (i.e. taking advantage of their services) without failing to recognise said humans’ inherent value, we should be able to say the same for animals. Use *itself* is not the rightful target of a principled objection. This point seems to be recognised by Tom

Regan, who correctly despairs at the inevitable implications of viewing animals as resources in the sense of their being here *for us* to use:

The fundamental wrong in the system that allows us to view animals as *our resources*, here for *us* — to be eaten, or surgically manipulated, or exploited for sport or money. Once we accept this view of animals — as our resources — the rest is as predictable as it is regrettable. Why worry about their loneliness, their pain, their death? Since animals exist for us, here to benefit us in one way or another, what harms them really doesn't matter . . .<sup>12</sup>

Viewing animals as resources in *this* sense is indeed incompatible with recognising their intrinsic value, thereby precluding the possibility of acceptable use. There is no clear reason, however, to conclude from Regan's claim that any interaction with animals that benefits humans (and is intended to do so) is impermissible. Animals are not here for us, just as other humans that we may easily take advantage of are not here for us, but we may take from (use) either set of these beings in ways that do not preclude recognition of their intrinsic value. Accepting Regan's conception of 'animals as resource', then, does not lend credence to the no-use principle. Although the distinction between use and mere use might be technically available to Francione, it can carry no practical significance; the possibility of using animals without appeal, implicit or overt, to their property status, is shut down from the start.

Veganism's plausibility thus hinges on the impossibility of permissible use, which is made clear in Francione's claims regarding the extinctionism to which abolitionists must inevitably be committed: '[t]he recognition that animals have a right not to be treated as the property of humans would *most certainly mean that we should stop bringing domesticated nonhumans into existence*'.<sup>13</sup> It is only through facilitating the non-existence of domestic animals that we can be assured of the dissolution of conflicts (real or perceived) between human and animal interests,<sup>14</sup> and therefore the cessation of animal exploitation. This is where Francione's argument's speciesist undertones become most evident: emancipation for animals requires their complete removal from the human sphere, as all human treatment is unacceptable. The same is not true for groups of humans that have been or continue to be radically disempowered, through historical relegation to property status, systemic and systematic marginalisation, indifference, violence, and oppression.

I agree with Francione's claim that all animals must be regarded as having the right not to be treated as property just in the same way humans have that right. However, it seems that what is truly at issue for him is domestic animals' dependence on humans — and mere dependence does not clearly operate as a sufficient condition for appeal to the no-use principle. Of relationships between humans and domesticated animals purportedly defined by companionship rather than ownership, Francione remarks:

Unlike human children, who, except in unusual cases, will become independent and functioning members of human society, domestic animals are neither part of the nonhuman world nor fully part of our world. . . . We may make them happy in one sense, but the relationship can never be 'natural' or 'normal'. . . . They are perpetually dependent on us. We control their lives forever. They truly are 'animal slaves.' We may be benevolent 'masters,' but we really aren't anything more than that. And that cannot be right.<sup>15</sup>

This claim showcases a materially inaccurate and ableist assumption that only in rare cases do humans not become independent, and that those beings who fail to become independent are necessarily precluded from engaging in non-exploitative relationships with ‘normal’ humans, or from becoming functional members of society. It is unclear whether ‘normal’ humans therefore have an obligation to prevent dependent humans from breeding, or from coming into existence generally, though Francione would seem to be committed to that position given the following remark about the dogs he has rescued, and his ostensible non-speciesism: ‘. . . although we enjoy caring for them, it is clear that *humans have no business continuing to bring these creatures into a world into which they simply do not fit*’.<sup>16</sup> Such claims help illuminate some questionable features of abolitionism concerning the nature of relationships between less and more dependent parties. Specifically, they suggest that veganism, and its motivating abolitionist approach to animal rights, must rely on either speciesist or ableist assumptions.<sup>17</sup>

### **Beyond Mere Dependence: Three Thought Experiments**

I am suggesting that Francione is mistaken in his belief regarding the incoherence of assigning intrinsic worth to a being one also conceives as a resource, and that this holds true even in cases where one party is clearly dependent on another’s care for her survival and wellbeing. In fact, regarding the beings with whom one engages (for instance, as a caregiver) as resources in *some* sense (not Regan’s) is a precondition for their participation within a mutually beneficial and cooperative relationship. To show that the position that morally condemns any and all relationships of use between asymmetrically dependent parties is indefensible, I will now introduce a series of thought experiments involving relationships of use between humans for whom becoming independent was and is not possible and humans who have become (more) independent. These contain arguably relevant parallels to idealised (but not implausible) relationships between nonhuman and human animals.

Consideration of the following scenarios reveals an important error in Francione’s original claim: paying respect to beings in a way that acknowledges their intrinsic worth is not in contradiction with, and indeed may be required by, a simultaneous understanding of said beings as resources that one may take from. It is also an empirical fact that there are many situations in which a being is both viewed as a resource, and as intrinsically valuable. Given the interdependent nature of human existence, using and (non-instrumental) valuing must not be mutually exclusive; if they were, many if not most human relationships would be deemed morally inappropriate. And clearly, humans are not the only creatures with whom we find ourselves in interdependent relationships: hundreds of millions of animals depend on humans for their basic survival needs, and our human lives would unquestionably diminish in quality with an absence of contact with such animals. If it can be demonstrated of intra-human relationships and communities within which some party is both significantly dependent on other parties and simultaneously viewed as a resource that they are not clearly morally problematic and indeed may be morally desirable, we should be able to say the same thing for human-animal relationships and communities of a similar nature.

*Thought Experiment 1: Labour*

Imagine you run a group home for adults with moderate to severe cognitive disabilities. In this home you and some other adults without such disabilities care for these individuals by providing them with sustenance, shelter, intellectual challenges, social stimulation, and affection. Given your efforts, they live what seem to be good lives, indicated by self-assessments, standard psychological indicators of wellbeing, and objectively identified measures of what constitutes a good life (e.g. experience and expression of a range of emotions, friendship, facing challenges, etc.).<sup>18</sup>

Without your care, the adults with disabilities would either perish or lead very poor lives, as they are unable to care for themselves without a great deal of assistance. Without them, you and your fellow caregivers would certainly survive, and may have good lives, but you would still have less wellbeing given the delight you often take in their company. You would also have worse lives in objective terms, having lacked the opportunity to engage in these caring relationships as well as to cultivate the virtues typically associated with caregiving in the context of a group home (e.g., attentiveness, patience, courage, etc.). Of course, given that you are not dependent in the same way, you are able to choose to leave — but, let us suppose, not before finding a suitable caregiver to take your place.

Imagine that instead of dividing all tasks of general household upkeep and management among the caregivers without disabilities, you instead decide to assign tasks to each person according to their abilities and preferences. Some of the individuals with the most severe disabilities will only be capable of, for instance, collecting the mail, or even just cheering on others completing tasks, whereas some will be willing and able to, for instance, make the beds, put away groceries, or assist in the care of others.

The question is, would it be exploitative, disrespectful, or a general affront to the disabled adults' dignity to request — or even expect — that they contribute in one or some of these ways? Would it at least be morally preferable to refrain from making such requests or holding such expectations?

To provide a clearer picture, assume that if the individuals with disabilities expressed persisting negative feelings about or general aversion to an assigned task, they would be relieved from that post and provided a break or assigned a different task (e.g. from a solitary task to a social one, or vice versa). No one would ever be physically forced or coerced to contribute. Persistent refusal to contribute would be initially treated as a potential symptom of an unresolved and debilitating psychological or physical ailment (e.g. chronic pain) and would be addressed by a health care practitioner who specialises in the treatment of individuals with cognitive disabilities. In the case that no such ailment existed and the individual was simply not willing or able to contribute for whatever reason, her care would continue as usual, with special efforts made to enrich her participation within the household and to encourage concrete contributions (the type of which being the individual's choosing within a wide and varied list). No punishments would befall individuals who failed to contribute.

To conclude that these individuals are being exploited or maltreated in some other way implies that having and expressing expectations for these individuals in terms of their labour is morally inappropriate. But such a reading of the above example seems misguided. Rather than portraying a clearly exploitative situation, the above scenario seems to depict a mutually beneficial and respectful set of relationships that make up a cooperative household. Even those who have the most severe disabilities and are

therefore most vulnerable to exploitation are having something asked of them; they are, barring circumstances not attributable to their dependent and vulnerable state, expected to contribute to the household in some way.

We might say then that these individuals receiving care are not the sorts of beings that are the appropriate subjects of expectations in terms of contribution to the household, given their diminished capacities to decide rationally what they wish to do and the sort of lives they wish to have. It seems wrong to expect individuals to contribute to the perpetuation of a state of affairs that they do not have the capacity to rationally evaluate as good or desirable. This reasoning, notice, allows for justified expectation that household contributions be made by individuals without cognitive disabilities; given that such individuals have made the autonomous choice to participate in a given state of affairs, they have the obligation to facilitate its continuation in some way. To do otherwise would be to free ride.<sup>19</sup>

But to argue that those who do not meet this criterion — that amounts to possession of the two moral powers identified by Rawls as expressed through capacities that ‘allow them to assess the justifiability of the terms of social cooperation’<sup>20</sup> — should then be excluded from the contribution requirement, entails commitment to a problematic stance on the appropriate place of disabled persons in society. Individuals with disabilities would, it seems, continue to be respected as beings with intrinsic moral worth and in possession of basic negative rights under this approach. However, if membership necessarily includes reciprocal relationships, they would also be excluded from the moral community in some substantive sense. Given the non-forced nature of their continued participation within any given household, it seems not only uncomfortably paternalistic but also plainly misguided to deny these individuals’ endorsement of their way of life and their rightful position as household contributors. Rather, acknowledging the adults with disabilities’ status as legitimate sources of labour, as beings that may be *taken from*, is necessary for their full inclusion within that cooperative community.

### *Thought Experiment 2: Product Consumption*

Now imagine the situation with one difference. It happens to be the case that the individuals with disabilities frequently draw a very small amount of blood from themselves with a virtually painless prick of a needle. They engage in this activity nearly daily. In drawing the blood, they extract it into a vial, and place that vial in a location to which they routinely return. They prefer to do this in privacy, needing time away from the group and their household tasks, and when seeking to draw blood they will ignore opportunities for pursuing goods for which they would otherwise demonstrate preferences (such as socialising, eating cookies, etc.). If their efforts to accomplish this task are thwarted, the individuals with disabilities react with frustration and repeated attempts to engage in the behaviour. When consistently prevented from engaging in the behaviour, they often experience headaches and nausea. Given that pursuing this activity does them no harm (suppose that for whatever reason, their cognitive deficits provide no barrier to the safe accomplishment of this deeply ingrained habitual behaviour), the caregivers attempt to enable them to pursue this activity freely, and in a suitable environment.

Now imagine further that it just happens to be the case that this blood, only after it has been drawn by the individual with disabilities herself, has properties quite different from average human blood. This blood, in small quantities, is actually very nutritious, and a

highly pleasant tasting food additive — for instance, adding flavour and texture to soups and stews — and also may be used for some health and cosmetic purposes, such as skin moisturising. This is recognised by the individuals with disabilities themselves, and they sometimes consume or otherwise use the blood drawn by themselves or others (though only a small portion of what they produce). They express no qualms when others remove some of the vials from their chosen location, as long as they do so calmly.

It does not seem obvious to me that the above describes an exploitative relationship. But the veganist seems committed to saying that it is not only exploitative, but furthermore morally equivalent to the practice of, for instance, forcing the disabled persons to draw as much blood as possible until they died from loss of blood, or, if it were possible to do so, killing the disabled individuals to retrieve their blood. Of the widely recognised (supposed) difference between consuming the flesh of animals and consuming their products, Francione claims that, for instance, ‘To not eat beef but still drink milk makes as little sense as eating flesh from large cows but not from small cows’.<sup>21</sup> His claim, that it is inconsistent to consume or otherwise use the products from an animal if one condemns consuming or using its flesh (in such a way that would require killing the animal), reveals a failure to recognise the differential degrees of injustice and harm realised in the respective idealised scenarios of consuming the products or the flesh of a being. The relationship within which one party’s flesh is consumed by the other party is *essentially* exploitative,<sup>22</sup> because it requires the subordination of one party’s (critical) interests to the other party’s (experiential) interests (here, the interest in having tastier soup versus the interest in continuing to exist).<sup>23</sup> Such problematic interest balancing does not feature in the above scenario; in fact, there is arguably *no* interest balancing, or at least there is no need for it. Moreover, if death is a serious harm, the use of flesh necessitates serious harm where product use, as the scenarios are meant to show, necessitates no harm.<sup>24</sup> So it is not clear how the individuals in question are either wronged or harmed. It seems that we are not justified in condemning situations where something produced by a dependent party, at no cost and indeed significant benefit to themselves, is used by the caring party, unless there is something essentially wrong with expecting or even accepting contributions — from or of their bodies — provided by vulnerable, dependent beings receiving care.<sup>25</sup> Given that the dependent parties in this instance are taken to create the product with no aversion to that product’s consumption, we are again left with no clear moral reason to prohibit these actions, and in fact, might be wrong to prohibit them.

### *Thought Experiment 3: Selling Product*

Now imagine the original situation with one other difference. Imagine that the individuals with disabilities in your care share the extraordinary feature of significantly accelerated hair growth; their head hair grows at a rate approximately twenty times that of other humans. The caregivers know that cutting and packaging their hair (the timing of which will vary according to the expressed hair length preferences) will help the home turn a profit if they sell it to wig and extension manufacturers. Assume that making this money will make the caregivers’ lives easier by allowing them to purchase instruments of convenience, such as cleaning tools, or a family van. The money will also make the individuals with disabilities’ lives better by facilitating the caregivers’ provision of optimal stimulation (e.g. through purchasing games or art supplies, taking

trips, decorating the household in an aesthetically pleasing way, etc.). Finally, the money will allow the home to expand, taking in more people who need care. It will be used to these ends and these ends alone.

Is it exploitative for the caregivers to collect the disabled individuals' hair with the aim of selling it to wigmakers, and turning a profit? Ought they instead discard or store the excess hair? Would it be, at the very least, morally *preferable* to do so? For proponents of veganism, to do otherwise would demonstrate the disabled individuals' enslavement. According to Francione, 'Animal advocates who claim to favour animal rights and to want to abolish animal exploitation but who continue to eat or use animal products are no different from those who claimed to be in favour of human rights but continued to own slaves'.<sup>26</sup> It is not, however, at all clear to me that in collecting and selling the disabled individuals' hair, the caregivers are treating these individuals as slaves or denying their inviolable rights not to be treated as property. If this situation were such that even those individuals expressing fear or distrust in the process of having their hair collected in this way were nonetheless forced to allow its collection, the exploitation would be obvious. That is not the case here. And by denying that it is possible for the disabled individuals to contribute in a way that is not forced or unpleasant to them, we also deny the desirability of their participation in a cooperative community, and prohibit caregivers from asking anything of those for whom they care. Taking from more dependent parties for financial gain may be not only morally permissible but also morally desirable, given the benefits that will be bestowed upon all parties and the continuance of a cooperative community that doing so allows.

### **Abolitionism/Extinctionism, Ableism, and Isolation**

Now suppose you are convinced that if you and your fellow caregivers were to refrain from expecting any labour from the adults with disabilities, using their products, or selling their products, then the world would be viewed as a *much better place*. It would be a better place because no one would be *using* vulnerable others for anything they could provide, even things that they in some sense can't help but provide. Engaging in such acts is regarded as so exploitative that it amounts to slavery, and therefore must be prohibited even if wellbeing is preserved (just like it was required that slavery be abolished even for those cases where slaves were treated like 'members of the family'). Thus morality requires that the individuals for whom you are caring be emancipated from your household's oppressive regime.

What would it mean for these individuals to be emancipated? It would mean freedom from being used by us, freedom as individuals who do not owe their labour or products to anyone — it would mean that the caregivers would be morally barred from viewing the disabled persons as legitimately and rightly providing them with labour and useful products. The freedom being protected here is clearly a kind of negative freedom — freedom *from* being a means to an end, even if that end is something the individual as means both partakes in and benefits from (in this case, a cooperative<sup>27</sup> household).

With this response, a new series of questions arises: what can this negative freedom mean for an individual who is almost wholly dependent on the care of others for survival and wellbeing? Given that the individuals with disabilities featured in the preceding scenarios will continue to require the constant care of others, in what sense can their

freedom from their caregivers be valued, and practically pursued? Or, is dependency a barrier to the sort of freedom that is insisted upon by abolitionists? Given Francione's preceding claims, this seems to be the case. It is important to notice that veganism *mandates* the uni-directionality of relationships between the caregiver and the person she cares for, because any expectations the caregiver has of the person she cares for are necessarily interpreted, in this view, as intentions to *use* that person. And of course, in some robust sense, that is precisely what is going on; the caregiver is using the dependent other for her own social pleasure, convenience, or resources. But what I am attempting to establish here is that it is not always wrong to use others, even (or especially) those closest to us. Moreover, if the nature of the individual's emancipation is manifest as a prohibition of her making, and caregivers expecting, contributions to the community that cares for her, it is not clear how this emancipation restores either justice or her wellbeing.<sup>28</sup>

### *The Goodness of Taking: Final Scenarios*

I will now offer two final brief scenarios intended to highlight veganism's failure to grasp the nature of caring relationships indicated by its prohibition of accepting tangible contributions to one's household or community from dependent individuals. I take these last scenarios to be particularly helpful in showing why we ought to understand relationships of use as the precondition for diverse and cooperative communities. They should help provide a positive account of the moral desirability of relationships of use between differently dependent beings.

Imagine you are the parent of a hardworking adult child, who lives away but comes to visit often and during each visit, helps you with household tasks such as lawn and garden care, housecleaning, etc. She is then involved in a tragic car accident that leaves her with a severe brain injury, diminishing her higher cognitive functions to a level comparable to a young child's, but physically fine. You now care for her full time with the help of some others. Somewhat surprisingly, she persistently expresses a desire to continue to perform the same tasks she did before the accident, and often successfully does so. You are, at first, mildly discomfited by this, but given the facility with which you are able to implement some safety accommodations, you do not prohibit her from pursuing these tasks. Are you wrong to do this? Is it now morally inappropriate of you to allow or, even worse, encourage, this labour on her part?

Finally, returning to the group home example, imagine that one of the caregivers has a stroke and as a result finds herself with cognitive disabilities. Is it no longer acceptable to accept or encourage her engaging in the tasks she was in charge of prior to the stroke, even if she seems to enjoy doing so and is able to accomplish many of the same tasks with negligible risk of harm? The intuitive conclusion seems to be quite the opposite, that she should be welcomed to make these contributions.

In both of these scenarios, the only thing that has changed is the level of the given individual's dependence as a result of impaired cognitive functioning. The individual is newly (more) vulnerable, which makes her potential exploitation both more likely and more worrisome. But to reject or discourage her contributions simply because of this new state is clearly not obligatory. Rather, as her loved ones and caregivers, we are obliged to accept and encourage her ongoing contributions. To do otherwise in such situations would seem both malevolent and disrespectful.

### **Interspecies Relations and the Good**

It is my hope that animal rights theorists become increasingly aware of the urgent need to characterise, assess, and draw guidelines for various *particular* human-animal relationships. Uncovering possibilities for mutually beneficial relationships will require cataloguing the different sorts of demands placed on domestic animals by humans as well as the sorts of expectations humans and animals may and should have of each other in order to create strong and just communities. A crucial precursor to this project is the universal acceptance among animal rights theorists that interactions between humans and animals are inevitable. This point is rightly emphasised by Donaldson and Kymlicka, who argue for the inclusion of domestic animals in the community as co-citizens. Underlining the fact that emancipation is not enough if we truly accept the inherent moral worth of domestic animals, given their essential dependence on humans, the authors argue that '[w]e need to start from the premise that humans and domesticated animals already form a shared community — we have brought domesticated animals into our society, and we owe them membership in it. This is now their home . . .'.<sup>29</sup> Currently existing and future animals who have historically been bred to be dependent on us for survival and flourishing are owed our care. These animals are owed our refusal to be complicit in their exploitation, as well as our efforts to ensure they lead good lives. By virtue of this created dependency, their sentient natures, and their physical proximity to humans, these animals are also owed our respect and political attention; they are fellow participants in cooperative society and as such their needs must figure in collective processes envisioning and enacting the good.

#### *Evaluating Practices*

I have suggested that taking from animals is essential to incorporating them into society, and that animals may and even should be expected to contribute, under the appropriate circumstances, their affection, labour, and products. As the above thought experiments are intended to show, use of dependent and vulnerable beings can be permissible and even desirable. I am currently unequipped to attempt a detailed exploration of how the claims herein can help us begin to sort out the varying degrees of acceptability of human use of animals, but out of respect for the practical urgency of these issues, will offer some brief preliminary thoughts regarding how we might go about distinguishing between morally appropriate and inappropriate forms of use.

I will begin by suggesting that in order to establish whether a given relationship involving asymmetrically dependent parties is good, in the sense of being good for the involved parties, we can ask whether the relationship fosters or inhibits opportunities for a good life. The clearest and perhaps most weighty implication of this approach is that raising animals for slaughter will always be impermissible. Assisting in the realisation of a good life is incompatible, I argue, with expectations of that life's cessation for one's own benefit. To invite an animal under one's care under the condition that the animal's life may be taken for human benefit necessarily consists in exploitation of the animal's dependent state. We therefore must be committed to prohibiting (almost) all forms of slaughter, whether or not the slaughter is preceded by some arrangement that is beneficial to the animal(s). If killing is a significant harm, it cannot be justified even in cases where animals have significantly benefited from their interactions with humans

(most commonly, though the human provision of shelter and sustenance). I alluded to this point earlier in the article, when appealing to Dworkin's distinction between critical and experiential interests as a way of explaining how taking products from a being must be morally different from killing that being for her flesh.

More basically, I argue that the fact of some animals owing their (worthwhile, for the sake of argument) existence to humans does not bear on the moral acceptability of their being killed by humans. Surely, the fact that one has facilitated the creation of a life worth living for some being does not render its deliberate termination permissible. It is sometimes assumed that the sort of contribution humans can expect from dependent animals under their care includes those animals' lives; the arrangement is portrayed as just, given the efforts made by humans to bring the animals into existence and then to make those existences worthwhile. Kathy Rudy, for instance, claims that animals can 'justify their place in the world', and take up the status of recognised rights bearers within a cooperative community by providing humans with their flesh.<sup>30</sup> I argue, contra Rudy, that recognising some being as a rights bearer and participant in society cannot be conditioned on that being's death at the hands of its fellow community members, whether or not that death provides beneficial flesh to the community. Being the precondition for all experience, life is not something for which we can legitimately ask, no matter how great the anticipated benefit. On the other hand, what I am suggesting herein resonates with what could be interpreted as a weaker version of Rudy's position; that humans may, and in ideal circumstances should, take from animals under their care.

In this vein, what would *not* be required in order to assess some interaction as acceptable is the question of whether it involves encouragement or (attempted) imposition of some behaviour that might not otherwise occur. As the above thought experiments are meant to indicate, imposing some expectations for contributions to the group or community on a dependent individual is not only permissible but also often desirable. From this general stance I can determine that, for instance, encouraging laying behaviour from hens in non-harmful ways, with the intention of collecting, consuming, and possibly selling their eggs, would be perfectly acceptable on the part of those caring for the hens. I am claiming that the goal of the human-animal relationship cannot be to minimise human intervention or imposition on the animal's so-called natural way of being; an important basic point in the preceding argument is that there is no essential and self-contained way of being for domestic animals, nor is there for humans, given our collective state of radical interdependence. The notion of creating healthy and productive relationships by attempting to allow one party to act in a way that minimises or even precludes response to the needs and desires of the other party makes little sense. Hens do not live independently, nor should they. But this seems to be precisely the assumption at work in criticisms targeting the imposition of some desired behaviour. Of course, the *successful* imposition of the desired behaviour cannot be a condition for the provision of ongoing care, but this caveat introduces no inconsistency. The point is that we must not take the question 'would they do it otherwise?' as central in moral decision-making concerning particular activities in human-animal relationships, and this is simply because there is so frequently no viable sense of 'otherwise' against which we can evaluate the permissibility of some interaction. To emphasise this question would mean undermining the centrality of relationships to good lives and good communities that should be informing our moral and political choices.

## Conclusion

The preceding scenarios and discussion are not intended to make any substantive claims against the vegan diet or vegan lifestyle. Indeed, it seems clear that in almost all cases, given the pervasive exploitation and intense suffering that is involved in collecting animal products, we are morally obliged to refrain from purchasing, consuming, and otherwise using animal products. Thus the preceding scenarios and discussion are meant to provide a conceptually based criticism of veganism. In levelling this criticism, as will now be clear, my article aspires not to make a uniquely theoretical point but to render recognisable the vast possibilities for mutually satisfying, respectful, and productive relationships between caregivers and those for whom they care. Moreover, recognising veganism as *practically* justified can create space for better understanding of the ways in which asymmetrically dependent relationships can and do go wrong, both in terms of the damage they do to individuals and the oppressive social structures they reinforce.

Previous critiques of principled veganism have interrogated the animal rights debate's traditional justice-based approach and exclusion of care considerations, most notably by identifying the poverty of concepts such as consistency, and requirements such as restraining aggression, for morally evaluating our relationships with animals.<sup>31</sup> More recent contributions to the debate provide sophisticated feminist and contextualist readings of our moral relationship with animals<sup>32</sup> and reveal a lacuna in the animal rights literature concerning the nature of our positive moral obligations to nonhuman animals.<sup>33</sup> These lines of critique and argumentation provide much promise for progress in the debate surrounding the moral consideration of animals as well as humans' permitted and laudable relationships with them, and will hopefully continue to be developed and refined in such a way that will facilitate concrete improvement in animals' lives. Notably, my aim in this article was narrow in such a way that it should stand regardless of whether these new approaches are deemed viable. But if they are, and I think they should be, the preceding discussion may help bolster these accounts and unify animal advocates in the project of identifying and pursuing morally appropriate and desirable relationships between human and nonhuman animals while improving the lives of both.

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forums. Finally, I am grateful to Suzanne Uniacke, Gary Varner, and an anonymous referee at the *Journal of Applied Philosophy*, who voiced concerns that helped improve this paper.

## NOTES

- 1 In the context of animal rights debate, abolitionism is the position which interprets animals as enslaved by humans, given their property status, and as being owed emancipation from this slavery. I agree with this position's proponents that we ought not to treat animals as property, legally or morally. But for abolitionists such as Francione (other similarly positioned ART theorists include Joan Dunayer), fulfilling this obligation ultimately requires abolishing human-nonhuman animal relationships given their purportedly essentially exploitative nature, and where possible, preventing the existence of beings that would require relationships with humans in order to live (this is why the position is also referred to as extinctionism) (see <http://www.abolitionistapproach.com/>). In this article I will use the terms 'abolitionism' and 'veganism' virtually interchangeably. It seems to me that veganism, as interpreted in the third endnote, is entailed by abolitionism and extinctionism. But I believe that 'veganism' is usually a more fitting term in the context of this article, given the possibility for a more tempered version of abolitionism.
- 2 G. Francione, 'The abolition of animal exploitation' in G. Francione & R. Garner (eds) *The Animal Rights Debate: Abolition or Regulation?* (New York: Columbia University Press, 2010), p. 62.
- 3 The claims contained herein concern only domesticated animals, and focus particularly on those animals that are bred and raised for their flesh and/or products.
- 4 By 'principled' I mean to refer to the sort of veganism that is morally motivated, absolute, and is not primarily concerned with the suffering of animals being used for their products. Hereafter I will simply use 'veganism' to refer to principled veganism.
- 5 Speciesism is the (for most animal rights advocates, indefensible) position that humans deserve greater moral consideration and must be accorded higher moral status than other animals merely by virtue of their belonging to a particular species group. Animal advocates such as Peter Singer (see, e.g., P. Singer, 'Introduction' in P. Singer (ed.) *In Defense of Animals: The Second Wave* (Malden, MA: Blackwell Publishing, 2006), pp. 1–10) believe that this view is comparable to racism and sexism, because it ties moral relevance to morally meaningless categories. For non-speciesists, an animal's pain must be regarded as no less morally important than a human's pain, because they are both sentient and have an equal interest in avoiding pain (see, e.g., G. Matheny, 'Utilitarianism and animals' in P. Singer (ed.) *In Defense of Animals: The Second Wave* (Malden, MA: Blackwell Publishing, 2006) pp. 19–20). Non-speciesists also point out that many animals, including some of those we eat, demonstrate levels of emotional and cognitive functioning comparable to many humans. Thus we are not free to give animals lesser moral consideration for purportedly capacity-based reasons; doing so would amount to veiled speciesism.
- 6 I believe that it is also politically misguided, in that it demonstrates poor strategy for motivating progress. I will not be discussing that set of problems here, but wish to note that because veganism rejects the helpfulness and moral permissibility of pursuing regulatory change regarding the treatment of animals, it arguably presents no hope or guidance for those who wish to improve the current system. For a clear, incisive discussion on how political progress may be facilitated with cooperation between animal welfarists and abolitionists that rejects this anti-regulation ideal, see P. Jones, 'Strategic analysis of animal welfare legislation: A guide for the perplexed', *Eastern Shore Sanctuary & Education Center Strategic Analysis Report* (August 2008). An excellent critique of the abolitionist approach to animal rights in terms of its strategic failure is provided by Sue Donaldson and Will Kymlicka (see *Zoopolis: A Political Theory of Animal Rights* (Oxford: Oxford University Press, 2011) pp. 77–90).
- 7 Donaldson & Kymlicka op.cit., p. 49.
- 8 B. Arneil, 'Disability, self-image, and modern political theory', *Political Theory* 37,2 (2009): 218–242.
- 9 Arneil op. cit., pp. 231–232.
- 10 I am grateful to Jay Drydyk for pointing out the arguably non-equivalent nature of a relationship where one takes from another, and a relationship where one uses another, and for suggesting that switching to a consistent appeal to 'taking from' might resonate more clearly with the article's aims. It does indeed seem that being willing to use a being for one's own purposes and taking from a being for one's own purposes may be rather different things, implying different intentions and motivations for instance, and I believe the

distinction warrants further exploration. But I maintain that the two terms — use and taking from — both belong in this article, and indeed may aid the article by respectively reflecting its distinct projects (positive and negative). My positive claim in this article is that cooperative schemes wherein more dependent individuals are taken from are not only tolerable but also desirable. Further, it is desirable to encourage the creation of communities wherein individuals (who may belong to different species) with varying levels of dependence take from one another. My negative claim, which is my primary claim, is that it is misguided to condemn relationships of use between asymmetrically dependent parties as such. Using beings that are more dependent than oneself is not itself wrong: just as Kant condoned the use of other people as means, we may condone the use of animals as means (but never, of course, as mere means).

- 11 John Draize, G. Woodard & H. O. Calvery. 'Methods for the study of irritation and toxicity of substances applied topically to the skin and mucous membranes', *Journal of Pharmacology and Experimental Therapeutics* 82 (1944): 377–390. The original test is described in this article; controversy surrounds the notion that modern use of the test is any more humane.
- 12 Tom Regan, 'The case for animal rights' in P. Singer (ed.) *In Defence of Animals* (Oxford: Basil Blackwell, 1985), p. 14.
- 13 Francione 2010 op. cit., p. 79, emphasis added.
- 14 Francione 2010 op. cit., p. 23.
- 15 G. Francione, Abolitionistapproach.com (2007 blog entry). Last accessed 13 January 2011. Given that this is a blog entry as opposed to a scholarly piece, the rhetoric is obviously strong. But I do not believe it is unfair to appeal to this passage specifically, as the basic claims contained therein are also voiced in his 2010 defence of abolitionism, for instance when he states: 'However well we treat our nonhuman companions, they are completely dependent on humans for every aspect of their existence, and the best of living situations still involve what is a very unnatural situation for these animals' (2010, p. 79, citing Tompkins, 2007). Moreover, it seems important to refrain from drawing strict lines between advocacy and academic work in the animal ethics debate, given that the debate's participants frequently engage in crossover commentary and activity, as well as the practical urgency of the debate's central issues.
- 16 Francione 2007 op cit., emphasis added. Clearly, Francione views himself as a non-speciesist: '... the only difference between humans and animals is species, and species is not a justification for treating animals as property any more than is race a justification for human slavery' (G. Francione, 'Animals — property or persons?' in C. Sunstein & M. Nussbaum (eds) *Animal Rights: Current Debates and New Directions* (Oxford: Oxford University Press, 2004), p. 131).
- 17 And implicitly, androcentric assumptions, which in this article I will not explore, given space constraints. Though she does not claim that veganism specifically involves these assumptions, for discussion of the sexism often latent (and sometimes explicit) in arguments for the strong animal rights position, see for example Carol Adams, 'The war on compassion' in J. Donovan & C. Adams (eds) *The Feminist Care Tradition in Animal Ethics* (New York: Columbia University Press, 2006), pp. 21–36. For similar discussions regarding the contributions of feminist discourse to animal ethics see for example Josephine Donovan, 'Animal rights and feminist theory', *Signs* 15,2 (1990): 350–375, and Brian Luke, 'Justice, caring, and animal liberation' in J. Donovan & C. Adams (eds) *The Feminist Care Tradition in Animal Ethics* (New York: Columbia University Press, 1992), pp. 125–152.
- 18 Nussbaum's list of capabilities, for instance, could be used as a guide for structuring the home and guiding caregiver behaviour. A recent chapter of hers provides a list and description of both human and animal capabilities which, notably, largely overlap. See M. Nussbaum, 'Beyond compassion and humanity: Justice for nonhuman animals' in C. Sunstein & M. Nussbaum (eds) *Animal Rights: Current Debates and New Directions* (Oxford: Oxford University Press, 2004), pp. 299–320.
- 19 For justice-based discussion of the issues surrounding the possibility of reciprocity between dependent and less dependent individuals in society see for instance Donaldson & Kymlicka op. cit.; C. Hartley, 'Justice for the disabled: A contractualist approach', *Journal of Social Philosophy* 40, 1 (2009): 17–36; and L. P. Francis & A. Silvers, 'Liberalism and the individually scripted ideas of the good: Meeting the challenge of dependent agency', *Social Theory and Practice* 33,2 (2007): 311–334.
- 20 Hartley op. cit., p. 28.
- 21 Francione 2010 op. cit., p. 64.
- 22 Of course there may be exceptions to this, for instance in some cases where the consumed party died or was killed by forces existing independently from the system of exploitation. For instance, if the carcass of a deer is found in the woods by a human (imagine the deer was killed by a wolf who then abandoned the body for some reason) it is not clearly an act of exploitation for the human to then consume the deer's flesh. Even in

- such cases, however, it would likely still be deemed impermissible to consume the animal's flesh or use it in any way by animal rights defenders. They may well be right (particularly if the potential consumer is not in danger of starvation, and/or if there was some pre-existing relationship between the two parties), but whether they are or not does not alter the force of the contrast.
- 23 Ronald Dworkin introduced this distinction. He explains critical interests as those which must be held and met in order to have a life that is not impoverished, and volitional interests as those which if met, may enrich our lives, but are not interests whose absence can make a life go poorly. See R. Dworkin, 'Liberal community', *California Law Review* 77,3 (1989), pp. 484–5.
- 24 Francione states that '[d]eath is a necessary part of any animal product' (2010 op. cit., p. 71). While this is clearly empirically incorrect, I take him to mean that our current situation in the industrialised world is such that the vast majority of animal products are obtained only in the context of the animals' premature and usually painful death.
- 25 I suspect that the failure to see this point on the part of veganists has something to do with a manufactured 'ick factor' associated with the consumption of animal products. On one forum, for instance, a woman inquiring about whether it might be acceptable to consume the eggs laid by a hen she rescued from a factory farm is questioned on why she would want to eat 'icky periods'. The term 'corpse eaters' is also mentioned in reference to humans who consume eggs. (<http://www.veganforum.com/forums/showthread.php?1370-Vegans-and-eggs>).
- 26 Francione op. cit. 2010, p. 63.
- 27 I realise that veganists would likely reject the term 'cooperative' as it is used here. But the term can also be interpreted in its thin sense, and in this way apply to any situation in which various parties both give and receive.
- 28 I mention 'extinctionism' as another descriptive term for the veganist position in the first endnote. The appropriateness of this other moniker should now be clearer. It is maintained by abolitionists that the end of humanity's exploitation of domesticated animals can only truly be realised through such animals' extinction.
- 29 Donaldson & Kymlicka op. cit., p. 100.
- 30 K. Rudy, *Loving Animals: Toward a New Advocacy* (Minneapolis, MN: University of Minnesota Press, 2011), p. 99.
- 31 For example, J. Donovan, 'Attention to suffering: Sympathy as the basis for ethical treatment of animals' in J. Donovan & C. Adams (eds) *The Feminist Care Tradition in Animal Ethics* (New York: Columbia University Press, 1994), pp. 174–197; Luke op. cit.
- 32 For example, Donovan 2006 op. cit., C. Palmer, *Animal Ethics in Context* (New York: Columbia University Press, 2010).
- 33 For example, Donaldson & Kymlicka op. cit.