

2015

The Inconsistencies of the Replaceability Argument

Caitlin M. Bauer
Wright State University

Follow this and additional works at: https://corescholar.libraries.wright.edu/etd_all



Part of the [Arts and Humanities Commons](#)

Repository Citation

Bauer, Caitlin M., "The Inconsistencies of the Replaceability Argument" (2015). *Browse all Theses and Dissertations*. 1304.

https://corescholar.libraries.wright.edu/etd_all/1304

This Thesis is brought to you for free and open access by the Theses and Dissertations at CORE Scholar. It has been accepted for inclusion in Browse all Theses and Dissertations by an authorized administrator of CORE Scholar. For more information, please contact library-corescholar@wright.edu.

THE INCONSISTENCIES OF THE REPLACEABILITY ARGUMENT

A thesis submitted in partial fulfillment of the
requirements for the degree of
Master of Humanities

By

CAITLIN MARIE BAUER
B.A., Wright State University, 2011

2015
Wright State University

WRIGHT STATE UNIVERSITY

GRADUATE SCHOOL

April 27 2015

I HEREBY RECOMMEND THAT THE THESIS PREPARED UNDER MY SUPERVISION BY Caitlin Marie Bauer ENTITLED The Inconsistencies of the Replaceability Argument BE ACCEPTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF Master of Humanities.

Scott Wilson, Ph.D.
Thesis Director

Valerie Stoker, Ph.D.
Director, Master of
Humanities Program

Committee on
Final Examination

Scott Wilson, Ph.D.

Erik Banks, Ph.D.

Julienne Weinzimmer, Ph.D.

Robert E. W. Fyffe, Ph.D.
Vice President for Research and
Dean of the Graduate School

ABSTRACT

Bauer, Caitlin Marie. M.Hum. Master of Humanities Program, Wright State University, 2015. The Inconsistencies of the Replaceability Argument.

In this paper, I will argue against Peter Singer's replaceability argument. I start by showing how Singer's ethical theory of preference-utilitarianism leads to his assertion that everyone should be vegetarian, and later his conclusion that some animals are replaceable. To refute Singer, I argue that death deprives sentient beings of pleasure, and any other good they are capable of experiencing, so death is harmful to animals. Next, I discuss one last claim central to Singer's replaceability argument, that merely sentient animals are not the same individual between periods of consciousness because they have no memory or psychological connections. I refute the claim that they don't retain their individuality by arguing that their individuality is biological, rather than psychology. I conclude that merely sentient beings are biological individuals who are harmed by death because death deprives them of pleasure. Thus, they are not replaceable.

TABLE OF CONTENTS

	Page
CHAPTER 1: INTRODUCTION AND SINGER'S ARGUMENTS	1
Introduction	1
Singer's Arguments	2
Preference-Utilitarianism	3
Principle of Equal Consideration of Interests	6
Argument From Species Overlap	11
Argument for Vegetarianism	15
Singer's Replaceability Argument	21
CHAPTER 2: THE HARM OF DEATH.....	31
Epicurus and the Harm of Death	31
Hedonism is Wrong	36
The Deprivation Account of the Harm of Death	38
CHAPTER 3. THE DESIRE (PREFERENCE) THEORY	48
Death Thwarts Desire Fulfillment	48
The Suicide Problem	51
Everyone is Replaceable	52
Unacceptable Implications of the Replaceability Argument	55
Problems with the Desire Theory	59
Benefit of the Deprivation Account Over the Desire Theory	60

The Deprivation Account Applied to the Replaceability Argument	61
CHAPTER 4: MERELY SENTIENT BEINGS AS INDIVIDUALS	63
Singer's Theory of Personal Identity	63
Psychological View of Personal identity	69
Too Many Minds	72
The Fission Problem	73
Animalism	77
Combination Views	81
The Replaceability Argument and Personal-Identity	83
The Replaceability Argument Fails	85
Conclusion	85
BIBLIOGRAPHY	87

CHAPTER 1: INTRODUCTION AND SINGER'S ARGUMENTS

Introduction

Recently, through PETA and other animal rights organizations like PETA, people are becoming increasingly aware of the horrible way factory-farmed animals¹ are treated. They recognize that these animals are sentient beings who are living in cruel conditions. As a result of this growing awareness, many people are either opting to eat more humanely raised animals, or becoming vegetarian all together. These ethical decisions are generally based on an underlying view that it is morally reprehensible to harm another sentient being.

In his book, *Practical Ethics*, Peter Singer suggests that total veganism may not be necessary for people who wish to eat some forms of meat, but still do not wish to harm animals. He argues that some animals are not harmed by killing and eating them, because they are not self-aware enough to have an interest to exist in the future. The animals Singer is referring to are merely sentient beings, that is, animals whose only cognitive ability is to seek pleasure and avoid pain. Such creatures are only harmed by physical pain and they are only helped by pleasure. He claims that since merely sentient animals' only cognitive ability is to feel pleasure and pain, they are unable to have memories, so they are not the same individuals throughout their lives, because between periods of

¹ When using the term *animal*, I refer to non-human animals. I make a special note of this because humans are animals. Furthermore, when one uses the term animal, she is already pre-supposing a difference between humans and non-human animals before showing that there is indeed a difference.

consciousness they will have no memory of their life before their period of unconsciousness. He also argues that if you do kill them, and they are living a pleasurable life, you should replace them with similar animals, because the desire fulfillment caused by the animals leading pleasurable lives is good. This assertion, that some animals are able to be killed and replaced is known as the replaceability argument.

I will argue that the replaceability argument is flawed, and that merely sentient beings are harmed by death, because death deprives them of the goods of life. I will start by looking at Singer's overall ethical theory, and then discuss the reasons behind his claim that all animals are replaceable. I will then use Epicurus' claim that death is not bad for humans as a springboard to show that death is bad for humans, and also animals, including those who are merely sentient. I will argue death deprives all animals of the goods of this life, so death is also harmful to them. I will illustrate that the problems for Singer's theory, that death does not harm merely sentient animals, are based on his mistaken overall theory of preference-utilitarianism, which necessarily values desires over individuals. Lastly, I will show that contrary to Singer's claim, merely sentient beings are the same individual throughout their lives, because their individuality is based on the fact that they are biological organisms, not on their memories.

Singer's Arguments

Singer's argument for why animals have a direct moral status is based on his preference-utilitarianism, which is his underlying ethical theory for the rest of his ethical

judgments, including the reason for his later conclusion, that some animals are replaceable. It is therefore necessary to understand preference-utilitarianism to fully understand why Singer thinks animals matter morally- and also to understand the rest of his ethical arguments. First, I will explain utilitarianism as a whole, then I will discuss preference-utilitarianism.

Preference-Utilitarianism

Simply put, utilitarianism is the consequentialist ethical theory that the right course of action is that which maximizes the most amount of good, or the least amount of harm possible. Consequentialism is the belief that an action is morally right, or wrong, based on the results that action produces. Therefore, in deciding whether or not to choose a particular action, a utilitarian must choose which action will produce the most good results over bad results. In utilitarianism the good results do not simply apply to one individual, but to anyone involved in the consequences of the action. This includes both the number of people affected by an action and the intensity of the good or bad the action caused (*Practical Ethics* 12-15). For example, suppose you have three hundred dollars to give away, and three perspective people to give the money to. Two of the people are rich, and one is so poor that he will not be able to afford food for the day. You must now decide between two different scenarios for dividing up the money. Scenario one is for you to divide the money equally, thus making it possible to give all three people 100 dollars. The poor person can buy dinner for a few days, and the two rich people can have money

for poker. Under scenario one, you have made one person pretty happy that she could eat, but you could have made her much more happy. Soon, she will run out of food, and go hungry. You have also made two people moderately happy, because now they have extra poker money. Under scenario two, you will ignore the two rich people, and give all the money to the poor person. She can then buy food for almost the whole month. In deciding between these two scenarios, a utilitarian will consider both the intensity of the pleasure created, and the amount. In scenario one, three people will be moderately happy for a short time. One can eat for some days and two can play poker! In the second scenario two people will be moderately less happy. They will not have as much money for poker, so they are a little disappointed. When we weigh out the two scenarios, scenario number two brings about the greatest amount of good. The happiness created by giving people poker money is nothing compared to saving someone from going hungry. Furthermore, the pain the poor person will endure after she runs out of food is nothing to the disappointment of not having a couple hundred dollars for poker. A good utilitarian will choose the second scenario, and give all the money to the poor person.

There are different forms of utilitarian theories, and the differences between the theories have to do with what is intrinsically good. Simply stated, all utilitarian theories promote the action that produces the greatest good results over bad results (or the least bad results), but they disagree on what that good is. Preference-utilitarians (such as Singer) believe having one's preferences fulfilled is the only thing that is intrinsically good. A happy life for a preference-utilitarian is one where the individual is able to have

greater fulfilled interests over his unfulfilled interests. It is important to specify that the amount of preferences is not all that should be considered, but also how much the preference means to the individual who has the preference. For example, suppose there is a woman named Kelly, who has three different desires. The first two desires are to eat a piece of chocolate, and to take a walk in the woods. Unfortunately, Kelly has cancer. Her third desire is to be cured of her cancer. Her desires to eat chocolate and to go walking in the woods are mild desires. For Kelly, it is not a huge deal if she does not get these desires. However, Kelly's desire to be cured of cancer is intense. She will die if she is not cured! If given a choice, Kelly would definitely choose to be cured of cancer, rather than having chocolate, or walking in the woods. In this example, Kelly has two mild desires and one very intense desire. Though she could easily have the first two mild desires satisfied, she would still prefer the third intense desire to be fulfilled. For a preference-utilitarian, the number of desires fulfilled is not the only consideration. It is also important to consider the strength of the desire.

In the first chapter of *Practical Ethics*, Singer offers a short argument for preference-utilitarianism. He says that if you imagine yourself existing in a pre-ethical state, and you have to come up with your own form of ethics, the first thing you must do is to consider the interests² of others. He says that ethics by its nature is to consider the interests of others. If one only thinks about herself, this is not really ethics, but merely being self-interested. Singer asks the reader to imagine that they are part of a group of people who gather food in the woods to survive. You come across a tree full of fruit. Either you could

2 Singer uses preferences and interests synonymously.

keep the fruit to yourself, or you could share it. You could decide to keep the fruit to yourself because you found it, so it's yours. Or, if you are thinking ethically, you might decide to share it because nature belongs to everyone. Singer acknowledges that there are arguments to the contrary, but says that the fact that ethics is inherently to consider the interests of others, points strongly to preference-utilitarianism (*Practical Ethics* 11-13).

What does it mean to say that ethics inherently is to consider the interests of others? Suppose you live in the pre-ethical state. If you come upon the tree and think only of yourself, you are not acting ethically, but only thinking of yourself, and your own preferences. However, thinking that other people might also like to eat the fruit involves thinking of the preferences of others, and thus, thinking ethically arises. From this scenario, Singer draws the conclusion that thinking ethically is based on preferences. Furthermore, if you value the preferences of others and yourself, you should want the most amount (with consideration to intensity of desire) of preferences fulfilled. Preference-utilitarianism gives a framework to bring about the greatest preferences fulfilled (*Practical Ethics* 11-13).

Principle of Equal Consideration of Interests

Singer's preference-utilitarianism leads to what he calls the principle of equal consideration of interests (PECI). The principle of equal consideration of interests is Singer's outline for how to use preference-utilitarianism as a practical moral theory. PECI states that all beings who have interests should have their interests considered equally

(*Practical Ethics 20 Animal Liberation 2*). Here is how PEI is derived from preference-utilitarianism:

1. Ethical judgments regarding morality are inherently based on considering what is good or bad for other individuals.
2. According to preference-utilitarianism, the only intrinsically good thing for an individual is for that individual to have her preferences fulfilled, and the only intrinsically bad thing for an individual is to have her preferences thwarted.
3. Therefore for a preference-utilitarian, any ethical judgment regarding morality should be such that all interests of all individuals involved should be considered equally. (*Practical Ethics 20 Animal Liberation 2*)

In *Animal Liberation*, Singer references the women's rights movement, to demonstrate what he means by equal consideration of interests. It is well known that prior to the women's rights movement, women did not have the right to vote, or even own property. Today, we look back, and think this was ethically outrageous. There is nothing about women that makes them any less capable than men in matters of voting or owning property. There are no ethical grounds to claim otherwise. The same applies to different races. Singer writes that we need to consider all interests equally. However, "the basic principle of equality does not require equal or identical *treatment*; it requires equal consideration. Equal consideration for different beings may lead to different treatment

and different rights” (*Animal Liberation* 2). Meaning, though interests should be considered equally, what those interests are will determine how an individual is treated. For example, a five-year-old is not capable of the rationality involved, or even interested in, voting, so she does not have voting rights.

Singer's next step is go to beyond equal consideration of interests for humans, and extend it to all sentient beings. Sentient beings are any creatures who can feel pleasure or pain. Singer says the desire to feel pleasure, and not feel pain, is an interest (preference), and any being who has an interest is also included within a preference-utilitarian's moral sphere:

1. According to PEI, all interests of all individuals should be considered equally.
2. Most animals are sentient individuals.
3. Any individual who is sentient has interests (in seeking pleasure and avoiding pain).
4. Therefore, most animals should be included in PEI. (*Animal Liberation* 2-7)

Singer writes that there is strong evidence that most animals feel pleasure and pain. To many people, that animals can feel pain may seem obvious. However, there are some philosophers and scientists who believe animals cannot feel pain because, they do not

have the right sort of consciousness that enables them to feel pain. Rene Descartes is one of the most well known philosophers who believe that animals cannot feel pain. He claims that animals are simply biological machines. He does not deny that animals show signs of pain, such as moving away from a hot object, or crying out, but he believes that signs of pain exhibited by animals are merely reactionary, automatic responses to an outside stimuli (*Animal Liberation* 10). Though they did not have touch screens during Descartes' life, if Descartes were alive today, he might say that the response of an animal is no different than the response of a computer with a touch screen. In a way, we could say the computer “feels” our fingers and responds, but we generally would not consider a computer to have conscious feeling, in the same way that we can feel when we are touched.

Singer does not agree with Descartes' claim that animals cannot consciously feel suffering. He offers three pieces of evidence to serve as reasons for why we should accept that animals do feel pain:

1. Animals show the same (or similar) signs as humans do when something happens to them that would inflict pain.
2. At least some animals (including all mammals) have a similar nervous system and physiology to ours. Logically, animals who have similar physiology to ours are likely to be able to have similar sensations to ours.
3. Animals have evolved in a similar way and environment as humans. It is

reasonable to believe that they also evolved to have the ability to feel pain.

(Animal Liberation 11)

Singer examines one common argument for why animals do not feel pain. Descartes and other persons have argued that the ability to have language is necessary to feel pain. Singer gives two reasons why a philosopher might think that the ability to feel pain is linked to language.

The first is that linguistic ability shows that a being has consciousness, which is a prerequisite for feeling anything at all. However, Singer counters that there is mounting evidence that some chimpanzees can learn language (*Animal Liberation 14*).

I agree with Singer, that language is not needed to feel pain, but I do not believe he needs to assert or point out that some animals could be capable of learning language. This does not add anything to Singer's argument. If it is true, that chimps may be able to learn language, the proponents of the idea that language is needed for consciousness could merely agree that chimps could attain consciousness, but all other animals who cannot learn languages cannot attain consciousness. Rather than show instances where animals might learn language, Singer needs to show that language is not necessary at all for consciousness, which he attempts, and succeeds at, when he answers the second argument put up by proponents of the claim, that language is a prerequisite for consciousness.

The second argument Singer discusses for why language would be linked to pain, is that one could deny that you would ever know if an animal could feel pain on the grounds

that they have no way to tell us. Singer replies that the idea that linguistics is necessary to feel pain is dubious, because pain is more primitive and not linked to linguistics at all. Animals show other clear signs that they feel pain, such as crying out or cringing. He points out that if it were true, that linguistic ability confers the ability to feel pain, we should also believe that human babies cannot feel pain because they cannot speak either. (*Animal Liberation* 14)

The Argument from Species Overlap

The belief that language is necessary for consciousness, and therefore for a being to be considered morally, is one example of philosophers arguing humans matter morally, while animals do not, because they possess some characteristic that animals do not. There are other characteristics that some philosophers try to use to justify why humans may matter morally, while other animals do not. These characteristics may include sophisticated linguistic ability, self-awareness, creative ability, and rationality. However, rather than trying to disprove individually, why each of these characteristics should bar animals without them from being included within our moral sphere, Singer chooses to show that using any of these characteristics as a rule to include a being within our moral sphere will lead to unacceptable consequences.

Singer employs a version of the argument from species overlap to show that believing humans are superior simply because they have a certain characteristic (or set of characteristics) is absurd. The argument points out, that for any characteristic (or set of

characteristics) one could come up with, there will probably be a human lacking that characteristic. Furthermore, if one believes that characteristic is what makes someone morally relevant, if they are to be consistent, they must hold that any human who lacks that characteristic is not morally relevant. The argument from species overlap goes as follows:

1. Suppose the people who say humans are more morally valuable than animals, because they have certain cognitive characteristics, are correct, and there is a characteristic (or set of characteristics) that causes a being to matter morally.
2. There are some humans who lack some of the characteristics that (supposedly) only humans possess. For instance, a severely mentally ill person may not be able to think critically, he may lack self-awareness, language, or lack any creativity. Young children also lack some (or all) of the characteristics, which supposedly give humans a more morally significant place than animals. When a baby is first born, the baby seems to only be sentient, lacking all other higher brain functions.
3. Following the logic of the people who claim humans are more morally relevant than animals since they have higher cognitive abilities, all beings who lack these abilities would also lack moral worth (or at least be worth less).

4. There is no characteristic that could matter ethically, that all humans have, and that will not encompass animals as well.
5. Therefore, logically if these characteristics are what give humans their special moral status, the humans who lack these characteristics would also lack this moral status. (*Animal Liberation* 18-19)

To put the conclusion in simple terms, the species overlap argument offers two choices. Either, one must accept that some humans are worth less and that animals are also worth less, or one must accept that all humans and all animals are of equal moral worth. It is important to note that, Singer is not saying that all humans and all animals are equal, rather he is saying that they should be given equal consideration. The fact that some humans do not, in fact, have equal intelligence, strength, or other qualities means they are not all equal, but if we are to give all humans equal consideration, we must also extend the same consideration to animals. That is how the principle of equal consideration of interests should be put into use (*Animal Liberation* 19).

One way to respond to Singer's argument from species overlap is to claim that humans who lack the higher brain functions, which are normally attributed to humans, either because of some defect or because they have not reached maturity yet, still have the potential for those characteristics, and therefore, should be given rights attributed to those characteristics. This argument, known as the argument from potential, is commonly used to argue why killing a human embryo or fetus is wrong. However, it can also be applied

to the argument from species overlap as well. One could argue that humans are above animals, because they all have the potential for all the higher cognitive abilities, while animals do not.

In *Practical Ethics*, Singer says that potential characteristics cannot confer actual rights. For instance, Julie, who is five years old, will potentially have the rationality required to vote when she reaches adulthood. However, it does not make sense for her to be given the right to vote now. She does not have the necessary abilities at this time. In the same way, it does not make sense for Julie to be allowed to vote when she is five, just because she will potentially have the necessary rationality in the future, it also does not make sense to treat humans, who have the potential for certain characteristics, as if they currently have them. Therefore, the argument from species overlap has not been sufficiently refuted by the argument from potential, and it is still a valid argument (138-141).

As I have previously stated, Singer believes that having interests is the ability that makes a being matter morally. The ability to have interests does not conflict with the argument from species overlap because every sentient being in existence can have some sort of interest. Remember, to be sentient, means to have an interest in seeking pleasure and avoiding pain. Therefore, when we thwart the interest of a being, we have done something morally bad for that being. If all beings have interests, and interests are intrinsically good, then all interests of equal intensity should be equally considered (*Practical Ethics* 20). This is the basis of the principle of equal consideration of interests.

Argument for Vegetarianism

So far, the argument has been to show why animals should get equal consideration of interests, but now I will examine Singer's argument for vegetarianism. As I have previously discussed, Singer believes animals should be treated according to their preferences. Singer does not give a blanket statement for how he believes we should treat animals, rather, he says we should treat them according to what their particular interests are. There are two different types of interests relevant to our treatment of animals. The first preference that all animals have, is the preference to seek pleasure and to avoid pain. The second preference an animal might have that would make killing them morally problematic, is the preference not to die. I will discuss the first preference, that animals desire to seek pleasure and avoid pain, then I will discuss the second preference, that an animal may have the desire to live.

Most animals we eat today lead painful lives, and the means of their death is also painful. When we choose to eat meat, we are contributing to the suffering of animals. By choosing to buy, and eat meat products, we perpetuate the system of factory farms, because it gives the farmers a reason to mass-produce animals. Farmers are unable to economically mass-produce humanely raised animals, because the methods used to increase their yields is cruel, as I will show later. If we care about whether animals are in pain or not, we must be vegetarian. Animals who are raised for food live through painful lives just so humans can have the pleasure of eating them (*Animal Liberation* 95-157).

One response to Singer, is that a good utilitarian will look at the good for all involved. Maybe it would be possible that the pleasure for humans, who eat animals, offsets the pain the animals go through. Because people eat meat, farmers make money, and the consumers have the pleasure of the taste, and the nutrition of the meat. These contribute in a positive way to the interests fulfilled by eating meat. The animal who dies might have some of their interests thwarted, but it is possible that the interests of the humans might outweigh the interests of the animals.

Singer says that it is not possible for our pleasure from eating meat to outweigh all the pain that animals go through before they are slaughtered. The meat we purchase from the grocery store comes from animals who are raised on factory farms. It is not economical for stores to sell meat from animals who are not massed produced, and the techniques for massively producing animals contributes greatly to their suffering (*Animal Liberation* 160). In the third chapter of *Animal Liberation*, Singer gives detailed information and statistics about the pain animals go through on factory farms.

When chickens are just a day old, 10,000 to 50,000 of them are housed in a long windowless shed. The shed is not cleaned during the whole life of the chickens, so they are left to stand in their own droppings. The lights of the shed are controlled, based on a guide-book that farmers use to speed up the growth of the chicken, often very bright for days at a time to promote the chickens to eat as much as possible, and at other times very dark to encourage the chickens to sleep. As they grow, the space they live in becomes more crowded. The chickens often grow large so fast that they are left with deformities,

and many of them can't even walk or bear their own weight. At six weeks, the chickens are large and overcrowded. The light is dimmed, so that they aren't aggressive to each other for lack of space. In order to stop the chickens from damaging each other, many factory farms routinely practice debeaking, which is, the tip of the baby chick's beak is cut off and cauterized with a hot blade. At just seven weeks old, the chickens are slaughtered. Without being killed, a chicken normally lives seven years. (*Animal Liberation* 98-105) This painful life the animals lead is intense, and our interest to eat animals could never add up to their interest in not going through the painful life that they are forced to live.

When a pig first becomes pregnant, she is often either chained or placed in a stall that is two feet by six feet, just barely her own size. She stays in this cage for months. She cannot walk more than one step, or even turn around. She must stay in this cage the whole time she is pregnant, and continues to be caged until after she is done nursing her piglets. In nature, pigs are active animals, exploring and finding food for most of the day. Only when the sow is breeding is she able to walk freely out of her small cage, and even during breeding time, she is usually indoors. While not all farmers keep their pigs indoors, over half of all factory-farmed pigs are kept inside their entire lives. Often, ammonia in the air from their urine burns their lungs, and the hard floors they are kept on damage their posture. However, before the damage is visible, they are usually killed. Most of the time, pigs are killed between five and six months old. Pigs are the most intelligent of the animals we commonly eat in the west (*Animal Liberation* 119). Pigs are

easily as smart as a dog. Given the chance, they will play and socialize similar to a dog as well.

Cows do not escape the cruelty. The way veal is produced is the most savage of them all. At a very young age, baby cows are put into small crates. The separation anxiety between mother and baby is intense. The baby cow is fed a milk-replacer, which is high in protein and low in iron, to give their meat a certain taste, texture and color. They are often given no water in order to make them hungrier and encourage them to grow bigger. As the cows get larger, they cannot stand or change position because their crate is too small. They cannot groom themselves. Often, the baby cow will chew the sides of his stall because he is so iron deprived. The lights are turned way down because the baby cow will get too restless. Often, 10 to 15 percent of veal calves will die because of the conditions they are kept in. Veal cows are not the only ones treated horribly. Cows not used for veal are not spared pain either. Dairy cows are separated from their calves when their calves are very young. This causes both the mother, and baby, a great deal of separation anxiety. The lactating cows are milked often, then made to get pregnant back to back for years on end. After 5 years they are thought to be, “spent,” and slaughtered to make room for cows that will produce more milk. Male cows often have their horns cut off, are branded with a hot iron, and are castrated, all without anesthesia (*Animal Liberation* 129-137).

If you routinely eat meat and buy it commercially, there is no doubt that you are eating animals that were treated in the ways in which I have just described. The suffering that

factory-farmed animals go through so that humans can eat them simply cannot be outweighed by humans desire to eat meat. There is no way your desire for the taste of bacon can outweigh the anguish caused to a pig, who never sees the light of day.

The preferences of animals to avoid pain, and the fact that animals raised in factory farms experience a great amount of pain, as a result of us eating them, is a sufficient reason for most³ people to be morally obligated to be vegetarian. Yet, there is another reason as well. The second reason we should be vegetarian is that many animals have the preference to live, and we thwart that preference when we kill and eat them. There is evidence that some animals have desires about their futures, and having a desire about one's future means one must be living for that desire to be fulfilled. This can be seen in the most basic form when a dog waits by the door for his owner to come home. We can imagine that he knows his owner will come home, and is desiring his owner to come home. When his owner gets home he wags his tail and jumps about. He uses body language to let us know he is happy. We can ask how we know this is a desire about the future. Maybe he has a current desire to sit by the door. I doubt that sitting by the door in and of itself is very exciting to the dog. Dogs will wait by the door, even when there is food and toys to be had elsewhere in the house. Some animals show even greater evidence that they are self-aware and the ability to have interests for the future. Dolphins and some monkeys are able to identify themselves in a mirror. This is a test psychologists use to find out if an animal is self-aware. Studies of pigs have shown that they are at least

3 I say *most* because this does not apply people who hunt, or are able to purchase their animal meat from a small farm where they can know that the animals are raised in good conditions.

as intelligent, if not more so, than a dog. In some studies they could navigate their surroundings using a mirror, which is something not many animals can do (Angier 2009). If this is the case, why do we care about a dog's preferences, but not those of a pig? Under the principle of equal consideration of interests, an animal's interest in the future should be considered. Singer does not give an exhaustive list of which animals are capable of having an interest in the future, but believes as much caution as possible should be used when determining which animals do. We should give animals who show the slightest possibility of self-awareness the benefit of the doubt, and not kill them (*Animal Liberation* 19).

As a consequence of the principle of equal consideration and the assertion that animals have interest, he says that animals should also be included in our moral sphere. Singer believes we are all morally compelled to be vegetarians and that most of the ways we exploit animals (for clothing, research ex.) are wrong. Singer is not arguing that animals should have the same rights as all humans. In fact, Singer does not think the term *rights* even makes sense morally speaking. He is not arguing that animals must be treated the same way either. In fact, Singer is not arguing that all humans be treated the same. Rather, he writes that how a being (human or animal) should be treated directly corresponds to what interests she has. For instance, a young adult may have an interest in going to college and earning a degree. A dog has no such interest, nor would he be capable of doing so. One could say that the young adult should be allowed to pursue his interest, but it does not make sense to say that of the dog. Different treatment for different

interest can go the opposite way as well. One could say that a wild bird should be allowed to fly and be free. However, a human child can neither fly, nor be totally free. It is physically impossible for a child to fly, and it is dangerous for the child to let the child be free. When Singer writes that different interests may require different treatment, he simply means if a being is not capable of having an interest, then it does not matter morally if the being is allowed to fulfill the interest he/she does not have (*Animal Liberation* 2). An animal's interests will definitely be to seek pleasure, and some animal's interests are to live. In consideration of these interests, we should be vegetarian (*Animal Liberation* 159).

Singer's Replaceability Argument

Singer's assertion that interests should dictate how a being is treated leads him to make one of his most surprising claims. In *Practical Ethics*, Singer makes the assertion that some animals are replaceable. This claim seems to go against the majority of Singer's arguments, which he previously laid out in *Animal Liberation*, but it is based on the claim that a being's preferences determine how a that being should be treated. Singer briefly mentioned a version of the replaceability argument in the last chapter of *Animal Liberation*, as an acknowledgment of an objection to his argument for vegetarianism. The objection was to claim we are actually making more happy animals by eating meat because the pigs, cows, and other farm animals, would not exist if we did not breed them to eat. Singer admits that at first he was dismissive of the argument, but has since

changed his mind (*Animal Liberation* 228).

He contends that it may be morally permissible (and maybe even good) to cause a happy merely sentient being to exist, and then painlessly kill him, as long as you replace that merely sentient being with an equally happy one. He compared bringing an animal you knew was going to live a short, painful life, and then die, to bringing a baby into the world whom you knew would live miserably and die a painful death. This surely would be wrong. If bringing a miserable being into the world is wrong, Singer reasons, bringing a being into existence who will live a short, but pleasant life may be good. However, it is of utmost importance to the argument that the animal live a pleasant life, that is a life in which their fulfilled interests are maximized. This requires that the animal only have an interest in avoiding pain and seeking pleasure, and not have an interest in living, because if the animal has an interest in living, that interest will be thwarted by killing him. If the animal has an interest in living or is capable of having interests about her future, these interests must also be considered, and it is probably not morally permissible to kill the animal. It is for this reason that Singer finds replaceable only the ones who are merely sentient. That is, beings who's only cognitive ability is to avoid pain and seek pleasure. This leaves out most of the animals we raise for food today, including pigs and cows (*Animal Liberation* 228-230).

Singer gives a more detailed answer to the replaceability argument in *Practical Ethics*. In the chapter "Taking life: Animals," Singer explains other philosopher's arguments for why animals are replaceable, then finally argues for his own version.

Singer cites Leslie Stephen who wrote “Of all the arguments for vegetarian, none is so weak as the argument from humanity. The pig has a stronger interest than anyone in the demand for bacon. If all the world were Jewish, there would be no pigs at all” (105). Stephen is essentially arguing that if humans did not eat pigs, not as many pigs would exist. Most pigs only exist because humans raise them to eat them. Singer points out that according to Stephen, we are doing the pigs a favor by bringing them into existence. In earlier works, Singer did not think it made sense to claim that bringing a being into existence could be doing that being a favor, but he has since reconsidered his stance, and he now does think bringing a being into existence can be doing that being a favor (108).

There are three issues for the replaceability argument that Singer says must be addressed. The first is that it is imperative that the animal live a pleasant life. If the animal is raised on a factory farm, this detracts from overall ratio of pleasure, rather than add to it. Most available meat is indeed raised in a factory farm. The only way to ensure the animals your meat came from lived pleasant lives is to purchase the meat directly from the farmer or raise the meat yourself (106).

The second issue is that implicit in the replaceability argument is the idea that creating happy life is good. Proponents of the argument then run into a dilemma. For the argument to hold, they need to show that happy life of humans is better than happy life for animals. Otherwise, we should kill ourselves to make room for more animals. Many animals take less space to live happy lives than humans do, so if we killed ourselves to make room for these happy animals, we would be allowing more happy lives than otherwise. However,

when meat eaters do find a good argument for why human's happiness matters more than animals, they will run into the problem that it would be better for humans not to eat animals at all. If we only grew plants, we could have more happy humans on the earth because there would be more room for us (*Practical Ethics* 106).

The third issue is, as Singer reminds us, anything that is true for animals must also hold true for humans who have similar mental capabilities. For example, the replaceability argument could potentially be used to support the idea that for every baby that is born, a clone should be created for organ harvesting. The clone's brain would be modified by neuroscientists to never develop mentally beyond infancy. The clone would never meet the parents of the original child, so that the parents would not become attached to the clone. The clone would live a relatively pleasurable life. He would have no interest, other than the desire to feel pleasure and avoid pain. When the non-clone child needed an organ, such as a heart or a kidney, the clones would be painlessly killed, and their organs harvested. The recipients of the organs would give money for the organs, and this money would make it possible to create more clones. These new clones would also live pleasant lives before they are painlessly killed, and the cycle would continue. The existence of the organ harvest operation would actually create more pleasure than if they did not exist, because the pleasant lives the clones would have would not exist if they were not created for the purpose of organ harvest. If we accept that killing and replacing animals is good, we would be inconsistent if we did not think that creating clones for organ harvest is good as well (*Practical Ethics* 106-107).

Singer acknowledges that though these three issues are problems for proponents of meat-eating, they do not actually disprove the assertion that some animals are replaceable. As I mentioned previously, earlier in life, Singer did not think it made sense that one could do a being a favor by bringing him into existence, simply because he did not yet exist. A being can only be harmed or done a favor if he already exists to be harmed or receive the favor. This is known as the prior existence view. The prior existence view is the view that you cannot morally wrong or right a being who does not yet exist. However, by the second edition of *Animal Liberation* Singer changed his mind. He now is of the opinion that knowingly bringing a being, who will be miserable, into the world is bad, so bringing a being who will live a pleasant life must be good (*Practical Ethics* 105).

Singer examines two thought experiments by Derek Parfit, in which he invites us to imagine that there are two women who are going to have a baby. One of the women is already three months pregnant. The mother's Doctor comes in with some bad news. The baby has a defect that will make her live a miserable life. However, the good news is that the fetus is easily treatable. If the woman takes a pill, the fetus will be born healthy. Most people would agree that the mother is doing something wrong by not taking the pill. The second woman is not yet pregnant, but is talking to her Doctor about getting pregnant. The Doctor gives her bad news. If she become pregnant within the next three months, her baby will have the horrible defect that the first woman's baby has. The pill will not work for the second woman. However, if the second woman waits just three months to

becomes pregnant, her baby will be perfectly healthy (*Practical Ethics* 109).

Most people would agree that the second mother should wait to become pregnant. Parfit then asks us to imagine that the first woman does not take the pill, and the second woman does get pregnant within the first three months. He then asks us to consider whether the women have both done something equally wrong. At first, we might say that they have both done something equally morally wrong. However, if we take a more subjective look at the examples, we might find differently. Once the children are born, the child of the first mother could say “How could you not take the pill?” and the mother would not have a good answer for the child. The child of the second mother could say “Why would you not wait three months?” The mother could reply that if she had not gotten pregnant when she did, her child as an individual would not have existed. The exact sperm and egg needed to create the individual child would not have been present three months later. So, had the mother waited, that child would never exist. If we still think that the actions of these two women are not equally wrong, we should also think it is bad to bring a being into the world who will live a miserable life. If we believe it to be bad that the mother did not wait three months, and thus, brought a miserable being into the world, then we believe it is bad to bring a miserable being into the world. Consequently, the opposite should also hold true. If it is bad to bring a being who we know will be miserable into the world, it is also good to bring a being into the world whom we know (reasonably) will live a pleasurable life (*Practical Ethics* 109).

Singer acknowledges that the example of the two women might be a little confusing,

so he cites another example given by Parfit. Today, we are faced with a decision. Either we can continue to live off cheap energy that is destroying the planet or we can switch to a more sustainable way of living. If we choose the first option, we will benefit ourselves, our children, and possibly our grandchildren. However, the earth will be a harder place to live for our subsequent generations. Yet, if we choose option two, it will be harder for us, our children, and maybe our Grandchildren, but it will be easier for subsequent generations. If we choose option number one, there will be other consequences as well. If we choose to live more sustainably, we will undoubtedly travel less and it will affect what other people we will meet. We might not meet the same future significant other we would have otherwise. This will result in the individuals of the future being different than they would have been. It is likely that many couples who would have been destined to be together will meet someone else. Just as the mother from the previous example could tell her child she would not have been born if the mother had not gotten pregnant when she did, we could write a declaration to future generations that they would be unlikely to be alive if we had adopted a sustainable energy policy (*Practical Ethics* 110).

Parfit's two examples show that our actions can be morally right or wrong for beings who do not yet exist. This holds true under preference-utilitarianism as well. In the case of the mothers who become pregnant, their children will be sentient beings with the preference for seeking pleasure and avoiding pain. In terms of preference-utilitarianism, we would say that the preference of the baby to avoid pain is greater than that of mother have a baby at that particular time. This contradicts the prior existence view. If you agree

that the first mother has wronged her child, or that by living unsustainably we are wronging our future generations because it thwarts their preferences, you do agree that a being who has yet to exist can be morally harmed by current actions. So, the prior existence view does not refute the argument that we are doing animals a favor by causing them to be brought into existence, even if it is for our food.

One problem with the view that we are conferring favor on animals by causing them to be brought into existence is that if this is true for animals, this is true for all beings who can feel pleasure. That means that it would also be morally permissible to raise and kill humans for food or organ harvest (or any other purpose) as long as they live a pleasurable life. Singer's answer is to point out that unlike a hedonist-utilitarian, preference-utilitarians value all preferences, not only those preferences pertaining to pleasure.

Singer says it is morally permissible to painlessly kill merely sentient beings because they have no concept (and therefore, no preference) of themselves existing in the future, and fulfillment of preferences is the only thing that is intrinsically good, and therefore, the only thing that matters morally. Singer says it is wrong to kill self-conscious beings because they can imagine themselves existing in the future, and consequently, have interests to be fulfilled in the future. However, merely sentient beings cannot imagine themselves existing in the future, so they cannot have interests (preferences) for anything in the future (*Practical Ethics* 111).

Singer goes even farther, claiming that merely sentient beings do not retain individuality over time because they have no memory of their past and no concept of the

future. At least mentally speaking, from one moment to the next, merely sentient beings are new individuals. In Singer's own words:

If they (merely conscious beings) were killed while unconscious and replaced by a similar number of their own species who will be created only if the first group are killed, there would, from the perspective of their own awareness, be no difference between that and the same animals losing and regaining consciousness. (*Practical Ethics* 112)

Singer does not tell us exactly what animals might fall under category of merely sentient beings, but we can imagine he means animals such as clams, worms, and maybe fish.

These animals are commonly thought to have very limited cognitive abilities. Singer says that several criteria must be met for an animal to be replaceable.

1. The animal must not be capable of having desires about his future.
2. The animal must be raised humanely and given a happy life.
3. The animal must be killed painlessly.
4. The animal must be replaced by an equally happy animal. (119-122)

Singer's criteria for what makes an animal replaceable gives us a very narrow window for when it is acceptable to kill an animal, so it causes the reader to wonder whether

Singer's argument would be applicable at all in real life. For the sake of argument, let's assume clams fall into the category of merely sentient beings. Let us also assume that there is a clam farmer who adheres to preference-utilitarianism. The farmer has large clam tanks, where he tries to replicate the clam's habitat. He feeds the clams regularly, so they are never hungry. It can be assumed that the clams lead relatively happy lives (for clams). The farmer has then developed a way to kill the clams totally painlessly, and he makes sure to replace the clams right away. If the fish farmer did not have these clam farms, these happy clams would not otherwise exist. Therefore, the farmer has actually created more happy clams by having the farm and killing the clams, then if he did not.

The clam farmer is an example of how the replaceability argument could apply to a real-life situation. The argument works because the pleasure the clams will receive from living a pleasurable life will bring about desires and their fulfillment, and killing the clams only makes less desires. If they are instantly replaced, it creates more desires that are then fulfilled. They have no desire to continue living. Therefore, to Singer, death would not be bad for them, but neutral. If Singer is right that death is not bad for merely sentient animals, perhaps it is also not bad for any being, including humans. Epicurus made such an argument, that death is not bad for the individual who dies. In the next chapter, I will discuss Epicurus' argument, then show that it is wrong. Perhaps, if Epicurus is wrong about death not being bad for humans, Singer is also wrong about death not being bad for merely sentient beings for the same reason.

CHAPTER 2: THE HARM OF DEATH

Epicurus and the Harm of Death

In his “Letter to Menoeceus,” Epicurus argues that death cannot be bad for the individual who dies (150). At first glance, this argument seems ridiculous. Most people believe that death is the ultimate harm. When something horrible happens, but everyone lives, the first thing many people say is “well, at least we are all alive.” The very idea that death might not be harmful to the person who dies is hard to understand for most people. From the time we are born, survival is ingrained into our psyche. This is true of most (if not all) animals. We are hardwired to run from danger. Evolutionarily, it would seem that it is bad to die. We all avoid things we know could kill us. However, the question of the badness of death is not really a scientific question, but a philosophical one. There are different uses for the word *bad*. Bad can mean something does not work the way it should. This meaning of *badness* is not relevant to the argument. It is a more objective meaning of bad. The meaning of bad when we talk about the badness of death is a subjective bad, the personal harm death inflicts on the individual who dies. This is an important distinction because if we talk about badness in the sense of something not working, then death would be bad. One could speak of the individual as not working after he dies, and thus, death would have caused something bad. However, death as a subjective harm to the individual who dies is a more debated subject.

To fully understand Epicurus' argument, it is first necessary to understand his theory of

the good. Epicurus is a Hedonist. Hedonism is the theory that pleasure is the only thing intrinsically good for an individual and pain is the only thing that is intrinsically bad for an individual. The phrase *intrinsic good* means that something is good in and of itself. It is not good because of something else, but good solely because of its nature. This is opposed to *extrinsic good*, which is something that is good because something else is good. A chair is an example of an extrinsic good. The chair is good because it is useful for sitting. A chair with no one to sit in it would be useless. Pleasure, on the other hand, is intrinsically good because it is good no matter what. It is impossible for pleasure to be had apart from an individual. According to Epicurus, as a hedonist, pain is the only thing that is intrinsically bad for an individual. There is no pain for the individual who dies. Therefore, death cannot be bad for you after you die (151).

For a hedonist such as Epicurus, whether life is good or not for an individual depends on whether she has a greater ratio of pleasure over pain in her life. Epicurus' meaning of pleasure is a little different from the common use of the word. To Epicurus, to lead a pleasurable life would not consist in having tons of sex and eating an over abundance of food. Rather, Epicurus wrote "We do not mean pleasures of profligates and those that consist in sensuality, as it is supposed by some who are either ignorant or disagree with us or do not understand, but freedom from pain in the body and trouble of the mind" (151). As we can see from this, Epicurus' definition of pleasure is more moderate than a constant feeling of pleasure. Rather, Epicurus tells us that in order to achieve a pleasurable life one must live modestly, only indulging himself every so often. It could be

as simple as not being hungry, or being free of pain mentally or physically. The kind of intense pleasure had by excessive eating, drinking, or lots of sex can lead to an intense feeling of pain. For instance, often after an episode of intense drinking, an intense hangover is to follow. Over indulgence on a daily basis would also be bad because after a while, it would cease to be as pleasurable for the individual in the same way that if one had his favorite meal for dinner every day, he would eventually get tired of it. A life is likely to have more pleasure over pain in it if the individual satisfies his mental and physical needs, and does not over indulge. Epicurus believes that the greatest way to live a pleasurable life is to live a virtuous one, and he writes “the greatest good is prudence” (152). For example, if one is prudent, he will not spend his money rashly, so he will have money when he needs it. Epicurus also believes reason plays a large role in a pleasurable life. He claims that one who can reason will not have anxiety about life, or about death. Epicurus argument that death is not harmful is part of his philosophy about leading a pleasurable life. If you do not fear death because you do not believe it will harm you, the fear of death itself will not harm you. Thus, if you do not fear death, you are leading a more pleasurable life (149-153).

In death, an individual will feel neither pleasure nor pain, so Epicurus believes that death is neutral, not good or bad. He leads the reader through an examination of how (and if) death could be bad for an individual. First, Epicurus says that we must assume for the sake of argument that death is the total and complete annihilation of a person. This is necessary because nothing else would really be death. If humans did have a soul and this

somehow caused their consciousness to live on after their body died, this would not truly be death, but a transition to some type of non-corporeal existence. A non-corporeal existence is what people who argue for the existence of a soul believe. However, there is no meaningful way to talk about, or prove, anything like a soul exists because of the very definition of what a soul is. A soul is something we cannot sense and does not contain matter. Therefore, we must assume that death is the total and complete annihilation of the self (150-151).

Epicurus writes that one of the reasons why we fear death is because we try to imagine what it is like after we are dead. We try to imagine non-existence, but what we actually end up imagining is existing alone in some kind of void. However, to imagine non-existence is impossible because we cannot imagine ourselves in a state of non-existence. There is nothing to imagine because non-existence isn't a state of being, but non-being. Once we accept that the individual ceases to exist after death, we can also reason that the individual does not feel pain after death, because she no longer exists to feel the pain (150).

Epicurus' argument for the non-existence of the harm of death is briefly outlined when he writes "Death, the most terrifying of ills, is nothing to us, since so long as we exist, death is not with us; but when death comes, then we do not exist" (150). Epicurus is arguing:

1. If death is harmful to an individual it must be harmful either before the

individual has died or after the individual has died.

2. Death cannot be harmful to the individual who dies before he are dead because he is not dead yet.
3. Death cannot be harmful to the individual after he has died because he does not exist to be harmed.
4. Therefore, death cannot be bad for the individual who dies. (150)

Death happens at a particular instance in time. It is the instant you go from existence to non-existence. It does not affect the person who dies before they die. One could argue that the pain one often feels before death is bad for the individual. That is, whatever the ailment that leads the individual to die is bad. Epicurus agrees that the pain cause to an individual when he is sick is bad. However, this is not death itself. Once death occurs, there is no longer pain. Maybe an individual could be scared of death before death happens, and that is an evil caused by death. Epicurus replies that this is an unnecessary evil of death. Once one knows the truth, that death is nothing, he will no longer fear death. Epicurus' argument that death is not harmful to the individual who dies is meant to alleviate this fear of death. He writes death is simply the instance when an individual's consciousness ceases to exist. At no point in time will death cause the individual pain. Therefore, because pain is the only thing intrinsically bad for an individual, death cannot be bad for the individual who dies. This does not mean the individual's death is not bad for others. Clearly, if the person who dies is well loved, the death will cause pain to the

people who loved the person who died (150).

The premise that pain is the only thing that is intrinsically bad is implied in Epicurus' argument. If he is wrong, and pain is not the only thing that is intrinsically bad for an individual, it could undermine his whole argument. However, whatever the badness of death was, it would have to transcend the state of non-existence (death) and reach back to when the individual was alive.

This idea that death is not harmful to the individual who dies does not seem satisfying, and since Epicurus made the argument, many philosophers have attempted to prove it wrong. One reason the harmlessness of death is so unsettling is because it is counter-intuitive. Unless humans are in a great deal of pain, they generally do not want to die, and they do fear death.

Hedonism is Wrong

One common way to answer Epicurus is to disagree with his first premise, that pleasure is the only thing intrinsically bad for an individual and pain is the only thing that is intrinsically good, and that hedonism is wrong. If it is indeed the case that hedonism is wrong, there may yet be something that makes death bad for an individual that somehow affects her after or before she dies. If Hedonism is correct, that pleasure and pain are really the only things that are intrinsically bad and intrinsically good, it stands to reason that seeking pleasure and avoiding pain should be preferred above all extrinsic goods.

In his book, *Anarchy, State, and Utopia*, Robert Nozick came up with a thought

experiment to test an individual's commitment to Hedonism. Imagine that there are “super duper neuroscientists” who created a machine that when hooked up to it, gives the individual the most pleasurable life possible. For instance, suppose you wanted to play basketball in the NBA. The machine will make you think that you do indeed play basketball for the NBA. You may worry that since you have not struggled and worked to become an NBA player, it will seem empty to you. After all, desires that come easy often don't feel as pleasurable when they are fulfilled. However, the machine will make you think you overcame hardship so that you will feel you earned playing for the NBA, because that will add to the pleasure. There is one catch. You must live out the rest of your life in the experience machine. In reality, you will become a frail person, just sitting in a machine, but you will not know it. Nozick then asks if you would like to hook into the machine (Nozick 42-45).

If you do not wish to hook into the machine, why not? Because it's not real! Most people wish their lives to be pleasurable, but also authentic. The problem is, as soon as you choose an authentic life over pleasure, you are holding authenticity as a good over pleasure. If hedonism is true though, authenticity can only be an extrinsic good (good because of the pleasure it brings), and pleasure is the only thing intrinsically good. If you choose authenticity over pleasure, you are valuing it over pleasure, rather than valuing it because it brings you pleasure, and you are not a hedonist.

If you still wish to be a hedonist, you might contend that authenticity brings you pleasure, so you are actually valuing pleasure. This cannot be so. Remember, while you

are hooked up to the machine, you will not know it, so you will feel like it is authentic. You will still feel the pleasure that authenticity brings you, even if it is not actually authentic. Many people would not hook into the experience machine because they do value authenticity. If you would not hook up to the machine, you are not a hedonist.

The Deprivation Account of the Harm of Death

If one still wishes to identify as a hedonist, there is still a problem with Epicurus' argument that death is not harmful. Death deprives the individual of the goods of being alive, and this includes pleasure. Consequently, death is also bad according to hedonism because it deprives the individual of pleasure. Epicurus believes death to be neutral, but if pleasure is good, and we are deprived of it, then not having pleasure is bad, not neutral. *The deprivation account* is the theory that death is harmful to the individual who dies because it deprives her of the good in life she would have otherwise had. This good can come in the form of pleasure, achievements, fulfilled interests or anything else that may be considered good for an individual. In "Death" Thomas Nagel sums up the deprivation account when he writes "The trouble is that life familiarizes itself with all the goods with which death deprives us" (69). Nagel argues that Epicurus is too focused on whether or not a state can be good or bad for an individual. While we are alive, we are in a state of being. Epicurus writes as if we can be in a good (pleasurable) state or bad (painful) state. Nagel says that while we may be in a painful state, the fact that the pain is harmful is not a state. He writes that harm is not a state of being, but rather harm is an abstract badness

that can befall us. While it is true that an individual is tied to time, harms are not. Furthermore, death is harmful because it deprives us of the goods of life, not because of any particular state. To demonstrate that it is not the state of death we fear, Nagel comes up with a thought experiment where we are put in a state similar to death, but we are not being deprived of the goods of life. Nagel asks us to imagine that scientists have perfected a way to freeze someone in a suspended state of existence. The person would not be conscious at all. Also, her body would not be harmed in any way from the freezing. This state of unconsciousness would be similar to death. Her consciousness would not exist for a time. However, most people would much prefer to be frozen in a suspended state than to die. When she is brought out of the suspended state, she will be able to continue with her life, and all the good that comes with living. Nagel asserts that if we fear death, but we do not fear having our consciousness temporarily suspended, this shows that we fear being deprived of the good in life, rather than the state of death (Nagel 63).

Epicurus' challenge, that death cannot be bad for the individual because he does not exist to be harmed at the time of death, still stands. Nothing can be bad for an individual which does not directly cause him pain, and because the individual who dies is not conscious of anything bad, it cannot be bad for the individual. Essentially, Epicurus' claim is that what one does not know cannot hurt him. If this is the case, then it should be able to be applied to other examples in life besides death. Imagine that Bob is a man who has a great job, a wonderful wife and family, and many friends. However, his coworkers

and friends secretly hate him. His wife secretly cheats on him, and his children make cruel jokes about him to their friends. Bob never learns of any of this. If it is true that for something to be bad for a person, it must be directly harmful, we should not feel sorry for Bob at all. In his eyes, his life is going great. However, most people would say that it is bad for Bob that he is really unloved, even though he doesn't know it. Therefore, the claim that something cannot be bad for an individual unless he are directly affected by it is dubious (Nagel 64).

Proponents of the deprivation account run into another problem: when does death harm the individual? Assuming death does harm the individual in some way, how can harm come to a person after he has died, when there is both no longer a person to whom the badness can be assigned nor a time in which it can be assigned? It seems that death cannot harm the individual while he is alive, nor can it harm the individual while he is dead.

Contrary to Epicurus' argument, it is possible to be harmed without knowing it, even if we do not experience it. Suppose there is a really smart man who suffers severe brain trauma. The trauma leaves the man in the mental state of a two-year-old for the remainder of his life. All the man requires to be happy now is to be clothed and fed. The man has no memory of who he was before the brain injury, and he is perfectly content. We would certainly agree that this man's reduction to the mental state of a two-year-old is a grave misfortune to the man's family, and probably to society as a whole as well. However, we would also probably agree that misfortune has befallen this man. Even though the man

does not know misfortune has befallen him, we know what he used to be. The question of at what point in the man's life the badness occurs then arises. The man isn't harmed in any way after the brain injury because he is now perfectly content. Nagel suggests that the harm occurs to the intelligent man who no longer exists. He has been deprived of his intelligence and the accomplishments he may have otherwise made (Nagel 65).

The same reasons for why you should not pity the mentally reduced man also apply to an individual after death. The man who would be pitied does not exist anymore, just as the individual who dies ceases to exist as well. In both cases, there can be no particular time at which the individuals are effected. The man whose mental state was reduced to a child was not affected by this mental state before it happened, and now that he is content to have the mind of a child, it is not painful or bad for him now. The problem is that we are focusing on the harm done to the adult child. However, we should pity the intelligent man because he lost the possibilities of what he could have become. He could have lived to make some great discovery in his life. He is now deprived of the possibilities he would have otherwise had. In the same way, death also deprives the individual of the good he would have otherwise had (Nagel 66).

So far, the problems I have discussed against the deprivation account have been put forward by Epicurus to generally show that death cannot be bad for the individual. Lucretius countered the deprivation account with the asymmetry argument for the harm of death. The asymmetry argument is that our post natal state of non-existence is the same as our state of non-existence after death. If this is true, then if death is harmful to

the individual because he could have lived longer, then the same holds true for the beginning of life. If death is a misfortune, then it is also a misfortune for the individual to have not been born earlier (67). Nagel has two answers for the asymmetry argument for the harm of death.

Death and post-natal existence are not symmetrical. We cannot claim that we could have been born earlier, so we are deprived of the good we would have had had this been the case. Biologically, we would not be who we are if we were born earlier. Our genetics are such that if we had come into existence earlier we would not be who we are. A man has millions of sperm that are constantly dying and replenishing. A woman has a different egg every month. To create a certain individual it is necessary to have sex at a certain time, and that time only. An hour earlier and the individual created would be different than if her parents had procreated an hour earlier. So, it does not make physical sense to say you could have been deprived of life at the beginning of an individual's life (68).

The example of the man reduced to the mental state of a child can also be applied to the asymmetry argument (that the state of non-existence in death is the same as the post natal state of non-existence). When we are newborns, we are essentially in the same state as the mentally impaired man, yet we do not consider babies to be unfortunate because they have not have their mental capacities taken away. Likewise, in the state of post-natal non-existence, we have not yet existed to be deprived of anything. However, just as the man who had his mental capacities drastically reduced has been harmed, once we have existed, any sort of premature death that deprives us of good we would otherwise have

had also harms us.

Epicurus makes a mistake by implying that harm is a state of being. While a person's consciousness must exist in a state, harm is not a state, but rather a more abstract idea. A person can be harmed either physically, mentally, or in an abstract kind of way. Nagel believes a person is harmed when they are lied to, even when they are not aware of it. This harm does not occur to them in a particular state they are in, rather in an abstract sort of way. Many people do not agree with Nagel, believing the idiom "What he doesn't know can't hurt him." However, when most people reflect on their own lives, they find that they would prefer not to be lied to or betrayed. They also prefer they know if they are lied to or betrayed. Nagel's two examples of the person who lives believing he is loved and admired, but is not, and the man who is reduced to the mentality of a small child demonstrate how someone can be harmed, and not know it (Nagel 63-66).

Stephen Rosenbaum defends Lucretius against Nagel's argument of the asymmetry between non-existence after death and post-natal non-existence, by arguing that Nagel's claim, that you could not have born earlier, is insufficient. Rosenbaum maintains that if we grant that the individual could have died later, we must also grant the individual could have been born earlier, so if we consider death as a misfortune because it deprives us of a longer life, we should also consider post-natal non-existence a misfortune for depriving us of the life we could have had, if we had been born earlier. Rosenbaum points if our time of birth is essential for who we are as individuals, our time of death should be essential for who we are as individuals as well. Therefore, there is still a symmetry

between post-natal non-existence and non-existence after death. “If we *could* not have been born earlier (because if “we” had been, “we” would have been someone else), then we could not have died later (and still have been us)” (128-129). Rosenbaum concludes that Nagel has not refuted Lucretius argument for the symmetry of non-existence before birth to the non-existence after death (129).

Rosenbaum is ignoring part of Nagel's argument. Nagel is claiming that biologically, it is impossible for us to be born earlier than we were. An individual could not have been born earlier because the right sperm and egg would not be present for the individual's specific genetic make-up. An individual's genetic make-up is a big part of who they are. It influences both the individual's physical body and mental qualities. An individual could not have been born earlier than she was because otherwise, she would biologically be a whole different person. However, her time of death is not bound by this physical problem.

Perhaps Rosenbaum is taking Nagel's argument a step back though. The individual could neither have been born earlier nor could she have died later because her life is a fixed point in time. If we believe her death was not a fixed point in time, then neither should the presence of the sperm and egg that make up her genetics be a fixed point in time. If we can consider it a misfortune to die earlier than she otherwise might have, we can consider it a misfortune that the sperm and egg that created her as an embryo was not present earlier, and that her parents had not had sex earlier as well. Simply put, Rosenbaum is arguing that there is symmetry between non-existence before birth and

non-existence after death because if the beginning of an individual's life is a fixed point in time, then the end of an individual's life is also a fixed point in time. Either Nagel is right, and individual can be deprived of life (and harmed) if she dies early, then that individual can also be deprived of life (and harmed) by not being born earlier as well, or, an early death is nonsense and one could not have died later, nor could she have been born earlier. In either case, Lucretius asymmetry argument would be sound. Rosenbaum states that Nagel does not succeed in showing that the time of birth is essential to who we are while the time of death is not (128-129).

However, one could make the case that, even if we disregard the argument that our parents would not have combined our genetics had we been born earlier based on our experiences that help to shape who we are, our time of death is actually crucial to who we are. Assuming one believes that every experience helps to make us who we are, our experiences would be different if we were born at a different time.

Consider an example where there are three different timelines. Imagine Kelly is born in 1970 in a time-line I will call T1. Through a series of events in 1990, she finds herself walking in the city on the sidewalk and sees homeless man. That homeless man moves her to work at a soup kitchen throughout the rest of her life, and it helps to shape her as a human being. Tragically, Kelly dies in a car crash in 2010 at the age of 40. Now imagine a second time-line (T2), when Kelly is born in 1960. Being born in 1960 instead of 1970, a different series of events occurs. In 1990 she would have seen the homeless man and be moved to work at the soup kitchen, but instead, she is at home listening to music. She

does not work in a soup kitchen her throughout her life. She still dies in a car crash in 2010, but her life has been extended by 10 years. This example shows that being born at a different time would make Kelly a different person (or at least have drastically different experiences). Now imagine a third time-line (T3) when Kelly is born in 1960. The events in her life are is exactly the same as T1 up until 2010, when she does not get in a car crash because the person driving the other car is able to stop in time. After 2010, she lives for 10 more years, then dies in 2020. In both T2 and T3, Kelly's life has been extended. In both, her experiences are changed from the original T1 time-line. However, there is an important difference. In T2 all Kelly's experiences are changed because it is totally impossible to have the same experiences you would have had with every event of your life being ten years earlier than T1. However, in T3, all Kelly's experiences are the same up until 1960. In T3 she is the same person as T1, but she has experiences added to the rest of her life. She is the same person in T1 and T3, but not the same person in T2.

One could answer in two ways. First, if we are imagining time-lines can be changed, we can also imagine a series of events when Kelly was born at T2, but had the same (or similar) events in her life to the time line of T1. Though she was born at the earlier T2, her life would eventually arrive at T1. At the point she reaches T1, it would be possible for her life to pick up where it would have been had she been born at T1. She could still see the homeless man and work in the soup kitchen. Second, if the added time Kelly would have at the beginning of her life would make her a different person had she been born at T2, the added time towards the end of her life would also make her a different

person had she been born at T1, and lived longer.

To answer the second objection, your future does not impact your past or present as your past impacts the present and future, so you would not be the same person if you were born earlier, but you would if you die later. This is because the principle of cause and effect takes events that happen from the past (cause) to impact the events (effects) of the future. While some people (as in *Atlas Shrugged*) try to argue that the future can cause events in the past, this is impossible until we can develop a way to time-travel. Working at the soup kitchen did not cause Kelly to see a homeless man, but seeing a homeless man caused her to work at the soup kitchen.

Kelly's case shows that you could not have been born earlier and still be the same person, so it is consistent to believe you are harmed by dying early, but not harmed by not being born earlier than you were. The asymmetry argument is wrong because pre-existence before death and post-existence after death are not the same. Before you are born, you are not deprived of anything, whereas death does deprive you of everything you had when you were alive.

CHAPTER 3. THE DESIRE (PREFERENCE) THEORY

Death Thwarts Desire Fulfillment

In showing that the asymmetry argument is not correct, I have shown that the deprivation account is a viable theory to explain the harm of death to the individual who dies. However, there is another possible theory to explain the harm of death, and that is *the desire (preference) theory*.

The desire theory is that the individual is harmed by his death because death thwarts the individual's desires. Singer is a proponent of the desire theory of the harm of death, as he makes clear when he argues that it is morally relevant to kill (at least some) animals because they have interests in the future. Specifically, if an animal desires to live, we are taking away that animal's ability to fulfill her desire to live by killing her. In *Animal Liberation*, Singer does not make overt claims against Epicurus' argument that death cannot be harmful to the individual who dies, but it is clear from his argument that self-aware beings are harmed by death that he also thinks most humans are harmed by death, because they are self-aware. However, if the desire theory is correct, it seems that Singer is right that merely sentient animals are replaceable, because they would have no desire to live or desires about the future, so they would not be harmed by death.

Proponents of the desire theory, such as George Pitcher, argue against the first premise in Epicurus' argument, that pleasure is the only intrinsic good and pain is the only

intrinsic harm. In his paper, "The Misfortunes of the Dead," George Pitcher roughly defines a harm to an individual as "an event or state of affairs is a misfortune for someone (or harms someone) when it is contrary to one or more of his important time relative interests or desires" (184). Pitcher, claims that having desires fulfilled is intrinsically good. Simply stated, the argument goes as such:

1. Having desires fulfilled is intrinsically good for the individual, and having desires frustrated is intrinsically harmful for the individual.
2. Death frustrates the individual from having his desires fulfilled.
3. Death is harmful to the individual who dies.

Pitcher offers the example of Mrs. white, a business women, who has spent her life building a business and wants it to succeed. Unfortunately, after she dies, the business fails. Pitcher says that on one hand, we could say she was not harmed by her business failing because she was not living to see it fail. However, we would probably feel sad for Mrs. White as her business has to declare bankruptcy and has to close. We feel sorry for her because her life's work is ruined. Pitcher says this is because Mrs. White had an important interest that was thwarted. She wanted her business to succeed and it did not (184).

While I agree we should feel bad for Mrs. White, Pitcher's conclusion, that the desire theory is right, is wrong. While Mrs. White's case shows that desires do matter, it does not mean preferences are the only thing that matter. We could also say that at least Mrs. White's business did not fail while she was alive. If her desire had been thwarted while

she was living, she would not only have a thwarted desire, but have to feel the pain that the disappointment would bring her. Let me give you another scenario, imagine that Mrs. White's business did terribly while she was living. She could barely make the rent, let alone live on her earnings. Obviously, Mrs. White would desire her business to do better. Now imagine that after she died, her son took over the business. He fixed up the business and was able to turn it around. It becomes profitable. Mrs. White's desire has been fulfilled, but we still feel sad for Mrs. White. We feel sad that she was deprived of the experience of pleasure she would have received from having her business thrive. This second example shows that desire fulfillment is not the only thing to consider regarding the harm of death. She is also deprived of the pleasure. The deprivation theory of the harm of death allows for other goods (such as pleasure) besides fulfilled desire to be good for an individual.

The second scenario, of Mrs. White's business ventures before death, shows that there are other goods to consider besides fulfilled desires, and that these goods may be more preferable to desires. The inability of the desire theory to account for other harms besides thwarted desire is a serious flaw in the theory, which is one of the reasons the deprivation account is preferable to the desire theory. Furthermore, the desire theory of the harm of death is a conclusion drawn from preference-utilitarianism. If the assertion is true, that desires are the only thing that is intrinsically good (as Singer claims), it would follow that death is bad because it thwarts our desires. However, as I have hinted at with my counter example to Pitcher's Mrs. White scenario, there are other goods which one can be

deprived besides desires, and these goods can turn out to be more important than desires. I will show that the desire theory, and preference-utilitarianism in general, lead to unacceptable consequences, and that these consequences are irreconcilable. First, following the logic of preference-utilitarianism, all individuals are replaceable, not just merely sentient beings. Second, that all desires, regardless of whether they are good or bad for the individual, should be equally considered. This leads to treatment of the individual that may harm that individual.

The Suicide Problem

No case is stronger against preference-utilitarianism and the desire theory as that of the person who will live a good life, but wishes to commit suicide. Some beings are capable of desires to exist in the future, but simply do not hold those desires at a particular point in time. Suppose I am writing a really long paper, and it's taking a very long time. On a particular day, I am so down about how long the paper is taking that I have no desire to continue to live. My desire is just to die and have everything be over with. My desire would actually be fulfilled if someone were to kill me. It does not matter that in a month I will be finished, and my life will be happy later on. At that moment in time my desire is not to live. Following the logic of the desire view and preference-utilitarianism, I should just be killed. This is a pretty absurd conclusion that the desire theory and preference-utilitarianism as a whole leads to.

A proponent of the desire theory could counter that the totality of one's desires should

be taken into account, not just at a particular moment in time. Rather than saying it is morally permissible to kill an individual in a moment when he is weak, you should take into account all of his desires throughout his life. Taking an individual's whole life into account may get around the desire theory's conclusion that you should kill anyone who is suicidal, regardless of how good their life will be. However, the desire view does not support the claim that future desires should be given more weight than current desires because if the desire theory is true, your desire to die is equally as important as your desires in the future will be, as long as they are of similar intensity.

Everyone is Replaceable

There is another problem for the desire theory, and more specifically, for Peter Singer's replaceability argument. H.L.A. Hart responds to the replaceability argument that if we totally adhere to Singer's argument we must consider all preferences replaceable, and thus all preference-holding beings replaceable. He argues that Singer's claim that the replaceability argument should only apply to merely sentient beings is arbitrary. We could also replace beings who do have self-awareness and an interest in the future. All that would be required for these beings to be replaceable is to replace them with similar beings with similar preferences. In fact, we could replace them with beings whose preferences are more likely to be fulfilled. This would actually create more overall fulfilled preferences (Hart 30).

For instance, if we replace Jill, whose dream is to be a rock star and make lots of

money, with Mary, whose dream is to be a police officer, we would most likely create more fulfilled preferences than if we let Jill pursue her dream. Mary is much more likely to have her preference fulfilled than Jill because statistically, Mary is much more likely to be able to become a police officer than Jill is likely to become a rock star. So, Hart argues, if we follow Singer's logic, we should painlessly kill Jill to create more fulfilled preferences (Hart 30).

Singer responds to Hart's claim, that the replaceability argument can be universally applied to all beings with interests, by countering that beings who are capable of having interests about the future are hurt when they are unable to fulfill their preferences about the future, whereas merely conscious beings are not hurt because they have no interest in the future (112-113).

To better explain what Singer means, I will give an example. Imagine that in a room there is a clam in a tank and a dog laying on a bed. The owner of the house is out. If you know anything about dogs, you can imagine the dog is waiting and hoping for his human to be home soon. The clam, doesn't care, and probably isn't even capable of caring. He doesn't even remember the human, and can't think about the human being home in the future. If you painlessly killed the clam, and replaced the clam, and if the clam is indeed merely sentient, Singer claims that there wouldn't be a difference, cognitively speaking, between the new clam and the original one. Just like the old clam, the new clam will neither remember nor care about the human coming home. However, if you killed the dog, that dog would not be so easily replaced. While the old dog was eagerly anticipating

his human coming home, the new dog would have no memory and no belief about the future about the human because the dogs would be psychologically very different. You would have harmed the original dog by taking away any chance that his preference for seeing his human would be fulfilled. This example shows what Singer means when he claims that self-aware beings (or ones who have an interest in the future) are impacted negatively by ceasing to exist, while merely sentient beings are neither impacted negatively nor positively by ceasing to exist. Furthermore, Singer writes that when it comes to self-aware beings, the creation of a similar being (even with interests that are more likely to be fulfilled) cannot create enough positive fulfilled preferences to make up for the negative frustrated preference to exist in the future. Therefore, to Singer, merely conscious animals are still replaceable, while animals who can have beliefs or interests in the future are not.

Singer has not provided a satisfying answer to Hart's challenge in the universality of the replaceability argument. If you create a similar self-aware being and replace her with a duplicate self-aware being, you have not frustrated any more interests than you have if you only kill a merely sentient being. It seems counter-intuitive because as self-aware beings ourselves, we do want to exist in the future. However, in creating a being who also has an interest in the future, using the same logic used for the replaceability argument, you have not impacted fulfilled preferences either negatively or positively, so self-aware beings are still replaceable according to the logic of the replaceability argument.

Unacceptable Implications of the Replaceability Argument

Singer's insistence that killing an individual is only harmful when it thwarts the fulfillment of interests brings to light an important problem for both Singer and preference-utilitarianism in general; Singer seems to believe having a certain amount of pleasure exist in the world is intrinsically valuable, but the individual having those desires and experiences is expendable, as long as the same amount of happiness exists in the world. Under this view, the individual is only extrinsically valuable in so much as he is a vehicle for good experiences, which are intrinsically valuable. Tom Regan accuses Singer of viewing merely conscious beings as *mere receptacles*. Regan uses an analogy to describe what *mere receptacles* for experiences means. "They are 'cups' that, from moment to moment contain either bitter (pain) or sweet (pleasure), and to destroy them is merely destroying something that contains what is valuable (experiences)" (208). The problem with this analogy is that cups do not care about the liquid they contain. If the liquid is dumped into another cup, the cup does not care because it cannot. The cup is not conscious at all. Unlike cups (which lack any sort of consciousness), for any moral value to be assigned to experiences, they must actually be experienced by a subject. Viewing sentient beings as mere receptacles is a misdirection of value. After all, what is the point of fulfilled desires without an individual to experience it? It is not even possible to talk about pleasure or desires existing apart from the individual. It would be absurd to claim that desires existing out in the world, not attached to an individual, is a good thing, even if it were somehow possible. Experiences and desires are only valuable in so much as

they are valuable to the individual.

In a defense of utilitarianism against Regan's claims that utilitarianism cannot hold that the individual is intrinsically valuable, Scott Wilson argues that because experiences cannot be separated from the individual, by valuing good experiences, you are valuing the individual. The two cannot be separated. Wilson sums up the relationship between individuals and pleasure when he writes "the very heart of her position is one of respect for individuals, for the classical utilitarian wants to minimize pain and maximize pleasure precisely because of the fact that it is bad for individuals to experience pain, and good for them to experience pleasure" (10). The view, that utilitarianism values the individual makes sense because you cannot even imagine pleasure that is not attached to an individual. Furthermore, if pleasure did exist apart from an individual somehow, it would be pointless. Pleasure is only good in so far as it is good for the individual. Wilson asserts that it is a misinterpretation of utilitarianism to claim that utilitarians only value pleasure. Just because utilitarians claim pleasure is intrinsically valuable does not mean it is the only thing that is valuable. A classical utilitarian can value something other than pleasure, and a preference-utilitarian, such as Singer, can also hold other things to be valuable (Wilson 9).

In the beginning of *Practical Ethics* Singer writes that the basis of ethics starts when we think about another's preferences (11-13). Notice, Singer is not suggesting we think about random preferences out in the world, rather about other *individual's* preferences. Throughout most of Singer's writing, he is focused on the preferences of others, be it

animal or individual.

Singer's preference-utilitarian theory as a whole may have been saved by Wilson's argument, had Singer not included the replaceability argument. However, as things stand, Singer does not dispute that he views merely conscious beings as mere receptacles.

Rational and self-conscious beings are individuals, leading lives of their own, and cannot in any sense be regarded merely as receptacles for containing a certain quantity of happiness. Beings who are conscious but not self-conscious, on the other hand, more nearly approximate the image of receptacles for experiences of pleasure and pain, because their preferences will be of an immediate sort. (112)

Singer does not regard it as a problem to value self-aware individuals intrinsically, while valuing merely sentient beings extrinsically, only for their ability to add fulfilled desires to the world. However, it is a problem to value preferences above individuals. Suddenly, individuals become expendable at the expense of interest fulfillment. Furthermore, interest fulfillment is vacuous without an individual to have their interests fulfilled. This brings up the very issue that classical utilitarians are often accused of: valuing an amount of happiness in the world, rather than the individual itself.

There seems to be a disconnect between Singer's view that ethics begins with valuing the preferences of others (a view that entails valuing the individual), and his belief that merely sentient beings are valuable because they have preferences. If ethics are based on

the interests of others, yet merely sentient beings do not matter as individuals, why should they matter at all within the sphere of ethics? It seems odd that they should be replaced simply to keep a certain amount of happiness in the world.

Singer believes that by considering a beings preferences, he is valuing that being as an individual. In response, Regan references H.L.A. Hart's critique of Singer, that Singer has no basis to assert that merely conscious beings can be receptacles of value without saying that self-aware beings are also receptacles of value. According to Hart and Regan, adding the desire for continued existence to the desire fulfillment equation only adds another kind of desire to be considered. Once you take the desire for continued existence into account, it is merely added in with the rests of the desires, which can be replaced (Regan 208-209, Hart 30).

By the third edition of *Practical Ethics*, Singer has a response to Hart. We should not “regard the thwarting of existing preferences as something that can be outweighed by creating new preferences-that we will then satisfy” (113). Singer goes on to explain that if he puts himself in a position to imagine whether he would like new preferences created or have his current preferences fulfilled, he will choose to have his current preferences fulfilled. Therefore, the current preference to continue existing takes precedent over new preferences being created (113).

My question for Singer is: what of the merely sentient animal's desire for pleasure? It seems to me that unless the animal has fallen asleep, he will always have a desire for pleasure, and that desire for pleasure should always be considered. Let's go back to the

example of a clam. Suppose at T1, the clam is sitting in the tank desiring to eat (feel pleasure). Two minutes later, at T2, the clam is also sitting in the tank desiring to eat (feel pleasure). The clam may not remember t1, but at t2, the clam is still desiring to eat (feel pleasure). At both points, the clam is desiring to eat. These two points are just an example, but as a sentient being, the clam is desiring pleasure at every point that he is conscious. Any time you kill a creature who is desiring pleasure, you are thwarting that animal's ability to fulfill the desire for pleasure.

Problems with the Desire Theory

One could counter, what if you killed a merely sentient being when he was asleep? A merely sentient being's desire for pleasure may be "on hold" while he is sleeping. The sentient being no longer has any sort of desires when in the state of unconsciousness, so according to the desire theory, you should be able to kill a merely sentient being while he is unconscious. Consequently, this objection, which seemingly favors the replaceability argument, can also be applied against it, because the same can also be said of self-aware beings. When not in a dream state, even self-aware beings have periods when they are sleeping, where they have no desires. However, this is yet, another problem for the desire theory. It would be absurd to claim that it is morally permissible to kill a healthy adult in his sleep because he have no current desires at the time (Marquis 201).

Another issue with Singer's answer that current desires should trump imagined future desires is that a current desires often do not lead to good results in the future. Once again,

a suicidal person with a good future is an example of a person whose current desires would trump future desires if Singer is correct. However, it does not seem logical to argue that an individual with a bright future should kill herself just because she is currently depressed (Marquis 195-186).

The desire theory and Singer's preference-utilitarianism are implausible because, as I have shown, they lead to two unacceptable conclusions. One, that a healthy person should commit suicide if she so desires, and two, that all individuals, regardless of the type of individual they are, are replaceable. These conclusions are the symptom of an overall problem with preference-utilitarianism, which, as Regan argues, preference-utilitarianism values preference fulfillment over individuals. Valuing preferences over individuals as a basis for an ethical theory is flawed because ethics is based on valuing individuals, and therefore, preference-utilitarianism is wrong.

Benefit of the Deprivation Account Over the Desire Theory

The deprivation account of the harm of death avoids the problem held by preference-utilitarianism and the desire theory for the harm of death, that preferences matter over individuals because the deprivation account includes all the goods an individual would have had throughout his life. The suicide problem for the desire theory is not a problem for the deprivation account because under the deprivation account, if the young person with a bright future commits suicide, he is harmed. He has deprived himself of the goods he will have in the future.

Don Marquis gives two reasons why the deprivation account is plausible. First, the deprivation account shows why we intuitively believe killing to be wrong. When an individual is killed, he is robbed of all the goods he would have otherwise had. We believe this to be the worst possible harm to an individual can have happen to him. That is because it is the worst possible harm. Death deprives the individual of everything he has valued and ever will value. Second, Marquis asks us to reflect on people who are dying of incurable diseases. They believe it to be a bad thing that they are dying. They believe themselves to be deprived on a future, and rightly so (Marquis 189-191). Marquis says that the deprivation account will hold true for any being who will have a “future-like-ours” to be deprived of.

What does a “future-like-ours” look like? In order for death to harm an individual under the deprivation account, that individual must have something good of which to be deprived. It follows that any being that is able to be deprived of a good is then, also harmed by death, according to the deprivation account. Furthermore, all sentient beings have something good that death can deprive them of. namely, pleasure. Hence, regarding the deprivation account, we can assert that beings with a future-like-ours are any beings that can feel pleasure, including merely sentient beings.

The Deprivation Account Applied to the Replaceability Argument

If it is true, as I have argued, that the deprivation account includes merely sentient beings, then merely sentient beings are not replaceable because death does harm merely

sentient beings. Death deprives merely sentient beings of pleasure, and if we are to regard it morally problematic to kill a human because we are taking away the things he values, we should also consider it morally problematic to kill merely sentient beings because we are also depriving him of pleasure he would have had otherwise. Therefore, the replaceability argument is wrong. Merely sentient beings are harmed by death, so they are not replaceable.

CHAPTER 4: MERELY SENTIENT BEINGS AS INDIVIDUALS

Singer's Theory of Personal Identity

There remains one last problem for the deprivation account to apply to merely sentient beings. Central to the premises of the replaceability argument is Singer's claim that merely sentient beings are not the same individuals between periods of consciousness (*Practical Ethics* 112). Is it true then, that a clam before he goes to sleep is a totally different individual upon awaking? If it is true, then it seems the deprivation account may only apply to a clam during a period of consciousness, but upon sleeping, the clam has essentially ceased to exist as the individual who had existed, and while unconscious has nothing to be deprived of.

Jeff McMahan examines the problem, that it seems a clam is not the same individual between periods of unconsciousness, and points out that it is inconsistent with Singer's other assertion, that it is good for any sentient being to have as much pleasure as possible in its life. McMahan reasons, that it follows it would be good for a sentient being to live as long as possible so that he can have as much pleasure as possible. He points out, Singer very shortly after writes that sentient beings do not have a personal interest in living. He suggests Singer means "a non-self-conscious being can have an interest at time t in having as much pleasure as possible at t , though it cannot have an interest at t in having pleasure at any time subsequent to t " (352). McMahan argues that Singer is inconsistent for claiming that a sentient being's life as a whole is better, the more pleasure

it contains, but at the same time claiming that merely sentient beings are different individuals over time (McMahan 352). How can a life as a whole be a good life for that individual if that individual has no interests in the past or future?

Perhaps Singer does value merely sentient beings as a sort of “individuals,” albeit very short lived individuals. Singer does still believe that while merely sentient beings are alive, they deserve the maximum amount of preferences fulfilled as possible. After all, his words are “nearly proximate the image of receptacles” (*Practical Ethics* 112), not that he believes they are only receptacles. Perhaps he values the fleeting *instance* of fulfilled desires experienced by the merely sentient individual. Singer believes that animals who are merely sentient (the only cognitive ability they have is to feel pleasure or pain) do not exist as individuals over time, but perhaps for a very short time, one could loosely define them as an individual, or at least a collection of psychological connections. If the merely sentient being is a different individual every time he has a laps in consciousness, it is essentially as if every time he does go unconscious, he dies. Painlessly killing, then causing a new happy being who is only sentient to exist is no different from the only sentient being going to sleep for that individual, and waking as a new happy individual.

They will not have desires that project images of their own existence into the future. Their conscious states are not internally linked over time. If they become unconscious, for example by falling asleep, then before the loss of consciousness they would have no expectations or desires for anything that might happen

subsequently; and if they regain consciousness, they have no awareness for having previously existed. (*Practical Ethics* 112)

Animals who cannot “project images of their own existence into the future” (*Practical Ethics* 112) is Singer's very definition of merely sentient beings. What singer is arguing is that any time an merely sentient being goes to sleep or becomes unconscious for any other reason, that being does not wake up as the same psychological individual because they do not retain any psychological connections to the individual they were when they were previously awake. It is as if that being has died already, so killing the sentient being, and bringing a similar one into the world is not harming that individual because that individual is already gone (*Practical Ethics* 112).

However, the fact that Singer believes the individuals must be replaced in order for killing them to be of no moral consequence makes it impossible for him to argue that he does value non-self conscious individuals, rather than an abstract idea of preferences existing in the world. For Singer, in order to not have killing a merely sentient being count against you on the moral scale, you must replace that being in order to keep the same amount of desire fulfillment in the world. The belief that preferences must be replaced is a direct consequence of the belief that preferences in the world are valuable, and the belief cannot be justified any other way.

If we grant to Singer that merely sentient beings may be different individuals between periods of consciousness, questions arise from this assertion. Does it matter that by

killing and then replacing the individual you have undoubtedly caused a different individual to exist than otherwise would have? Have you harmed would be future individual (Albeit short lived individual) by thwarting their existence? After all, it's not like clams really have a personality. What would be the difference between the clam who would have existed had you not replaced him with a new one? Would it be better? However just as two matching red blocks look no different, they are in fact different. It seems that by killing a particular clam, we will have done some sort of injustice to the future clam who was meant to exist. That clam has been robbed of the pleasure it was supposed to receive in the future. This brings about yet another question: Is it possible to harm future individuals while in the past?

Consider Dave, who lives in the future in New York and who is a great surgeon. He has performed many surgeries, and has been successful with all of them. Dave is happy and accomplished. However, one day, Dave goes on long trip to California via Taxi, without telling anyone. He also forgets his ID. Unfortunately, the taxi driver is drinking the whole way and crashes his taxi somewhere in Colorado. Dave forgot to put his harness on and flies out of the car. He hits his head and face hard when the transport crashes. As a result, Dave ends up in the hospital in a coma. Dave's face has been marred so the hospital cannot tell who he is. He also has no ID with him. The hospital will never be able to tell who he was before the accident. Fortunately for Dave, in the future, Colorado has the best Doctors to take care of him. Through amazing new technology, the doctors are able to repair his face, but since they did not know what he looked like before, it will not look

like his original face. There is no way anyone will recognize Dave as himself after they have finished. The other problem for the Doctors is that they are able to tell for certain that Dave will wake up, but he will have absolutely no memory of his life before the crash. He will be reduced to the state he was when he was born. He will forget the most basic of things that he learned in his previous life. He will forget how to speak, dress himself, and even feed himself. Because the hospital knows nothing about Dave, he will have no connections to his life before the crash either. However when Dave wakes up, he will be able to be rehabilitated fully (except his memories) and live a happy, normal life. Despite the good prognosis, the Doctors are debating whether to kill Dave and use his organs, then simply replace Dave by making sure another baby is born to take Dave's place.

Dave's case mirrors merely sentient beings in a couple of ways. The first way is that just as merely sentient beings have no memories of their previous existence, Dave also will not remember anything about his former life. Second, both Dave and merely sentient beings will experience nothing if they are killed while unconscious. Third, more happiness will be created as a result of killing both Dave and the Merely sentient beings. In the case of the merely sentient beings, by killing and replacing them, no desire fulfillment is gained or lost from the point of view of the merely sentient being. However, more desires are fulfilled from the perspective of the people who get pleasure from eating the merely sentient beings. In Dave's case, even more happiness is created. Not only will Dave be replaced by a happy being, but the people who receive his organs will be well

again! Dave's case and merely sentient beings are also different in a couple of ways. The merely sentient being who will awake will still know how to do the same things the sentient beings who went to sleep did. He will still have basic survival skills, such as knowing how to eat. In contrast, Dave will have to re-learn all these things. The second major difference is that Dave is a complex being, whereas merely sentient beings are just that: merely sentient. In this scenario, in the future, Dave will once again acquire the ability to think and do stuff for himself.

Regarding Dave, there is a strong case for Dave to be killed and replaced by another happy being. Singer is forced to say that Dave should be killed and his organs harvested for other patients. Not only will Dave have a hard time re-learning how to do everything, he lost everything he acquired in his earlier adult life. Most importantly, during the time Dave is in a coma, he has no present desire for continued existence. Surely creating a new baby would bring about more fulfilled preferences.

One could counter that the new person Dave will be will have an interest in the future. Perhaps though Dave is not currently self-aware, unlike a merely sentient being, Dave will once again have an interest in existing in the future. Therefore, because he will have an interest in the future, we should not kill and replace him. The argument that Dave will have a desire to exist in the future is essentially the potential person argument. The potential person argument is also used to argue that abortion is not permissible. Singer would not use this argument. Singer would probably agree that we should kill Dave and use his organs.

However, both for Dave and merely sentient beings, there still seems to be something wrong with replacing them with other happy beings. Our intuition tells us that it is wrong to take away the life that would have been. By interfering, we thwart the existence of the beings who would have existed. However, Singer seems to be right. There is nothing wrong with causing a different happy individual to exist if you do so before the one who would have existed comes into being. If merely sentient beings are different beings between periods of consciousness, Singer may be correct that there is nothing wrong with replacing them while they are unconscious.

Psychological View of Personal identity

However, Singer is wrong that merely sentient beings are different individuals between periods of consciousness. The idea that merely sentient beings are different individuals between periods of consciousness relies on Singer's view of personal-identity, which is based on an individual's psychological continuity. Singer is wrong that individuality must be based on psychological continuity, and is therefore also wrong about merely sentient beings not retaining their individuality.

There is a lot of disagreement among philosophers about the quality that gives us our personal-identity. Major theories include the belief that we are our soul, our bodies, our brain, or our psychological connections. Some philosophers go so far as to suggest that self-identity is a made-up concept and does not even exist at all.

The first theory of self-identity I will discuss is the psychological view. The

psychological view is that psychological connections linked over time is what makes us individuals. Psychological connections can be memories or some other more subtle things, such as learned behaviors. In the context of the replaceability argument, it is clear that Singer holds a psychological view of self identity when he argues that merely sentient animals are not the same individuals between periods of consciousness. If Singer is correct, then the deprivation account of the harm of death may not apply to the individual merely sentient animal as there is no real individual for the deprivation account to apply to. A new individual is born every time a merely sentient being goes to sleep.

Sydney Shoemaker lays out an argument for the psychological theory of personal identity. He says that in the real world, we define ourselves by our memories from the past and use these memories to plan for the future.

A persons past history is the most important source of his knowledge of the world, but it is also an important source of his knowledge, of himself; a person's "self image," his conception of his own character, values, and potentiality, is determined in a considerable degree by the way in which he views his past actions. ("Persons and Their Pasts" 284)

Shoemaker is claiming that we define our personal identity by what happened to us in the past. In fact, it is hard for us to imagine our identity without thinking about our past.

There are some problems for the psychological view of personal identity. Human memories are faulty and don't always link up correctly. Defenders of the view suggest that as long as we have some form of psychological connections that we maintain over time, we maintain our personal identity. For instance, suppose when I am 10, I am sitting in a classroom remembering the time I learned to ride my bike when I was 6. At age 16, I have forgotten the time I learned to ride a bike, but remember being in the classroom. Let's say at 16, I learn to drive a car. Then, at age 65, I forgot sitting in a classroom, but I remember learning to drive the car. According to the psychological view, I maintain my personal identity because even though I don't retain all my memories over time, I still maintain memories that are connected to the ones I lost ("Persons, Animals, and Identity" 316-317).

But what if the same biological organism loses all psychological connections while still retaining the ability to make new ones? Is the biological organism still the same person as he was before he lost all his psychological connection? If you recall the case of Dave, under the psychological view of self-identity, Dave will also be a new individual, so the deprivation account would not apply to him as well. However, Dave's case also serves as a counter example. Most people's intuition will tell them that Dave is the same individual. Furthermore, there are scenarios we can consider in order to test the consistency of the psychological view.

Too Many Minds

There are two often discussed problems with the psychological view. The first issue we will look at is the *too many minds problem*. Opponents of the psychological view contend that if we only think of ourselves as a mass of psychological connections, we ignore the fact that we are also animals, or biological organism. Furthermore, if one separates the mind from the biological organism, we are still left with a biological organism who can think. The biological organism will then think she is a person, even though the supposed person would have been removed when the psychological connections were separated. The biological organism will have seemingly the same psychological connections because the brain will still have those connections. Therefore, if you are your psychological connections, and your body is some other “mind,” then your mind and your body are two different thinkers thinking simultaneously. The idea that an individual is really two different thinkers thinking the same thing simultaneously is bazaar and goes against our intuition (“Personal Identity”).

Sydney Shoemaker's answer to the two many minds problem is to point out that there are different ways something can “be” something. Consider the statement “He is an animal.” You can view the “is” in the sentence in two different ways. In Shoemaker's words, you can view the “'is' of identity and 'is' of constitution.” Shoemaker contends that the “is” constitution of the animal and the “is” of identity of the individual is the psychological connections. The psychological connections make the person. To get a better idea of what Shoemaker means by the “is” meaning constitution, he uses the analogy of a tree. The tree is made up of molecules, but one does not call a tree

molecules. The tree's identity is not molecules. In the same way, you could say that you are the same biological organism as the fetus you used to be, but you are not the same person, because a fetus does not have the characteristics of person-hood yet. This shows that personal-identity is contingent on psychological connections, not on being a biological organism (“Persons, Animals and Identity” 318).

The Fission Problem

There is another problem for the psychological view (and other views) of personal identity, which is the fission problem, that happens when one person somehow divides into two people. The fission problem can be seen as such: $A=B$ and $A=C$, but $B \neq C$. This is logically impossible. The fission problem can happen a couple of ways. The first example is the brain split. Imagine scientists have found a way to split the right and left hemispheres of a person's brain and place the two different halves of the brain into two different skulls. When the individuals awake, they will both hold the memories and other psychological connections of the original person who was operated on. Both will consider themselves the same person. Which one is the original person? Are they both the person? Yet, how can they be the same person when there is now two persons? Perhaps neither of them are the person. Yet, it seems that under the psychological view they would both be the same individual because they both have the same psychological connections (Wright 129-130, “Personal Identity”).

We can use *Star Trek* to better understand the fission problem. In the episode, *Second Chances*, there is a malfunction with the transporter. The transporter is a machine that takes one's molecules apart at one location and reassembles them at another location. The transporter malfunctioned so that it reassembled Riker twice. It created an exact copy of Riker. We have no way of knowing which Riker is the "real" Riker, if indeed there even is a real Riker. Maybe they both are. The Rikers themselves have no way of knowing who is the original Riker. The two Rikers then go on to create different futures and thus, different psychological connections. However, both Rikers seem to be the original Riker. How can there now be two Rikers?

Shoemaker's response to the problem of fission is that when one person is divided into two people, neither of the two individuals are the same individual as the first one. This means that in Riker's case, neither Rikers are the same Riker as the one who originally transported. This is a weird and counter-intuitive concept. It seems that if one Riker comes out of the transporter and is the same Riker (as happens hundreds of times previously and also later on the show), then if two Rikers come out of the transporter, they should both be the same Riker ("Personal Identity: A Materialist Account" 85).

The problem with Shoemaker's answer is that if we take the brain split example, you will continue to exist if you lose one hemisphere of your brain, but you stop existing if both survive. According to this view $A=B$ only if there is no C , and $A=C$ only if there is no B . This does not seem correct. If for some reason, I were to have a brain split transplant, I would not wish to kill one half of my brain so that I could continue to exist.

John Wright has an interesting solution to fission. He says that after fission, the problem is that we now see two individuals where there was one, so we cannot see how they could be numerically identical. However, Wright claims that they are indeed numerically identical. In order to show what he means he draws from an example from the British television series, *Doctor Who*. The Doctor has a rule never to travel back in time to meet himself, though he has broken this rule on a number of occasions. He has this rule because to travel back and meet himself creates a paradox (or pair-o-Docs). However, suppose he travels back in time, and unwittingly walks into the TARDIS and finds a younger version of himself there. Now there are two Doctors! Though fission did not happen to the Doctor in this instance, Wright claims the logic of the fission problem still holds. There should now be two different doctors in the TARDIS! Doctor A existed before the time traveling, then upon entering the time where the other Doctor existed Doctor A Became B and the younger Doctor would be C. Wright points out that we will think of these Doctors as numerically the same person. In this instance, $B=C$. Therefore, there is no inconsistency in claiming that $A=B$ and $A=C$. Wright says “there is only *one* person in the room” (Wright 113-134).

I believe Wright is making a false analogy when he uses time travel as an example. While I appreciate Wright's *Doctor Who* reference, he is ignoring the fact that there really is no C. The younger would really be Doctor A, and would never be Doctor C. The older version of the Doctor would be Doctor B. When Doctor A and Doctor B meet, we could say that they are the same person. We could say that $A=B$. We do not run into the same

logical problem that fusion causes because there is no C. However, while I do not think Wright's example works, it does highlight an often ignored part of the fusion problem. It seems that the same individual cannot exist in different places at the same time. I believe the notion of *time* to be really important for the fusion problem. As we can see from our day to day lives, the same individual can exist in different places. For instance, we can walk from one end of a room to another. We will then have existed on one side of the room, then the other. The same individual can also exist at different times. I existed in 1995, and I also exist now. However, the individual cannot exist in two different places at the same time. Yet, Wright seems to have shown that it is possible to think of an individual (The Doctor) existing in different places at the same time.

Alas, the *Doctor Who* example is a trick. When the Doctor meets the younger version of himself in the TARDIS, he is indeed in different places in the room, but not really in the same time. If we look at The Doctor's own time-line, we will see that he is further along in his own time-line. Otherwise, one Doctor would not be younger, and one would not be older. Both Doctors should be the same age. The trick is in how one views time. The Doctor travels back and forth in time in the time-line of the universe, not his own time-line. This is important because he is really treating the time of the universe like space. He is able to move back and forth through it, just as we are able to walk through space. Yet, he still grows old in his own time-line. What I am getting at is, when the Doctor meets himself in the TARDIS, he is really only in two spaces, but not at one time. Wright has not solved the fission problem.

Fission is not only problematic for the psychological view of self identity, but for other views as well. Many others have suggested solutions to the fission problem by arguing that personal identity is not based on psychological connections. I will discuss a couple other views of personal identity and examine how they are impacted by the fission problem.

Animalism

We have seen that if the soul view is correct, there really is no way to prove it, and it still has its problems. Another theory of personal identity is known as Animalism. Animalism is the theory that our personal-identity is based on the fact that we are biological organisms, or animals. Under this view, Dave would retain his personal-identity upon waking. Dave would not be a new person because his memories and other psychological connections do not matter for personal-identity under animalism (“Personal Identity”).

Eric Olson claims that we must be animals and if we were not animals, we could never know it. He argues that

1. There is a human animal located where you are
2. That animal thinks. In particular, it has the same thoughts as you have.
3. If you share your thoughts with a being other than yourself, you cannot know you are not that being. (“Animalism and the Corpse Problem” 266)

He concludes that if animalism were not true, we could have no way to know it. He insists that the existence of thinking animals is a huge problem for people who argue that we are not animals. By this, he is referencing the too many thinkers problem. The fact that animals who are thinking biological organisms exist means that if you try to separate the psychological being from a biological being, there will still be a psychological being residing in the same space as the biological being (“Animalism and the Corpse Problem” 266).

Critics of animalism point out that a similar argument as the *too many thinkers* problem can be made against animalism as well. Just as animalists claim a psychological thinker existing in the same space as a biological organism thinker is a problem for the psychological theory of personal identity, proponents of the psychological view claim that under animalism, a animal exists where a corpse also exists. There are too many bodies. A body is an animal when alive, but is not an animal when dead. The thinking animal ceases to exist, but the body is still there. This is a problem for animalism because if the individual is an animal, the animal should still be the same individual when dead. This is not the case (“Animalism and the Corpse Problem” 267-268).

Olson grants both premise that there does exist a corpse when an animal dies, and that the corpse does not come into existence when the animal dies, but existed all along. He acknowledges that the corpse is occupying the very space the animal is. At the time the animal is alive, the corpse is also biologically alive, just as the animal is. However, rather

than drawing the same conclusion as the anti-animalist, that the corpse and the animal must be separate, he argues that this means the corpse and the animal are one in the same. In other words, “the animal's body is that animal,” because the animal is the corpse, and they cannot be separated from each other. This means that there is not a separate animal and a separate body thinking the exact same thing, but rather a single live animal body thinking. Olson goes on to point out that the too many thinkers problem cannot be solved in the same way. Psychological connections are still able to be separated from the animal, and there is still a thinking animal left in place of these psychological connections (“Animalism and the Corpse Problem” 269).

Olson may have had a good answer for the corpse problem, but unfortunately animalism still suffers from the fission problem. Just as the psychological view suffers from the problem that a brain can be divided, so too does animalism. Furthermore, if personal-identity is based on the individual being a biological organism, then there are even more ways one can be divided. Psychological connections reside in the brain, so only the division of the brain poses a problem for the psychological view, but if, as under animalism, the whole body is what makes up personal identity, the fission of your whole body will affect your identity. I will give two examples.

For the first example, suppose you were sick with an incurable illness, but your brain is fine. It is within the realm of reason to imagine a really good doctor could separate your brain from your body and transplant it to a different body. Suppose another person was going to die from early onset Alzheimer’s, but their body was otherwise healthy. The

Doctor takes your brain and puts it into the body of the person who had Alzheimer's. Most people would say that the person who had Alzheimer's has died and you now have the body that she used to occupy. Because under the psychological view you are your psychological connections, the view that your personal identity would follow your brain follows the psychological theory of self-identity. In the psychological theory, you got a body transplant. Yet, if animalism is totally correct, it seems you should be the corpse and the person with Alzheimer's actually got a brain transplant. While it seems that our bodies could get a brain transplant, it is not an insurmountable issue. The animalist could claim that the corpse would be the individual because it's the larger part. He would have no reason to claim that the individual persisted in the brain because generally, people only associate the brain with the individual because that's where the psychological connections reside.

Dean Zimmerman contends that Olson's argument suffers from vagueness about the word *animal*. He says that Olson's idea of animal must suppose that each part of the animal is equally the animal. However, when fission happens, not only could you have two different individuals who are supposedly both the same individual, but you could have hundreds or even thousands individuals because every part of the animal is just as much the individual as any other part (Zimmerman 6-7).

For the second example, imagine in the future that scientists come up with a way to take you apart atom by atom, and replace you with atoms from other people. Imagine they very slowly separate your atoms, and they fuse your atoms to the other person and

vice versa. This separation includes very slowly switching the atoms of the brain as well. The question then becomes: when do you cease being you? When does the other person stand where you stood and when do you now stand where the other person stood?

Olson is dismissive of any sort of brain fission arguments. He contends that while it seems plausible to us, it only happens in science fiction, and we go along with the possibility that fission could somehow happen. He points out that they have not actually happened in real life. He believes instances of fission, such as brain transplants to be implausible (“An Argument for Animalism” 331). However, I don't believe Olson's answer is satisfactory. He has no basis for claiming that brain transplants are implausible. Science is ever advancing.

Combination Views

The last theory of personal-identity I will discuss is the combination view, that you are a combination of your animal body and psychological connections. Under this view, if you lose either your body or your psychological connections, you cease to exist.

Bernard Williams suggests that in order for our personal identity to remain intact, we must be a combination of both our body and our mind. If they are separated, we no longer have the same personal identity. Under his view $A \neq B$ and $A \neq C$. Neither are the same people because they do not have the same body. This seems weird because we can think of ourselves as existing apart from our body. We often imagine ourselves detached from our bodies after we die. However, Williams claims that this is not possible. When we

imagine ourselves existing apart from our bodies, we actually still think in materialistic terms, and as if we had some sort of body, albeit a supernatural one. In fact, it is impossible to imagine ourselves existing immaterially (230-235).

Williams gives an example to show that “we are trying to prise apart 'bodily' and 'mental' criteria; but we find that the normal operation of one 'mental' criterion involves the 'bodily' one.” (Williams 235) Suppose a man name Charles wakes up one day with the same character and memories as the man who used to be Guy Fawkes. Williams says we might want to say that Guy Fawkes has come back to life! Yet, we should not. Supposed Charles has a brother who also woke up with all the mental connections as Guy Fawkes. We could not say that they are both Guy Fawkes. He says we could say that only one of them is Guy Fawkes, but that would be absurd. A more likely answer is that neither of them are Guy Fawkes. It may really seem like the person who's body used to be Charles is Guy Fawkes if he recalls in detail all the memories of the events that Guy Fawkes lived through. However, since Charles's body did not live through those events, the guy who now believes himself to be Guy Fawkes can't really have lived through those events. We can only say that Charles's body now has the mental qualities identical with the one Guy Fawkes had, but not that he is Guy Fawkes This shows that though our initial instinct is to associate personal-identity with psychological connections, personal-identity is actually much more complicated, and psychological connections cannot be separated from bodily continuity (237-242).

However, it is more complicated when we look at Riker's situation. Riker seemingly

has the same body and the same psychological connections, yet two separate consciousnesses. Williams would probably say that Riker A and Riker B are no longer the same person (as he pointed out that Guy Fawkes could not be both Charles and his brother). This still seems absurd though, because we would regard Riker as the same person if the fusion had not occurred after he came out of the transporter. It goes against intuition to think that Riker is only the same person if there is only one of him, but loses his identity if there is two. Perhaps, every time Riker goes through the transporter he actually becomes a new person.

Robert Coburn makes a similar argument against Williams. He says that under the same logic that we cannot assert that Charles has become Guy Fawkes, we can make an absurd analogy. Suppose George is sitting at a party, then suddenly disappears, but then just as quickly reappears as George*. Now, we have no way of knowing if this is really George. George* claims he is George and has all of his memories. He looks like the original George. If George had committed some crime six months prior to the party and his vanishing, we would still hold George* responsible because we would hold that George and George* had the same identity because they are identical. Coburn claims that while we cannot say beyond a shadow of a doubt that George* has the same identity as George, in the world, we use sameness for identification purposes, which, he claims, is not vacuous (119-120).

The Replaceability Argument and Personal-Identity

I believe animalism to be the most logical view of the individuality of a merely sentient being. It does not make sense to talk about them in terms of personal identity because it is pretty obvious they are not persons. By definition, their consciousness consists in feelings of pleasure and pain. Otherwise, they would not be merely sentient. Yet, to be merely sentient, they must be a type of organism. For merely sentient beings, because they have no desires about their future, and don't possess the ability to think, it makes the most sense to talk about their individuality as biological organisms. Therefore, when they become unconscious, they are in fact, not new individuals upon waking. They are the same individual who went to sleep.

The merely sentient individual is a biological organism at his core. Yet, by his nature, he is still able to feel pleasure and pain. He does not have other psychological connections, other than perhaps back to back feelings of pleasure or pain, but he cannot really connect them together if he does not have a memory. Because the merely sentient being's individuality is based on his being a biological organism, you are in fact killing an individual when you kill the merely sentient being. That merely sentient individual is then deprived of the future pleasure he would have received.

Singer believes that you are not killing an individual when you kill a merely sentient being because he requires psychological continuity for identity, something which merely sentient beings do not have (at least for any substantial period of time). Singer's preference-utilitarianism forces Singer to take the view that identity is based on psychological continuity based on the fact that it values preferences, which are

psychological states. Preference-utilitarianism is a flawed theory because, as I argued in chapter 3, it has the absurd consequence that it values desire fulfillment over individuals. This became evident through two arguments. First, we considered that the preference-utilitarian is forced to say a young person with a momentary desire for suicide, but otherwise would have a good future, should kill herself to fulfill her desire. Second, Hart showed that if preference-utilitarianism, and consequently the replaceability argument, is true, it follows that all individuals are replaceable, not just merely sentient ones.

The Replaceability Argument Fails

Now that I have shown the implausibility of preference-utilitarianism and given reason to doubt the psychological theory of personal identity, I think we can conclude that the replaceability argument is wrong. Merely sentient beings are individuals because they are biological organisms, and they retain their individuality between periods of consciousness. These merely sentient individuals are harmed by death because they are deprived of the goods (pleasures) of life, and therefore, not replaceable.

Conclusion

In this paper I have discussed Peter Singer's view that preferences are intrinsically good, which is the basis for his preference-utilitarianism. From his preference-utilitarianism, Singer develops the principle of equal consideration of interests, which is that all beings with preferences should have those preferences considered equally, and be

treated accordingly. As a result of PECE, Singer argues that everyone should be vegetarian, as animals have a preference to avoid pain, and some animals have an interest in continued existence. Another consequence of PECE is the replaceability argument, that it is morally permissible to painlessly kill happy animals who do not have an interest in continuing to exist, as long as you replace them with similar happy animals.

I have argued that Singer is wrong. No animal is replaceable. My method of argument was to step back from merely sentient animals to discuss whether death can be bad for anyone. I examined Epicurus' argument that death is not harmful to the individual who dies. I then argued for and defended the deprivation account of the harm of death: that death deprives the individual who died of the goods of life, and is therefore bad for the individual. This is true for both humans and animals, including merely sentient beings. Death is bad for merely sentient beings because it deprives them of pleasure.

Furthermore, the deprivation account is better than Singer's preference view because Singer's preference view does not value individuals, but only desire fulfillment. I also argued that contrary to Singer's assertion that merely sentient beings are not the same individuals over time (since they do not retain psychological continuity between periods of consciousness), merely sentient beings are the same individuals throughout their whole lives, as their identity is based on the fact that they are biological organisms.

By making these arguments, I have refuted two of Singer's main premises for the replaceability argument. First, that death is not harmful to merely sentient beings. Second, that merely sentient beings are not individuals over time.

Bibliography

- Angier, Nalalie. "Pigs Prove to Be Smart, If Not Vain." *The New York Times*, November 10, 2009, sec. Web.
- Burton, LeVar. *Second Chances*. Action, Adventure, Sci-Fi, 1993. Film.
- Coburn, Robert C. "Bodily Continuity and Personal Identity." *Analysis* 20, no. 5 (April 1, 1960): 117–20. Print.
- Epicurus. "Letter to Menoeceus." *Life and Death: A Reader in Moral Problems*. Ed. Louis P Pojman. Boston, MA: Jones and Bartlett Publishers, 1993. 149-156. Print
- Hart, H. L. A. "Death and Utility." *The New York Review of Books*, May 15, 1980. Web.
- Marquis, Don. "Why Abortion Is Immoral." *The Journal of Philosophy* 86, no. 4 (April 1, 1989): 183–202. Print
- McMahan, Jeff. *The Ethics of Killing: Problems at the Margins of Life*. 1 edition. New York: Oxford University Press, 2002. 352. Print.
- Nagel, Thomas. "Death". *The Metaphysics of Death*. 1 edition. Ed. John Fischer. Stanford, Calif: Stanford University Press, 1993. 61-69. Print.
- Nozick, Robert. *Anarchy, State, and Utopia*. Second Edition edition. New York: Basic Books, 2013. Print.
- Olson, Eric. "An Argument for Animalism." In *Personal Identity*, ed. R. Martin and J. Barresi. Blackwell, 2003. 318–34. Web.
- . "Personal Identity." In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Winter 2010. Web.

- Regan, Tom. *The Case for Animal Rights*. First Edition. Berkeley: University of California Press, 2004. Print.
- Rosenbaum, Stephen E. "How to Be Dead and Not Care: Defense of Epicurus." *American Philosophical Quarterly* 23 (April 1, 1986): 217–25. Web.
- Shoemaker, Sydney, and Richard Swinburne. *Personal Identity*. 1 edition. Oxford, England: Wiley-Blackwell, 1991. Web.
- . "Persons and Their Pasts." *American Philosophical Quarterly* 7, no. 4 (October 1, 1970): 269–85. Web.
- Shoemaker, Sydney. "Persons, Animals, and Identity." *Synthese* 162, no. 3 (September 27, 2007): 313–24. Web.
- Singer, Peter. *Animal Liberation*. 2nd edition. New York, N.Y: New York Review Books, 1990. Print
- . *Practical Ethics*. 3 edition. New York: Cambridge University Press, 2011. Print.
- Williams, B. A. O. "Personal Identity and Individuation." *Proceedings of the Aristotelian Society*, New Series, 57 (January 1, 1956): 229–52. Web.
- Wilson, Scott. "Respect of Utilitarianism: A Response to Regan's 'Receptacles of Value' Objection" 3 (2006). http://works.bepress.com/scott_wilson/4. Web.
- Wright, John. "Personal Identity, Fission and Time Travel." *Philosophia: Philosophical Quarterly of Israel* 34, no. 2 (June 1, 2006): 129–42. Web.