

Utilitarianism, Deontology, and Ethical Veganism

ANDREW NESSELER

University of Wales Trinity Saint David

MATTHEW ADELSTEIN

University of Michigan

Abstract: Two individuals can both be ethical vegans but disagree on the normative basis of their moral beliefs. This article will look at the development of two competing theories that hold prominence in debates among animal advocates: utilitarianism and deontology. Next, we turn toward their divergence in epistemology, the moral status of experiences and individuals, and the limits of permissibility. Last, we unite utilitarianism and deontology by noting where they converge. This union comes from enlightenment thinking, the postulation of direct duties to animals, disapproval of factory farming conditions, and, most importantly, the goal of improving the lives of many animals.

Key Words: ethical veganism, normative ethics, utilitarianism, deontology, animal ethics, moral philosophy, Peter Singer, Tom Regan

INTRODUCTION

Moral philosophy consists of many competing ethical theories. Numerous and conflicting as well are the many moral pronouncements generated from moral philosophy. What concerns us here, of course, is the question of ethical veganism and its normative basis. Two of the most prominent theories include utilitarianism and deontology. Utilitarianism holds that an action is morally right if and only if it creates the greatest utility (e.g., happiness). Deontology, on the other hand, prescribes a plurality of moral duties that may be self-evident, as for W. D. Ross (1930/2002), or in accordance with a universal law irrespective of the consequences, as Immanuel Kant (1785/2018) conceived.

Besides the diversity within utilitarian and deontological thought themselves (Shaw, 1998; Darwall, 2004), there are other ethical theories to consider as well—including virtue ethics, feminist care ethics, and egoism. Yet, for our purposes, we will primarily examine how utilitarianism and deontology, broadly construed, deal with the question of the moral status of nonhuman animals and duties we may have to them. Importantly, we

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will see what these theories say about a duty to be an ethical vegan. In doing so, we will see where utilitarianism and deontology both clash and converge when dealing with a range of issues from moral epistemology to the practical treatment of nonhuman animals.

THE UTILITARIAN TRADITION

Utilitarian defenses of ethical veganism may stem from utilitarianism's founder, Jeremy Bentham. Famously, Bentham (1789/1996) argued that the superficial characteristics of a nonhuman animal (e.g., scaly skin or number of legs) do not undermine the moral significance of an animal's pain. The morally right action for Bentham, as he formulated utilitarianism, was one that maximized pleasure and minimized pain. While Bentham was not a vegan—and there are contemporary utilitarians who are not convinced of ethical veganism (Frey, 1982)—there appears to be a straight line from Bentham's utilitarianism to ethical veganism. Explicitly stated for the utilitarian partial toward veganism: Rearing and slaughtering animals for leisurely consumption causes great pain and not enough pleasure, making it fail to maximize pleasure or minimize pain; therefore, we should not rear and slaughter animals.

The modern torchbearer of Bentham's utilitarianism as applied to animals can be found in the work of Peter Singer, who, unlike Bentham, has defended making a change to one's diet with regard to animals more explicitly and prolifically (Singer, 2020). Singer (2023), however, suggested that eating animals who live good lives could potentially be morally permissible, though this depends on various empirical questions (pp. 187–194). Despite this, Singer (1975/2009) argued that we should not exclude animals from the full scope of morality due to species membership alone—what Singer labeled as “speciesism” and resembles Bentham's earlier insight concerning the moral irrelevance of scaly skin or number of legs. Further defining the scope of morality, Singer (1975/2009, p. 7) stated, “The capacity for suffering and enjoyment is a prerequisite for having interests at all,” so an individual must be able to experience pain in order to have morally relevant interests. Last, with further implications concerning the obligation to be an ethical vegan under utilitarianism as opposed to being a flexitarian or vegetarian, Singer (1979/1993) granted that it may be permissible to kill and replace individuals who have no conception of their future.

THE DEONTOLOGICAL TRADITION

Historically, deontology has not been the most animal-friendly view. As the deontological analog of Bentham, we have Immanuel Kant, whose moral philosophy—Kantian ethics—is one of the most well-known versions of the theory. Kant argued that we owe no duties to nonhuman animals but only, instead, to other rational individuals who have a dignity or inherent value. Kant's position may be called the indirect duties view, in which the relation of our moral duties to nonanimals is not toward them but rather with regard to them. For Kant (2001), we should avoid abusing animals so we do not cultivate vice or become cruel in our dealing with rational individuals, but there is never a direct wrong committed against the abused animal.

Tom Regan (2001), as a contemporary of Singer, found Kant's moral exclusion of the nonrational as an objectionable and "morally grotesque" conclusion that Kant should be keen on avoiding. While Regan (1983) agreed with Kant that rational humans have a sort of dignity or inherent value—that is, they are moral ends in themselves and not mere tools or objects to be used—Regan went further in arguing both humans *and* many nonhuman animals have this inherent value and, therefore, are deserving of respectful treatment as ends in themselves.

This answer goes against Kant in two ways. First, Regan (1983) did not restrict this value to rational humans only and instead recognized that mentally disabled humans are also inherently valuable. This seems important, as we believe people who have severe mental disabilities are still deserving of respect. Second, many nonhuman animals also qualify for inherent moral value. From this, Regan (1983) argued that such individuals of inherent value (those who are the "subjects-of-a-life") deserve to be treated with respect (p. 243). Such individuals may not be treated as tools or objects for our own goals, which, if applied to nonhuman animals, would rule out animal agriculture, animal testing, and many other forms of animal use. From this, one can see how ethical veganism may follow from Regan's deontological approach, with Regan (2004) explicitly advocating for a vegan diet.

WHERE DEONTOLOGY AND UTILITARIANISM CLASH

Differences between deontological and utilitarian veganism may be seen in at least three areas. First, there are, at times, methodological differences in epistemology undergirding the positions. Second, the locus of moral primacy varies between the utilitarian and the deontologist, as the former places it in experience and the latter places it in the individual. Third, these views may disagree on the purview of permissibility concerning the treatment of nonhuman animals.

On the epistemological difference, there may be, at times, a correlation between one's normative ethics and moral epistemology. Returning to Singer and Regan, we have Singer's (1980) earlier skepticism toward the role of intuitions in moral theorizing, stressing instead the importance of correct theory coming before one's moral judgments. Meanwhile, Regan (1983, p. 258) posited balancing between theory and judgment (a process resembling Rawlsian reflective equilibrium) that acknowledged the indispensability but not indefeasibility of reflective intuitions in arriving at the correct theory.

However, this difference in moral epistemology should not be considered definitive. On the matter of intuitions specifically, both consequentialists and deontologists have adopted the most ardent forms of intuitions, such as G. E. Moore (1903/1988) for the former and W. D. Ross for the latter. Additionally, deontologists may share Singer's earlier skepticism of intuitions, as they may find themselves drawn toward moral antirealist positions that describe morality as a construct as opposed to something discovered (Korsgaard, n.d.).

On the second point, and for a more fundamental point of disagreement between the two camps, recall the different approaches to the moral value of nonhuman animals when looking at Singer and Regan. For Singer, we are to consider directly animals' (human

and nonhuman) pains and interests. Regan, on the other hand, stresses the moral status of animals (human and nonhuman) as individuals, as opposed to referring to their mere experiences. To explain the difference, Regan (1983) used an analogy of a cup containing different contents, where the aggregation of bitterness or sweetness, for example, would hold moral primacy for a view resembling utilitarianism. If, however, we consider that the cup itself has value, we come closer to what resembles the deontologist's view with respect owed to the individual. This analogy helps explain what is primary in terms of the moral focus of each theory. However, this is not entirely dispositive—some utilitarians argue that their view does respect the separateness of persons in this way, by holding that the only reason some things are good is because they are good for some (Chappell, 2015).

For the third point, we may see differences in treatment of nonhuman animals as prescribed by the utilitarian or deontologist. For example, the utilitarian who is partial toward ethical veganism may nevertheless accept that some animal testing or slaughter may be permissible (or obligatory), so long as it produces the best consequences. For the deontologist, however, the consequences of animal testing or slaughter, even if beneficial, may not be enough to overrule the respect owed to the individual, making animal testing and slaughter unethical irrespective of the consequences. Undoubtedly, such difference stems from the previously discussed distinction in which the utilitarian primarily cares about the maximization of valuable experiences, whereas the deontologist focuses on the respect owed to the individuals themselves.

The utilitarian thus might be much more concerned with empirical facts than the deontologist. For the utilitarian, whether we can eat animals will depend, in large part, on whether most animals live good lives. If they do, then eating meat might be permissible, because it causes more animals to exist, and the animals could arguably be better off than they would have otherwise been. Similarly, utilitarians will only think that one has an obligation to go vegan if eating meat causes more animals to be factory farmed—a topic that is subject to much debate (McMullen & Halteman, 2019; Norcross, 2004; and Shahar, 2021).

Additionally, some deontologists will agree with utilitarianism when it comes to animals. In approaching a view resembling this, Nozick (1974, pp. 35–42) famously inquired about the possibility of a theory in which deontology describes our obligations to people and utilitarianism describes our obligations to animals. In this way, one might think that utilitarianism describes part of the truth, in that only rational beings like humans have “rights,” but nonrational beings like animals, while not possessing rights, can still be harmed by suffering and benefitted by pleasure, and thus ought to be treated well.

WHERE DEONTOLOGY AND UTILITARIANISM CONVERGE

The differences between deontological veganism and utilitarian veganism seem insurmountable, but the two views overlap and agree on a few important issues. First, contrary to moral skepticism and ethical theories based on emotions, relations, or egoism,

both utilitarianism and deontology share a commitment to abstract and impartial moral theorizing. Second, deontological veganism and utilitarian veganism attempt to account for direct duties to nonhuman animals, as the pains and interests of nonhuman animals are, as in the case of human animals, worthy of direct moral consideration. Third, deontologists and utilitarians, while having a different normative basis, can take issue with the primary source of animal consumption today in the form of factory farming. Fourth, and most importantly, vegans of either normative leaning seek to improve the lives of many nonhuman animals.

For the first, both utilitarianism and deontology have been criticized for their alignment with Enlightenment ethics, where reason and abstract theorizing are posed to refine or discover our moral duties that emphasize the equality of many individuals or their interests. In contrast, we have the following normative views, which have been at times employed to explicitly argue against ethical veganism. For one, we have contemporary feminist accounts of morality that may situate morality within relations as opposed to reason (George, 2000). Alternatively, some philosophers may still work within the abstractions of moral philosophy but conclude that one ought to place moral primacy on the self rather than adopting an egalitarianism—thereby promoting some form of egoism (Narveson, 1977). Additionally, and perhaps most extremely, one may have postmodernist sympathies and reserve moral judgments due to a skepticism of the Enlightenment claim of objective truth, or, similarly, “refuse to embrace anything like ethical veganism because of their epistemological and political opposition to principles” (Steiner, 2013, pp. 2–3).

Second, ethical veganism that is derived from either utilitarianism or deontology unite in positing direct duties to many nonhuman animals. From this, they importantly differ from many contractualist accounts of morality and even some ostensibly animal-friendly views within environmental ethics. In the case of some contractualist views (which may themselves be considered deontological), animals serve an instrumental purpose. That is, somewhat similar to Kant’s earlier claim, we may dissuade one from abusing dogs due to its harmful effects on society and rational agents, but putting pigs in the slaughterhouse has no such claim.

As for some positions within environmental ethics, nonhuman animals and human animals are viewed as equal citizens of the ecosystem (Leopold, 1970). This lack of human supremacy or anthropocentrism within the view can appear animal friendly at first glance. Yet, in a more severe criticism of the view, both humans and nonhuman animals may arguably be “culled” to preserve that which has moral primacy for the environmental ethic—namely, individuals could be killed for the health, stability, or beauty of a biome (Regan, 1983, p. 362). After all, the biome, for a land ethic, is what holds moral primacy, not necessarily the humans or animals within it, thereby taking a holistic approach to ethics as opposed to the individualism encompassed in animal liberation views (Callicott, 1980). In response, the utilitarian and the deontologist deny the moral observations of both the contractualist and environmental ethicist above. Again, thinkers such as Singer and Regan would place moral primacy in either the individual’s experiential welfare or the individual himself or herself before other moral considerations.

Third, both utilitarians and deontologists will potentially have significant problems with much of our current meat consumption. Deontological problems may primarily be with the rights violations inflicted when animals are killed (Regan, 1983, 2001). In contrast, utilitarians will be more sympathetic to the notion that the wrongness of our current meat-eating practices comes from the prolong suffering we inflict on animals (Singer, 1975/2015, 2023). Given that most animals reared for food—in the meat, dairy, and egg industries—live relatively miserable lives in factory farms (Singer, 2023), both deontologists and utilitarians will think that if eating from factory farms results in more animals living these horrible lives, then eating factory-farmed meat would be wrong. This is true whether one is eating animal flesh itself or animal byproducts like dairy and eggs. The deontologist, however, might think that eating meat is wrong even if it does not cause more factory farming or if the animals live good lives; eating even happy animals might be an objectionable rights violation.

Last, we have the fourth point of overlap between the two theories in relation to ethical veganism. Namely, both are committed to improving the lives of many animals in some tangible way. While deontology and utilitarianism have very different implications for how we should treat animals in a wide array of hypothetical cases, both seem to imply that there are severe problems with the way that we are treating animals in this current time. Whether our reasons not to mistreat animals include that mistreating them violates their rights or just relates to the wrongness of causing animal suffering, the current food system is impermissible. The overlap between the two competing theories may be unsurprising to some, as even some defenders of meat-eating argue that we are treating animals in impermissible ways by inflicting prolonged torment on them (Shahar, 2021).

Of course, there will continue to be debates among animal advocates on the limits of permissible treatment of nonhuman animals, and this, we believe, stems in part from different normative leanings. This difference may be a deciding factor, too, as to whether one adopts veganism as opposed to vegetarianism or flexitarianism. After all, it could be that the utilitarian may find that, at certain times, it would be optimistic to eat animal products, while the deontologist would find the eating of animal products impermissible irrespective of the good consequences. Conversely, perhaps the deontologist's threshold for moral considerability could be stricter than the utilitarian's threshold, making the former less conducive to a diet that prohibits consuming animal products. For example, in *The Case for Animal Rights*, Regan (1983) claimed agnosticism on whether, for example, frogs, fish, or birds count as subjects-of-a-life deserving of respect—although, importantly, Regan suggested granting them the “benefit of the doubt” (p. 367). Meanwhile, a utilitarianism that entails direct consideration to all who feel pain may easily grant some protection toward these animals.

Regardless of any disputes about who counts as a moral subject or not, we can see a stark difference between the utilitarian and the deontologist on the animal issue, as utilitarian thinking concerns itself with the consequences of using animals for our purposes, while deontological thinking has one consider the morality of using animals for our purposes. However, if one is led to veganism through either utilitarianism or deontology,

then we can say there is still a significant convergence between the utilitarian vegan and the deontological vegan, as both are committed to seeing, at the very least, some animals' lives substantially improve. Once again, to see this overlap, we have the mutual agreement that the treatment required for the immense consumption of animals (that is, factory farming) is impermissible.

CONCLUSION

Not only is there debate as to whether one should be an ethical vegan or not, but there is also debate among ethical vegans themselves as to the best reasons for the position. The latter may represent perennial disputes between competing ethical theories, as is the case for utilitarianism and deontology and, likewise, as is the case for Singer and Regan (Dombrowski, 1997).

Importantly, while they both may arrive at ethical veganism on the surface, the difference between the two theories is fundamental. As described by Regan (1983), the utilitarian places value in the experience of individuals (e.g., pain and pleasure), whereas Regan, like Kant, places value in the individuals themselves. This means that, if it led to the best consequences, instances of animal rearing, testing, and general use would be permissible for the utilitarian. Regan, however, would argue that the respect owed to individuals (human or nonhuman) could not be overridden by consequences alone. Deontologists may believe that the more relaxed permissibility of killing and using individuals is a weakness of utilitarianism (Franklin, 2005), while utilitarians may argue it is a strength in that their theory boasts flexibility over an arguably unrealistic rigidity found in deontology and its dealings with ethical dilemmas.

The debate goes further, too, when we introduce defenders and critics of veganism who represent other ethical theories as well, such as feminist care ethics and egoism. Additionally, some thinkers may try to avoid commitment to a specific normative ethical theory when addressing this question (Sapontzis, 1987). Regardless of one's commitments to ethical veganism or an ethical theory, it is worth exploring the interplay between the two in order to develop a clearer picture of either one or both.

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