

On the Predation Argument¹

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In this paper, I will give a philosophical analysis and defence of the seemingly naive Predation Argument (PA) that since some non-human animals eat other animals, there can be nothing morally wrong with eating meat. I offer a non-trivial formulation of PA based on premises with which a morally-motivated vegan (against whom PA is aimed) would most likely agree and defend these premises against possible objections. Not only does PA turn out to be a valid argument, but from the analysis of it we learn two things. First, we learn that the distinction between moral subjects and moral agents is not as strict as it is usually assumed. Second, we learn that the morality of eating animals does not come down to the morality of killing them.

Keywords: animal ethics, predation argument, moral considerability, moral agency

There is an extensive debate as to whether it is morally permissible to eat animals. Many arguments concerning the morality of eating animals have been proposed and thoroughly analysed. There is, however, one argument that has been virtually unanimously considered unimportant to this debate. It has been called the Predation Argument (PA). According to PA: since some wild (non-human) animals eat other animals, it cannot be immoral for us humans to eat them as well. On the face of it, the argument appears naive. Nevertheless, in this paper I hope to show that, if formulated rigorously, not only is PA philosophically significant to animal ethics but that there are important conclusions to be drawn from it.

In this paper, I propose a more precise, formally rigorous (and hopefully less naive) formulation of PA, and show the conclusion (relevant to animal ethics) that

¹ This article was in many regards inspired by Oscar Horta and his bioethics course that I attended in 2012/2013. I cannot thank him enough. I am also indebted to Anna Bieńkowska, Emil Balik, Maciej Jendraszczyk and especially Dariusz Zieliński who have contributed to the development of some ideas presented here. Finally, I highly benefited from the remarks of anonymous reviewers.

we might draw from it (in section 1). After analysing all the premises of the proposed interpretation of PA, I consider possible arguments against these premises and show the reasons to reject these arguments (sections 2, 3, and 4). I then attempt to reduce PA to the absurd (section 5), and I try to draw final conclusions from it.

1. The Predation Argument (PA)

Various formulations of PA are found in the literature,² but the core idea is that we have no reason to be morally concerned with the business of eating animals. It is entirely natural that some animals eat others so there can be nothing wrong about it. This argument has been widely denied any philosophical significance, and it is easy to see why. Formulated as above, PA seems to ignore the importance of Hume's guillotine: that there is no logical relation to be found between the way things *are* in nature (the descriptive order) and the way they *should* morally be (the normative order). It appears that we could dismiss PA on the ground that it confuses the two orders by trying to draw normative conclusions from empirical facts.

However, I assert there is more to PA than it seems at first. I believe an important lesson can be learnt from it. But first I would like to examine whether PA can be expressed in a way that at least does not render it obviously false from the beginning. Can we give it a non-trivial interpretation? Below, I propose such an interpretation.

Premise 1: There are some non-human animals for whom it is true that:

Premise 1.1: They eat other animals;

Premise 1.2: They are moral agents;

Premise 1.3: It is *prima facie* morally permissible for them to eat other animals.

Premise 2: If in a given situation S it is morally permissible for a particular moral agent A to perform action ϕ , ϕ is morally permissible for any moral agent in a situation S.

Therefore: It is *prima facie* morally permissible³ for any moral agent to eat⁴ other animals.

2 See: C. Fink, *The Predation Argument*, *Between the Species* 13/5 (2005), pp. 1–15; S. Sapontzis, *Predation, Ethics and Animals* 5 (1984), pp. 27–38.

3 For reasons of brevity, from now on I will be referring to deontic operators without the word “morally.”

4 One possible objection would be that the argument thus formulated is trivial, for animal ethics should be concerned with *killing* animals, not with eating them. I respond to this objection in section 5.

Before we go any further, three important things can be said about this interpretation of PA. First, if it is *prima facie* permissible to eat other animals, then the action of eating them cannot be qualified as morally wrong in and of itself; however, there may be additional factors that could make prohibit the action of eating an animal prohibited. In other words, we cannot conclude that it is permissible to eat animals in all cases, only that eating them, as such, is permissible. Second, this formulation of PA cannot be accused of confusing is consistent with-descriptive and normative order: all of the premises except 1.1 are normative. Third, the above reasoning is formally correct, and indeed could be easily formalised using the first-order calculus (with addition of one deontic modal operator for being permissible) in order to check it. Therefore, the above interpretation fits my purpose: it is not obviously false, and analysing it is not pointless. Because of that, I shall assume this interpretation of PA, and—from now on—any time I refer to PA, I will be referring to this particular formulation of it.

Granted that PA is formally correct, we must determine whether we are justified in assuming its premises. If any premise is unsound, the conclusion that it is permissible to eat animals will be unsound as well. The premise 1.1 concerns a factual matter; indeed, it is true that some non-human animals eat other non-human animals—this is materially accurate. The other premises, on the other hand, are normative, so their analysis must take a different form. In analysing them, I will use a strategy similar to that of an indirect proof. I will examine every premise separately and ask whether it is desirable for a morally-motivated vegan—who I assume to be the most prominent adversary of PA—to reject a given premise. Of course, in doing so, I will have to make further assumptions, which I will not be able to justify.

2. Non-human animals as moral agents⁵

Let us take a closer look at premise 1.2 that non-human predators are moral agents. It is far from being uncontroversial. Nowadays, it is commonly accepted that non-human animals are morally considerable,⁶ so we will start off with this notion. According to the standard way of using the term, X is morally considerable if X has interests, i.e., she is in such a position that (a) someone's action ϕ could

⁵ This entire section was hugely modified according to the suggestions of the anonymous reviewers, for which I am thankful to them.

⁶ A prominent defence of this idea can be found in: P. Singer, *Animal Liberation*, New York, Harper Collins 1975; *Animal Rights and Human Obligations*, ed. P. Singer, T. Regan, New Jersey, Prentice Hall 1989.

affect X's well-being and that (b) the change in X's well-being should be considered morally relevant to the decision as to whether perform ϕ or not.

So, moral considerability is understood in terms of well-being. But we could ask: does that mean it is understood in terms of *experienced* well-being?⁷ On the one hand, it seems reasonable that one can be morally harmed in such a way that one does not experience it: e.g. when one is being cheated on without knowing about it. But it seems there is a good reason to assume that to be morally considerable a being must have *some* experiences, at least *part* of its well-being must be experienced.

Think of an inanimate object such as a clock. In one sense of the word, the clock can be better or worse off as a result of our action—for example, it can be broken or fixed—but this sense is morally irrelevant. We would not say that a *clock has an interest* in not being broken, and that by breaking a clock we are doing something *morally wrong to the clock*.⁸ On the other hand, we would say that (in normal circumstances, at least) a person has an interest in not having their ribs broken. More than that, it is an interest that we need to respect: it constitutes one of the moral reasons that we need to consider when deciding what to do in a given situation. (Now, to respect someone's interest does not mean to act toward this interest being realized in all cases. For instance, I may respect someone's interest in not having their ribs broken and yet decide that other interests outweigh it and break her ribs in order to perform a heart massage on her, thus saving her life.) To sum up, if we do not want to ascribe moral considerability to objects like clocks, we need to assume that one has to have experiences in order to be morally considerable.

In literature, we can find a distinction between moral agents and moral subjects. A moral agent is someone who can act morally; a moral subject is someone who can be morally acted upon. I take it that to be a moral subject is to be morally considerable. To sum up, we may safely assume that non-human animals are morally considerable, i.e., they are moral subjects. But are they moral agents? What does it take to be a moral agent? The answer is simple: the ability to *act* in a morally relevant way, i.e., in a way that yields a moral responsibility for what one did.

For someone to act in a morally relevant way, one has to be able to (1) reason morally, that is, be able to pick out moral reasons in the situation she is in, and weigh them. In other words, to reason morally means to handle moral judgements,

7 I am thankful to an editor for pointing to me that this point needed clarification.

8 O. Horta presents a similar reasoning in his: *Tomándonos en serio la consideración moral de los animales: más allá del especismo y el ecologismo*, [in:] *Animales no humanos entre animales humanos*, ed. J. Rodríguez Carreño, Madrid, Plaza y Valdes 2012, pp. 191–226, section 4.

such that their propositional content (a) is of the kind “X is good,” “X is bad” etc., and (b) contains a parameter of what could be called “weight.” Put simply, to judge morally is to believe that something is good or bad to such-and-such degree. For instance, if my mental capabilities do not allow me to perceive stealing as wrongdoing, I can hardly be held *morally* (which is not the same as legally) responsible for stealing. But that alone is not sufficient: we could imagine a being that would be able to reason morally and yet unable to control their behaviour according to their reasoning. Such a being would obviously lack agency. Therefore, (2) an agent has to be able to shape (i.e. control) her behaviour according to her moral judgements.

I take conditions 1–2 to be jointly sufficient for moral agency. The question is: are they relevant to moral considerability? To begin with, I believe it necessary for a moral subject to be able to reason morally. One could argue that the ability to handle moral judgements is not necessary, that it is enough for the being in question to have the capacity of experiencing positive (or even only negative) bodily sensations, like pains. If a being is sentient, it can be hurt and that is enough for it to be morally considerable. But that would be a misstep; we must not forget Hume’s guillotine. Physical states of the organism belong to the descriptive order; it is a matter of fact what state my body is actually in. In contrast, the ascription of positive and negative experiences—as well as well-being in general—is a normative matter. To illustrate the gap, think of a taxing physical activity, such that having finished it, you feel exhausted and your body aches, and yet you are happy—you experience something positive. Therefore, experiences cannot be merely bodily sensations. Nevertheless, it would be unwise to deny that there is a close connection between the two. It seems to me that a plausible solution to this problem would be to assume that experiences are sensations coupled with moral judgements about them: to experience joy is to have a certain bodily sensation and believe it to be good to some degree (and analogically with negative experiences). This way of understanding experiences has an advantage in that it helps us explain certain phenomena, such as the one mentioned above, or cases of unhappiness in situations that would not seem bad to an outside observer. All in all, in order to be a moral subject, one must be able to reason morally.

Let us now consider the condition of being able to control one’s behaviour in accordance with one’s moral judgements. Intuitively, it seems that this is precisely the condition that distinguishes moral agents from mere moral subjects. However, it does not have to be so. It all depends on one’s view on normative reasons. On the grounds of internalism, there is an *analytic* link between such reasons

and motivation;⁹ the latter, by definition, having to do with moving one to act.¹⁰ The internalist view seems to imply that one has a reason to do ϕ iff there is something that moves one to act in accordance with that reason:¹¹ a being that fulfils the condition 1 must fulfil the condition 2 as well. An externalist, on the other hand, will reject this claim. My point is that there is a coherent position to be found, on the grounds of which the sufficient conditions of moral agency are necessary conditions of moral considerability. It confirms the view that all moral subjects are moral agents is defensible. If we assume this, and if we also assume that non-human animals are moral subjects (which, as I have mentioned, is a safe assumption nowadays), we can infer from it that non-human animals are moral agents.

Two things must be noted here. First, my conclusion is that it is impossible to maintain the distinction between moral subjects and moral agents—*but only under the assumption* that (at least some form of) internalism of reasons is a correct position. And this is a huge assumption, which, because of the lack of space, I do not defend here. There are two possibilities. One: if the Reader sympathises with internalism, she must conclude that all non-human moral subjects are moral agents as well¹²—as a result, the premise 1.2 is safe and sound.¹³ Two: if the Reader finds the externalistic view more convincing, she has all the reasons to reject premise 1.2 and, therefore, reject PA. However, since the first option gives us hope of finding a philosophically interesting interpretation of PA, I believe that this path of investigation is worth pursuing and that it makes sense to *conditionally* assume internalism of reasons.

9 See, for instance: S. Darwall, *Impartial Reason*, Ithaca, Cornell University Press 1983; Williams, *Internal and External Reasons*, [in:] idem, *Moral Luck*, Cambridge, Cambridge University Press 1981, pp. 101–13; M. Smith, *The Moral Problem*, Oxford, Blackwell 1994.

10 See, for instance: M. Smith, *The Humean Theory of Motivation*, *Mind* 96 (1987), pp. 36–61.

11 It seems that a somewhat similar idea can be found also in e.g.: D. Davidson, *Actions, Reasons, and Causes*, *The Journal of Philosophy*, LX/23 (1963), pp. 685–700.

12 We could still object claiming that even if non-humans are moral agents, they are so to a lesser degree than humans. The argument would go as follows. There is a morally relevant difference between humans and non-human animals, to the effect that, non-humans are incapable of handling counterfactuals. Because of that, their moral reasoning can be informed only by the memory of their past experiences. And if that is correct, non-human animals do not have a notion of what does it mean to die and therefore their decision-making in death-relevant contexts does not yield moral responsibility. This argument, however, is based on an empirical premise that seems implausible: the evidence suggests that at least some species are capable of developing some notion of death (think of the famous examples of elephants' grieving). See also D. DeGrazia, *Taking Animals Seriously: Mental Life and Moral Status*, Cambridge, Cambridge University Press 1996, for a fascinating report on various animals' mental capabilities.

13 The reasoning goes as follows. Non-human animals are either both moral subjects and moral agents, or neither. If they are neither moral subjects nor agents, there is no reason whatsoever to respect their interests (if they have any): there is no question concerning the morality of eating them to begin with. A morally-motivated vegan who happens to be an internalist cannot chose that option, so she is left with the other one.

Second, a possible objection¹⁴ would be that, according to my proposal, the conditions of moral considerability are very difficult to meet, because I require moral subjects to be able to reason morally, have mental states etc. However, I would like to point out that I do not make the affirmative claim that all non-human animals meet these conditions. Instead, I make two following claims. 1) PA is aimed against morally-motivated vegans, which is why, it should assume what morally-motivated vegans would most likely assume; in this case, it should assume that non-human animals are morally considerable (for if we fail to assume that, we have just begged the question). 2) I make a *conditional* claim, to the effect that *if* non-human animals are to be morally considerable, they have to meet the above conditions.

3. Permissibility of non-human predation

Another possibility is to object to the premise 1.3. One could claim that it is indeed prohibited for non-human animals to eat other animals. If such a claim is justified, it follows that it is also—granted that those morally considerable non-human animals are moral agents as well—prohibited for all moral agents to eat animals. In fact, there are good reasons to think that it is prohibited for non-human animals to eat other animals. If we come to think of it, it seems evident that a possible world in which there is less predation *is* more desirable than the actual world. Predation causes an enormous amount of suffering in the world, and so if we could diminish it, it would be a considerable moral improvement.¹⁵ Even if we considered it permissible for a lion to eat an antelope, what about a dog eating a chicken? Would we keep on insisting that there was nothing wrong about it? Or maybe we would like to punish this kind of behaviour, hoping that no chicken will get hurt again?

Several things must be noted with respect to this. One tempting answer would be to insist that although what the dog did was wrong, it was not *morally* wrong. However, we cannot choose that route if we believe that non-human animals are moral agents. An opponent of PA would supposedly assume that diet is a moral issue, so in order to find a common ground with her we need to assume it as well. But if we assume that, then the only way to deny any moral valence of the dog's eating the chicken would require denying that there was any action (in the morally

¹⁴ I am indebted to an editor for pointing this to me.

¹⁵ See: C. Fink, *The Predation Argument*, op. cit.; O. Horta, *Tomándonos en serio la consideración moral de los animales...*, op. cit.; S. Sapontzis, *Predation*, op. cit.

relevant sense) in the first place—that would require to deny the moral agency of the dog. If we assume internalism of reasons, this option is unavailable. A similar objection—namely, that it is neither permissible nor prohibited for non-human animals to eat others, simply because the categories of obligation, prohibition, and permission do not apply to cases of animal behaviour—can be rejected on the same basis. Also, one could argue that it is permissible for a lion to eat an antelope and prohibited for a dog to eat a chicken, for a lion must hunt (in order to survive), while a dog does not. This argument will be analysed in the section to come.

The above three considerations aside, it still seems reasonable that a world in which there is less predation is more desirable. If so, then maybe non-human animals are prohibited from eating other animals after all? An action is right if it brings about the most desirable of all the (reachable in a given moral situation) possible worlds. If an action is not right, it is wrong. If it is wrong, it is prohibited. If an act of predation brings about a non-desirable possible world, that act is wrong and hence prohibited: by this token, it is prohibited for non-human animals to eat other animals. However, there are good reasons not to embrace this line of reasoning.

First, if non-human predation is prohibited, the consequence is that animals such as wolves, lions, and sharks are notorious offenders against morality. Second, a more serious problem is that if, all things being equal, of all the possible worlds the most preferable is the one in which there is the least predation, then the most preferable world is one in which there is no predation at all—it is a world in which there are no predators.¹⁶ Of course, the above statement has the “all things being equal” clause, and in reality it might (and, indeed, most probably would) turn out that the complete elimination of predation would lead to enormous suffering among the rest of animal kingdom, so that overall it could be worse off. But the point is that if predation among non-human animals is prohibited, predation is at least *prima facie* wrong, and so there are *prima facie* reasons to act toward the extinction of predators. I believe that this consideration reduces the above objection to absurd and so constitutes a reason good enough to conclude that it is permissible for non-human animals to eat other animals.

It could be argued, however, that even if predation is morally wrong, it still does not follow that there is a (even *prima facie*) positive moral obligation toward eliminating predation. For instance, if I happened to notice my neighbour about to eat a beef steak for his dinner, I am not entitled to forcefully prevent him

¹⁶ It should be noted that if we wanted to eliminate the meat *consumption*, the elimination of predators would be the only way to accomplish that.

from doing it (even if it is wrong to eat meat).¹⁷ First of all, this argument does seem sound. But what if I noticed my neighbour about to brutally beat his wife instead of eating his dinner? I believe that in such a scenario I would have reasons to (at least try to) prevent him from doing it.¹⁸ My point is that what the above objection effectively shows is that we do not take the claim that there is something wrong with eating meat seriously.

4. Universalizability

The last premise in PA is the Principle of Moral Universalizability, according to which, if in a given situation S it is permissible for a specific moral agent A to perform action ϕ , ϕ is permissible for any moral agent in a situation S. This principle is fundamental to many ethical systems and by many is thought to be intuitive and self-evident, but of course that does not mean it cannot be objected to. I am afraid, however, that it is far beyond the scope of this paper to engage in a debate over this principle.¹⁹ For reasons that I cannot discuss here, I believe this principle to hold; I admit, however, that if the Reader finds this principle unconvincing, she will be justified in rejecting PA. However, even having assumed the Principle of Moral Universalizability, we may still object to PA, claiming that in fact the cases of human and non-human predation are different.

The most obvious way would be to claim that the difference between these two types of cases comes down to the fact that non-human animals have no choice whether to eat other animals or not. Several things can be said about this. First of all, this counterargument requires a non-trivial account of what it means for one not to be able not to do ϕ . It does not seem enough that ϕ be logically impossible. There are logically possible actions that cannot be performed by agents in the actual world. For instance, a possible world in which there is no hunger does not seem to be internally contradictory, so an action, the consequence of which would be the elimination of hunger in the world, is logically possible; yet, it does not seem that any actual moral agent is capable of performing it. Also, actions

¹⁷ I am thankful to an anonymous reviewer for this argument.

¹⁸ It might perhaps be argued that the reason why it is morally *obligatory* for me to prevent my neighbour from beating his wife is independent from the fact that it is morally *wrong* to beat the wife; but then I cannot see where could that reason come from.

¹⁹ For some defenders of it, see: A. Gewirth, *Reason and Morality*, Chicago, University of Chicago Press 1978; R. Hare, *Moral Thinking*, Oxford, Oxford University Press 1981; I. Kant, *Groundwork of the Metaphysics of Morals*, Cambridge, Cambridge University Press 2012 [1785]; H. Sidgwick, *The Methods of Ethics*, London, Macmillan 1893 [1874].

are available for certain agents and unavailable for others (for example, rescuing a person drowning in a rapid creek). Therefore, the fact that an agent is unable to perform a certain action is not the same as the action being logically impossible. Unless we have a non-trivial way of understanding the notion of being unable not to do ϕ , we cannot make sense of the claim that non-human animals are unable not to prey on others, and so the above counterargument collapses. I do not know of any such account that would be satisfactory for the purposes of moral philosophy. Especially, it is not satisfactory to point out that certain non-human animals have to prey in order to survive, for arguably there are actions about which we can say that it is better to die than to perform them.²⁰

Second of all, even if there were a satisfactory account of being unable not to perform an action, the claim that all non-human predators cannot refrain from eating other animals would most probably turn out false. The above claim is possibly true with respect to carnivores but is evidently false with respect to omnivores. A very odd consequence of this is that there would be a *morally significant* difference between cases of predation among, for instance, wolves and lions, and cases of predation among animals such as bears and crows. If so, we are entitled to conclude that even while it may be the case that there is nothing morally wrong when a wolf eats a doe, there is something morally wrong when a bear eats a doe.

To sum up, it appears that if there is a morally significant difference between cases of human and non-human predation, it is not due to the non-human animals being unable to refrain from preying upon other animals. But what else could be the cause? It must be due to some morally significant factor if the difference itself is to be morally significant. It cannot be, therefore, due to the facts such as that animals are less intelligent, that they do not speak, that they cannot be a party to the social contract,²¹ that they are in a position of dependence upon humans etc. All those facts are morally irrelevant because they do not affect the moral considerability of the beings in question.²² For instance, the fact that a being does not speak does not determine whether that being has interests, nor does it determine the weight of moral reasons constituted by those interests (think of a mute person).

20 It is worth noting that it is only relevant under the assumption that non-human animals which are moral subjects are also moral agents.

21 See J. Narveson, *Animal Rights*, Canadian Journal of Philosophy, 7 (1977), pp. 161–178 for a defence of a position that non-human animals fail to be moral subjects precisely because they are unable to be a party to the social contract. See also: T. Regan, *Narveson on Egoism and the Rights of Animals*, Canadian Journal of Philosophy 7 (1977), pp. 179–186 for a critical discussion of Narveson's arguments.

22 See O. Horta, *Tomándonos en serio la consideración moral de los animales...*, op. cit., section 3 for an analysis of why such positions are flawed.

We could argue, however, that this difference is due to the normative importance of certain types of relations that exist between moral agents.²³ There seems to be no relation (or at the very least a very weak one) between a non-human predator and its prey, whereas there certainly is some relation between a human and the animals she breeds at her farm. But this way of reasoning, again, leads us nowhere. There are non-human animals that do not stand in any morally relevant relation to human beings, like wild or stray animals. Therefore, it would follow that there is a morally significant difference between cases in which we eat animals bred by humans and cases in which we eat wild animals. This does not seem to be a very promising option to a morally-motivated vegan. All in all, there seems to be no satisfactory, morally significant difference to be found between cases of human and non-human predation. If there is none, and if the Principle of Moral Universalizability is valid, moral judgement of human predation must be the same as that of non-human predation.

5. The final objection

Before we conclude, a final objection to PA must be faced: if PA was correct and it successfully established that it is *prima facie* permissible to eat animals, it would also hold that it is *prima facie* permissible to eat humans. This is absurd, which is why we have to reject PA.

A first attempt to defend PA against this challenge would be to weaken PA. For instance, one could reformulate it in such a way to assume that it is permissible to eat animals only when absolutely necessary to survive. As desirable as this solution might appear, it does not avoid the main problem, for it would still follow that it is permissible to eat humans when someone cannot find any other source of food. Let us imagine a homeless person in the winter, when there is virtually no vegetation. Would it be permissible for him to eat someone? Of course, we find the case unconvincing, because if there are other people (that the homeless man could eat), there must also be some leftovers to be found in the trash, and—hopefully—there must be people willing to simply buy the homeless man a meal. But it is possible to imagine an extreme situation when all the people

23 An important defence of the idea that relations constitute the normative source of moral demands can be found in: N. Noddings, *Caring: A Feminine Approach to Ethics and Moral Education*, Berkeley, University of California Press 1984. What is more, Noddings explicitly states that our moral constraints with respect to the way we treat animals reach only as far as our personal relations with these animals go; *ibidem*, chapter VII.

in a given area are starving, for instance, due to some natural disaster. Such a case is at least imaginable, and so the objection stands—the above reformulation of PA does not solve the difficulty.

Another reformulation of PA is available. Namely, we could phrase the premise 1.3 differently: that it is *prima facie* permissible for non-human animals to eat other *non-human* animals. The above objection would then be avoided, for PA would only establish that predation upon non-human beings is permissible: no conclusion with respect to the permissibility of eating humans would follow from it any more. Such amendment, however, seems *ad hoc* and arbitrary. What reasons do we have, apart from a willingness to avoid an uneasy objection, for postulating a difference in moral judgement of cases of predation upon humans and non-human animals? If both human and non-human animals are morally considerable, we have to rule out this way of escaping the final objection to PA as well.

Another reformulation of PA flows from the permissibility of killing animals instead of eating them. In other words, we might argue that there is nothing morally wrong with eating animals—it is killing animals that is morally wrong. This claim seems reasonable at first and there are certain intuitions to back it. Today's technology makes it imaginable to produce artificial meat (or rather to produce animal tissues).²⁴ We can imagine a process of meat production that would not require any animals being hurt in that process. It seems that this would obviate the reason for morally-motivated vegans to refrain from eating such meat: there would be nothing morally wrong about eating it. Why would there be, if no animal's well-being was diminished? If nothing is wrong with eating animal meat as such, the only reason we find it worrisome has to be that we must first kill an animal to eat it. If we reformulate PA accordingly, it will not follow from PA that it is permissible to kill humans; it seems that we have avoided the problem. Yet, the problem comes back in through the back door. If there is nothing wrong with eating animal meat, there can be nothing wrong with eating human flesh as well.

However, I believe we would agree that something is wrong with eating human flesh even if no-one's well-being is diminished by it (for instance, if we ate a body of someone that was already dead, and no-one else would ever discover that). One could argue that there is nothing wrong with eating human flesh as such, and the only reason we tend to think otherwise has to do with the way we are biologically made up: i.e. with the fact that there seems to be a contingent psychological

²⁴ See, for instance, M. Langelaan et al., *Meet the New Meat: Tissue Engineered Skeletal Muscle*, Trends in Food Science & Technology 21 (2010), pp. 59–66.

link between our concepts of the morally wrong and the (aesthetically) disgusting.²⁵ But maybe there is another explanation.

First, we might have moral duties with respect to people who had passed away (think of a promise given to someone on her deathbed). People have *prima facie* right to make decisions with respect to certain aspects of what would happen with them after their death.²⁶ I believe that the reason we find eating human flesh appalling is that we assume that people, by default, wish their dead bodies to be treated with respect and that eating it would be disrespectful. I believe this thesis to be intuitively plausible. Imagine a group of people in an extreme situation such that there is virtually no possibility of finding food, and one person (from that group) asks the others to eat her flesh after her death, and then takes her life. I believe we would agree that eating her flesh in such a case would not be morally wrong because her expressed desire constitutes a *prima facie* normative reason.

It is worth noting that the reasoning above leads us to another conclusion: namely, that the morality of eating animals is not based on the morality of killing animals. Imagine a distant future in which a subspecies of humans has this particular evolutionary trait: if they die before a certain age, they experience (just before their death) immense joy that would be impossible to experience otherwise. If such people existed, there would be imaginable cases in which it would be morally right to kill one of them and yet morally wrong to eat that person's flesh.

However, one could have the following objection with respect to this thesis. If the reason it would be morally wrong to eat someone's flesh is that we assume that she desires not to be eaten after her death, why do we not assume that animals desire not to be eaten after their deaths? I think that the answer is simple: the notion of promise (as to what will happen after someone's death) makes sense in the context of interactions between humans but does not make sense in the context of interactions between non-humans, or between humans and non-human animals.²⁷ Alasdair MacIntyre argued that the moral notions are meaningful only

25 See, for instance, T. Wheatley, J. Haidt, *Hypnotic Disgust Makes Moral Judgments More Severe*, *Psychological Science* 16 (2005), pp. 780–784. See also: D. Kahan, *The Anatomy of Disgust in Criminal Law*, *Michigan Law Review* 96 (1998), pp. 1621–1657; B. Schaich et al., *Infection, Incest, and Iniquity: Investigating the Neural Correlates of Disgust and Morality*, *Journal of Cognitive Neuroscience* 20/9 (2008), pp. 1529–1546.

26 Again, it is a *prima facie* right, so it does not mean that we should fulfil all promises made by someone on their deathbed—it only means that the fact that someone asked us to do something after their death constitutes a normative reason to do it.

27 A reviewer suggested that a more convincing and simpler response would be this. Non-human animals, because of their cognitive condition, are incapable of forming desires with respect to what should happen to their bodies after their death, and this is why we do not assume that these animals do not wish not to be eaten. I find this suggestion highly convincing with respect to many non-human animals, but unconvincing

in the social context that they belong to.²⁸ My claim is that moral notions are universal but the availability of certain *justifiers of moral judgements* (i.e. the factors that justify moral judgements) depends on a wider context: social, historical, and psychological. The kind of interaction there is between a non-human and a human animal makes it impossible for any promise to occur: the relevant justifier is simply unavailable. If the justifier is unavailable, the relevant moral judgement (roughly, “Eating that animal’s body is bad”) is unjustified, which means that there is no corresponding normative reason (not to eat it).

In sum, the final objection is valid: it does follow from PA that it is *prima facie* permissible to eat human flesh. Why this objection is not as devastating as it appears comes from two reasons. First, there are cases in which it is morally permissible to eat someone’s flesh; but these cases are very uncommon, which may explain why our common intuition tells us that eating human flesh is morally appalling on the whole. Second, although it is *prima facie* permissible, in most cases it is still all-things-considered wrong, because of the wider context of standard social interactions. This social context provides a justifier for a moral judgement that it is bad to eat human flesh but does not provide an analogous justifier for a moral judgement that it is bad to eat non-human flesh.

6. Final Remarks

The topic of this paper was the Predation Argument (PA) which (roughly) posits that since wild animals eat other animals, there can be nothing morally wrong in eating meat. My goal was to provide a non-trivial and philosophically interesting interpretation of this argument. I do not claim to have proven PA correct, but believe that the above proposed interpretation of PA shows that it can yield certain significance to animal ethics and maybe ethics in general.

I tried to provide a theoretical construction of PA that would be defensible and plausible. I attempted to justify the premises on which this formulation of PA is based. As a result of my analysis, it turned out that these premises can be justified if some further premises are assumed, the two most substantial of them being that (1) (a form of) internalism of reasons is a correct position and that (2) the Principle of Moral Universalizability obtains. If one rejects any of these premises, one is fully justified in rejecting PA. But if one happens to find these premises

as a universal claim about all non-human morally considerable animals (see also footnote 11), which is why I am inclined to reject it.

28 See: A. MacIntyre, *After Virtue*, Notre Dame, Notre Dame University Press, 1981.

convincing in their own right, not only—I argued—PA starts to appear plausible, but also interesting conclusions can be drawn from it. First, that the distinction between moral subjects and moral agents is not as clear-cut as we tend to think. Second, that the morality of eating animals does not—as we might otherwise believe—come down to the morality of killing them.

Abstrakt

O argumentach z drapieżnictwa

Celem niniejszego artykułu jest przedstawienie analizy filozoficznej oraz obrony pozornie naiwnego argumentu z drapieżnictwa (PA), zgodnie z którym skoro pewne zwierzęta niebędące ludźmi zjadają inne zwierzęta, jedzenie mięsa nie może być moralnie niesłuszne. Autor proponuje nietrywialne sformułowanie PA oparte na przesłankach, które byliby skłonni przyjąć weganie motywowani względami etycznymi (przeciwko którym PA jest skierowany) i broni te przesłanki przed możliwymi zarzutami. Okazuje się, że PA jest poprawnym argumentem, i że można z jego analizy wyciągnąć dalsze wnioski. Po pierwsze, że rozróżnienie na podmiot moralny i sprawcę moralnego nie jest tak ostre, jak się zazwyczaj uważa. Po drugie, że etyczność jedzenia zwierząt nie sprowadza się do etyczności zabijania ich.

