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IN DEFENCE OF CANNIBALISM

I.

TYPES OF ADMISSIBLE AND INADMISSIBLE CANNIBALISM

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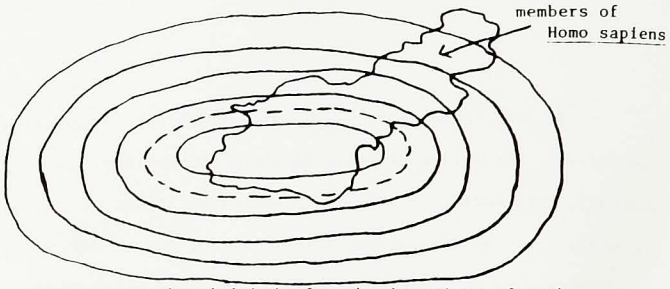
IN DEFENCE OF CANNIBALISM*

It is a commonplace of mainstream Western thought that cannibalism — the eating of human flesh by humans, and, more generally, the feeding of animals on members of their own species — is, at least in the human case, morally outrageous. This repugnancy thesis appears to be a legacy especially (but not only) of Christianity, probably derived from Jewish teaching, which went much further and excluded the eating of pig, for instance, as well as "long pig". It is a thesis reinforced by the substitution of Man for God of the "Enlightenment" and consequent elevation and separation of humans from other creatures. Now that all these positions have been substantially undermined, have for the most part been observed to rest on a tangle of false views and prejudices about the world, its origin, evolution and purposes, and about the creatures that inhabit it, their separateness, and their order (in an alleged chain of being) with humans at the apex, it is past time that major moral theses that these positions have sustained are re-examined and reassessed.

Up for re-examination are, in particular, all theses that depend essentially on the common but mistaken assumption that there is something morally very special or distinctive about simply being a human, that Homo sapiens as a species deserves special treatment. On the contrary, there is no morally relevant distinction between humans and all other creatures. Of course there are various morally relevant distinctions between things, but none concerns the biological species Homo sapiens. What holds rather is an annular model[1] which can be depicted schematically as follows:-

Diagram 1: ANNULAR PICTURE OF MORAL RINGS IN OBJECT SPACE (and the position of humans).



Key:- Notional labels for the interiors of such morally relevant rings (or ellipses), from outer to inner:

Objects of value, objects of moral concern
Objects having well-being
Preference havers, choice makers
Rights holders
Obligation holders, responsibility bearers
Contractual obligation makers

There are also more comprehensive philosophical reasons for the periodic intellectual review of deeper assumptions (and prejudices), reasons furnished by dialectics in combination with the theory of objects. According to the theory of objects there is no assumption that has to be held, that cannot be disbelieved, while according to dialectics proper every assumption is open to questioning and reconsideration by its methods, and assumptions in order to be rationally maintained should withstand such critical scrutiny. Naturally these (methodological) considerations do not imply[2] that assumptions under examination do not (frequently) withstand critical discussion, or that there are not (or never could be) good reasons for adhering to them. But the considerations are important in opening larger moral assumptions to due reconsideration, for

instance in removing the idea that the wrongness of such practices as cannibalism is not even open to question[3].

High in a list of inherited moral assumptions that are ripe for reassessment are those concerning the almost universal moral prohibition of and repugnance to cannibalism, a practice that used to be extremely widespread, but that has now been almost entirely extirpated[4] with the very successful cultural conquest of the world by Western thought. But instead of the re-examination that should follow the intellectual erosion of mainstream Western social thought, the growing recognition of its theoretical inadequacy, not to say poverty, what has followed is the often shoddy defence of many of its leading moral theses, mostly on anthropocentric grounds, but sometimes on other grounds, some of them drawn from contemporary philosophy (e.g. the conventionalistic rejection of cannibalism of Diamond, considered below).

Many of the defences proferred of total prohibition of cannibalism are ludicrously weak, and withstand little examination. Consider, to illustrate, the main argument in (what was until very recently one of the few books in English on cannibalism) Hogg, namely 'the innate repugnance of contemporary man to touch human flesh' (p. 188, also earlier). Insofar as the repugnance is represented as a matter of fact, it does not appear to hold generally, and may be largely a matter of background and conditioning. There is no evidence that — what seems unlikely given the former prevalence of cannibalism — it is innate; and insofar as it is a matter of fact it does not support <u>moral</u> prohibition of eating human flesh, any more than the apparently very widespread repugnance of urban Americans

to eating raw snake underwrites a moral prohibition on consumption of raw snake meat. On the other hand, if the repugnance in question is (intended to be) warranted moral repugnance, then the argument is trivially circular, the premiss assuming the point at issue.

One reason why the proferred defences look weak is that it has not been thought necessary to provide any defence; for 'Directly daylight falls on the habit it withers away'[5] - the "daylight" is that of contemporary Western civilization. A similar theme appears in Langton (initial page): cannibalism is 'a custom that must soon become extinct all over the world before the great march of civilization' - or, one might say, before the triumph of human chauvinism. What will be argued is that, on the contrary, when some daylight does penetrate to the issues concerning cannibalism, it will be seen that by no means all forms of cannibalism are morally inadmissable. Showing as much is the main object of the present exercise. Though the results arrived at are part of the process of elaborating a non-chauvinistic ethics, and accordingly have implications for policy, no policy conclusions are drawn in what follows: no recommendations for the implementation, or institutionalisation, of cannibalistic practices are made[6].

Hardly necessary to say, better defences of the mainstream anti-cannibalistic tradition can be devised or pieced together from the literature than those so far alluded to. Such defences - based, for example, on the assumption of sanctity of all human life, on the theme that cannibalism is a brutalising experience, which puts humans in the same category as the brutes - characteristically rely on a sharp distinction between humans and other creatures. But,

as observed, it has recently been argued, successfully, that this distinction will not carry very much of the moral weight that has been imposed upon it.[7]

With the breakdown of this sharp moral distinction between humans and other species, orthodox anthropocentric options, which sanction human consumption of animals other than humans but never humans, collapse. Among the important options left open (at least as regards "higher" creatures) are, on the one side (pure) vegetarian options and on the other, cannibal(istic) options (mixes of these options which allow some human flesh eating will fall under the latter head). The vegetarian options face, it certainly seems, insuperable difficulties, especially concerning such issues as animal predation (which is an important, immensely frequent, and often desirable, ecological fact), and concerning the reduction in numbers of animals, especially introduced animals, which build up to "pest proportions" (some reduction is often required for vegetable growing to operate successfully). But it is unnecessary to elaborate these and connected points here because there are cases where consumption of human flesh is perfectly admissible. The main argument advanced is modelled upon simple inductive arguments: a base case is argued, and this base is expanded step by step to cover other cases.

§1. The Base Cases: Eating the Dead. In setting out the first of these cases it is taken for granted that the practice in some American states and Canadian provinces of allowing accident victims (e.g. those of automobile casualties) to consent to the use of parts of their bodies for organ transplants and also for other medical purposes is admissible, and that the use itself in such cases is

admissible[8] Then, is there any good reason why persons should not similarly consent to the use of their bodies for food upon their death? For food transfusions, instead of blood or plasma transfusions or transplants. And if they do, or so bequeath their bodies, why should their bodies not be eaten? What differences there are in the types of cases can be minimized, and those that remain seem not to make much - or any relevant - moral difference. For example, in order for human parts to be intially taken and used, the bodies have to be more or less butchered; but then they may be in much less pretty shape after a serious accident. Again, in each type of case, the parts may - or may not - be supplied to people who are in genuine need; etc. Nor does internal ingestion appear to differ, in any way that matters morally, from internal connection, from organ transplantation. It could be objected that with an organ transplant a specific organ is required, whereas with a starving or undernourished person alternative sources of food are - or ought to be - available. But where the parts are used for nonspecific medical testing, e.g. cell culture, or just disposed of (e.g. by incineration) without any other use, the specific need consideration does not work. Anyway what would it show?

The claim staked is accordingly this: where the human eaten is dead, and certain other conditions are satisfied, cannibalism is admissible. The other conditions may comprise such things as the following: that the whole thing is done decently (in ways, that is to be spelled out specifically); that the person eaten consented (or, differently, would consent) to being eaten, perhaps by the parties concerned, or more strongly that the person directed that he or she be eaten (or otherwise used); or differently again, that the consumption was necessary for survival or well-being, etc.

Restricted forms of cannibalism in the interests of survival are now quite widely accepted as admissible. So there is really nothing extravagant at all in contending that sometimes cannibalism is perfectly alright: any extravagance is due to the fact that the admissible cases lead, naturally and coherently, once human chauvinism is properly left behind, to much more controversial cases. There are several examples of human cannibalism undertaken for survival, which have won establishment approval, from legal or church hierarchies. A striking recent example is the cannibalism of members of a Uruguayan rugby party who survived an airplane crash in the high Andes (dramatised by Read). Their eating of dead companions, evidently necessary for survival, was condoned by the Catholic Church of Uruguay and by other prominent Catholic thinkers. Interestingly, Rubio, Auxiliary Bishop of Montevideo, justified such cannibalism, necessary for survival, through a medical transplant comparison[10]:

> ...Eating someone who has died in order to survive is incorporating their substance, and it is quite possible to compare this with a graft. Flesh survives when assimilated by someone in extreme need, just as it does when an eye or heart of a dead man is grafted onto a living man... (as quoted in Read, p. 308).

But the Bishop tactfully rejected, except 'as a source of inspiration', the equivalence, appealed to by some members of the team, between eating the flesh of their friends and participating in communion, as initiated by Christ at the Last Supper, where he (figuratively) shared his flesh and blood with his apostles (Read, p.309; also p. 299). Exactly why this correlation, which undoubtedly helped the survivors, gets discounted, remains tantalisingly obscure. The correlation seems worth pursuing further. For though survival was not a problem

for the apostles at the Last Supper (so destroying a strict correlation), survival is not the only basis justifying the eating of human flesh. As with blood, the gift relation is another important basis.

A consent or bequeathal clause[11] is important in undercutting various objections to the consumption of dead humans, for instance, that it is an affront to human dignity, that it is a mark of total disrespect, that the 'sanctity of the human being' is completely disregarded (Up. 186), that it is impious (Dp. 467). For if the person consents it can hardly be an affront to that person's dignity, or violate that person's sanctity (as seen from one point of view). Nor is it an affront to the dignity of creatures of an irreligious cast, for whom a dead body whether of a human or an animal is a dead body – though perhaps a dead body of a fellow creature or of a friend. So it is an affront only to those of particular (religious) groups, perhaps the same groups for whom dead human bodies are sacred and their disfigurement by humans (whether for medical or other purposes) impious[5]. Just as it is legitimate for one to discount the often illfounded views of such groups – insofar as the views are intended to have universal applicability – as regards medical use of (formerly) consenting humans, as regards sexual relations, abortion, euthanasia, and so forth, so it is legitimate to discount them in the case at hand.

Nor need the eating of a dead human be a mark of disrespect. On the contrary, the eating of certain parts of the bodies of dead humans was, among certain tribes who used to practice cannibalism, an act of considerable respect; for it was thought that in that way the eaters could acquire or participate in some of the (former) virtues of the dead, e.g. wisdom, strength, hunting skills, etc. So it can still be, that eating is not disrespectful: what is sometimes disrespectful is raising for food and killing, e.g. in order to eat.

Such despicable motives as those of the get-even syndrome ("we'll fix the bastard, we'll eat him") are pointless (as well as stupidly vindictive) where the party is already dead.

It can be argued that eating certain pieces of human flesh out of respect is an exceptional case (like eating a fellow creature to avoid starvation), and that a general principle of respect for the dead overrides any consent that may be given. The short answer to this is, firstly, that granting of exceptional cases already allows that some cases of cannibalism are admissible, and secondly, that no general principle applies in a decisive way to exclude the examples already considered. To illustrate how application of such general principles can always be thwarted, it is instructive to consider Devine's argument against cannibalism, namely as a paradigmatic application of his overflow principle. The overflow principle, formed chiefly to cope with the treatment of animals, is this:

> *Act towards that which, while not itself a person, is closely associated with personhood in a way coherent with an attitude of respect for persons* (Vl. 503).

Instead of arguing directly for the principle, Devine suggests firstly that it may be argued for in rule-consequential fashion, secondly that it may be made plausible as part of a way of life having respect for persons at its centre, and thirdly that the principle is well ensconced in the moral consciousness of the plain man. Each of these suggestions can be faulted both in general and as regards the relevant application. For instance, plain men mostly do not object to the bulldozing of old cemeteries to make way for a development. On the other hand, the principle can be rendered analytic by taking up the slack in "associated with" and "coherent with" appropriately - only then it won't yield the relevant substantive application. In application of the principle Devine makes two alternative moves. First,

> although a dead body is not a person, still the fact that it (so to speak) was a person means that it ought not to be treated like ordinary garbage (Vp. 503).

The point made does not exclude organ transplants, eating, and so forth. Garbage is commonly thrown away, things in these end uses are mostly not; ordinary garbage (in the literal sense) is not eaten (except in desperation, etc.). The most the overflow principle seems to show, under this move, is — what does not exclude consumption, and what one may well concur with — that the dead (and not merely the human dead) ought to be eaten respectfully; and even this much is not shown if the tense change, the transformation from alive to dead, destroys the requisite closeness of association. Devine assumes it does not, as his second move which begins to buy into some heavy assumptions as to features of persons, reveals:

> ...respect for persons overflows to the human body, which forms the visible aspect of the bulk of persons with whom we are acquainted, and which persists when the person ceases to exist in death. (Vp. 593)

Overflow to the living body does not however guarantee, what Devine assumes, overflow to the subsequently dead body (which is no longer the "visible aspect" of a person). And again respectful eating could, it appears, be coherent with the alleged overflow of respect to dead bodies.

Wouldn't disrespect be inevitable if human parts become marketable commodities, if there was commerce not just in human flesh, but in bags, shoes, and belts made from human hides, decorations from human bones and teeth, glue and fertilizer from other parts and so on[12], in the way that there is commerce in animal parts? Perhaps, disrespect would be an outcome, but perhaps for the wrong reasons. What seems clear is that giving human flesh to the needful, say, is one thing, allowing commerce in human parts is another.

It is by no means obvious, however, that a consent clause is required. For if a body is going to be buried and "eaten" by bacteria, or various carnivores, it might as well be eaten; similarly if it is going to be incinerated and the ashes spread, it might better be carefully composted. A dead body does not have the value of the person whose body it is in life; so in neither case is value diminished, it seems, by (respectful) cannibalism or ecological alternatives to burial or cremation.

The suggestion that the already dead can, at least in certain circumstances, be eaten without moral qualm, innocuous though it is, is liable to spark off a series of protests. It is true that some ugly scenes could result if "long pig" caught on; e.g. the spectacle of the refrigerated vans patrolling the highways (in much the way that refrigerated trucks follow the kangaroo shooters in outback Australia) competing to pick up "accident" victims. But these types of scenes, which can already occur with competing ambulances or tow trucks, are readily enough avoided (by suitable organization), and more respectful practices adopted. More serious is the objection that such "admissible cannibalism" could — or rather would, if the objection is to have force — lead to what is normally inadmissible, for example, to a perverse lust for human flesh, and perhaps, thereby to the deliberate killing of humans for food. Hogg makes much of the first of these points, the (unintended) impression he gives being that human flesh is so delicious that it is highly addictive. Whether this is so or not (it would seem unlikely with a preponderance of older stringier humans, though the number of "battery humans" is increasing), it appears not to matter, unless it does lead to what would be more disconcerting, e.g. the establishment of a black market or the like in human flesh, with inputs from killer or Mafia syndicates. But the problem is not substantially different

from problems that already arise with the treatment of animals (e.g. traffic in rare species), and over the distribution of dangerous drugs to humans, and can be met in similar ways, i.e. through a similar range of political or organizational options.

The usual utilitarian defence of vegetarianism based on suffering, pain, and the like caused in raising and killing creatures for food, collapses.[13] For no direct suffering, pain or the like occurs, with the creatures eaten already dead; and any sorts of suffering that might be marshalled among some of the still living who are pained by the consumption can be more than compensated for by the alleviation of suffering of the meat consumers, for a suitable choice of consumers.

Some vegetarians however (rightly) reject utilitarian defenses; Diamond, in particular, tries to argue that they involve 'fundamental confusions about the moral relations between people and people and between people and animals' (Dp. 465), and introduces instead conventionalist arguments – unfortunately of wide philosophical appeal – against eating people. Some of the reasons for not eating people, she subsequently argues, extend to grounds for not eating animals either. Diamond's argument begins from

> certain quite central facts ... We do not eat our dead, even when they have died in automobile accidents or been struck by lightning ... (Dp. 467)

An immediate objection is that this is little more than a local fact, good for certain 'we' but by no means generally, as the history of cannibalism shows. It is equally a fact in the context of quite extensive groups, that they do not eat pig. So either the central fact has to be morally grounded or has to have moral consequences. The second option would involve a prescriptive fallacy (deduction of an ought from an is); in any case, Diamond tries the first, in the following fashion:- The fact is, firstly, not a (direct) consequence

of our unwillingness to kill people for food or other purposes, and secondly not a (direct) consequence of our unwillingness to cause distress to people – not that it always would (contrary to Diamond's assumption) – but rather 'what conditions our attitude to not dining on ourselves is the view that a person is not something to eat (Dp. 468)[14]. The argument turns however on a slide on the middle term 'something to eat' which is ambiguous between (i) something that may be eaten and (ii) something that is eaten. In the second sense the justification given of the fact dead people are not eaten, namely people are not eaten, while in a sense "logically adequate" is trivial, and proves no requisite grounding, and the "justification" does not imply that dead people may not be eaten. In the first sense, a nontrivial justification is offered, that it is impermissible to eat people, but in this case we tend to repeat the initial question. Why is it?

Diamond has a surprising answer: in effect that it is analytic on, or at least a consequence of, our notion of what a person or human being is.

> ... it is not respect for our interests which is involved in our not eating each other. These are all things which go to determine what sort of concept 'human being' is ... it is one of those things which go to build our notion of human beings (Dpp. 469-70).

But such a thing as not eating other people is certainly not part of the concept 'human being', indeed it is not merely not analytic or normic (near-analytic) of human beings, it is not even true of them – given that, on well-authenticated evidence, cannibalism was formerly widespread, and that it still persists in isolated places today. The answer is, in short, radically unsatisfactory. That this is

the answer Diamond is offering is however at once confirmed by how she goes on (writing in speciesist assumptions[15] in the same revolting fashion):

> And so too — very much so — [built into the notion] the idea of the difference between human beings and animals. We learn what a human being is in — among other things — sitting at a table where WE eat THEM. We are around the table and they are on it (Dp. 470)[16]

While we may learn something about what some human beings - not vegetarians — are like in this way, in the way we can learn what some other human beings are like from cannibal feasts where "we" are on the table as well as around it, we learn little of the notion of human being in this way. Nor does what correct information we acquire in this way provide a firm basis for moral judgements about the possibility of eating humans, though Diamond appears to think that it does; for she later says that the source of moral life derives from ways in which we mark what human life is (Dp. 418), another move which involves a prescriptive fallacy, as well as obvious anthropocentricity.

Indeed many of the sorts of conventional patterns of response and conventional facts that Diamond alludes to are a fairly direct outcome of human chauvinism, e.g. that drivers mostly stop for injured humans, not for injured animals, that humans are commonly given funerals, animals mostly not. Diamond needs to say, and proceeds to say, that these sorts of differences are appropriate, but that is to slide to a value judgement which concedes to herself part of what is at issue.

Diamond's approach encounters serious difficulties when applied to such matters as slavery, the treatment of outlaws and enemies ....

> It may seem ... I should find myself having to justify slavery. For do we not learn – if we live in a slave society – what slaves are and what masters are through the structure of a life in which we are here and do this, and they are there and do that? Do we not learn the difference between a master and a slave that way? (Dp. 470)

Diamond does not manage to escape these difficulties, though she makes various attempts (p. 470 and especially pp. 476-7):

> ... the notion of a slave or an enemy or an outlaw assumes a background of response to persons, and recognition that what happens in these cases is that we have something which we are not treating as what it – in a way – is (Dp. 476)

But this is to assume a background of norms, of how things morally are, that a person is not something to enslave, etc. (and to attempt once more to build a presupposed morality into conventional facts). Furthermore, as this reveals, the same ploy could be worked in the case of animals, namely that in hunting them, killing them, serving them up for dinner, we are not treating them as what – in a way – they are (or, more accurately, as they morally deserve treating). Such comparisons make it evident then what Diamond is about, and that her conventionalistic approach fails.

However, to remove objections to eating the already dead, under specified conditions, is simply to avoid, rather than face up to, the real opposition to even qualified cannibalism. For an important part of the real opposition to qualified cannibalism relies upon illicit assimilation of cases of eating already dead people with killing humans for food, and, differently again, rearing some of them, e.g. certain infants, for food. Thus Devine's ambiguous, and in an obvious sense false,

claim that 'a meat diet requires that animals be killed' (Vp. 483). And thus Diamond again,

> What we should be going against in adopting Swift's "Modest proposal" is something one should be going against in salvaging the dead, more generally useful organs for transplantation, and the rest for supper or the compost heap. (Dp. 469)[17]

Not at all: the cases are entirely different. Swift's "proposal" involved both rearing and slaughtering of children for food.

Nor is the base position so far reached a new one, but an ancient proposition. For instance, Chrysippus, the Stoic, in his treatise On Justice, 'permitted eating of the corpses of the dead'[18] So also apparently did Diogenes in his Republic, Zeno in his Republic, and Cleanthes, all of whom may have authorised cannibalism on a broader scale.

2. Limited extensions of cannibalism beyond the base cases, where humans are allowed to die or are killed. Eating dead humans involves eating of (certain of) their parts. But if eating such parts is (often) admissible, then so also presumably is consumption of such parts when they are (irrevocably or freely) severed from a living human, e.g. eating the amputated limb of a friend or enemy or drinking the blood donated by another. These rather special cases, involving (what is called, for short) nonlive human parts, provide a first set of extensions of the base cases. These extensions include some bizarre cases, in particular where the part concerned is one's own.

However, allowing the eating of dead humans and nonlive human parts under certain conditions offers no slippery slide to,

what is entirely different, permitting the killing of humans for food, or to, what is different again, the deliberate raising of humans for food. The differences are already clear as regards animals: it is one thing morally to eat an already dead deer, another to let a deer die and then eat it, another again to shoot or otherwise kill it and then (perhaps) eat it, and yet another to eat a deer raised (in one or another of very different ways) for food. Within each of these different categories, it is important to distinguish cases. For while eating a dead human, even after it has been allowed to die (by omission), may be admissible, killing humans for food is often not, and raising a human for food (and other goods) is, it is now generally assumed by humans, certainly not.

There are several separate issues here, in particular the husbanding or raising for food issue, on which much literature on the moral basis of vegetarianism has in fact focussed, and the general predation issue, which includes matters of killing and letting die. The issues are separate because creatures may be killed for food, e.g. in hunting, though they are not raised for food, and conversely creatures may be raised for food (or treated as slaves) without, for one reason or another, being killed. Cases of humans raising humans for food have apparently never occurred, though humans have sometimes been fed up for the pot (e.g. in the Aztec empire and in Fiji). Humans are the only creatures we in fact know who might (having lost considerable touch with the natural world) just adopt such a practice: no other animals ever raise creatures for food, not did cannibalistic cultures ever apparently raise humans for food. It is a serious and difficult question (to which moral philosophers have not sufficiently addressed themselves) why it is that if humans are not under any conditions entitled to raise other humans for food, they are entitled under many

conditions – indeed, it is often assumed, under a sweeping range of factory conditions – to raise other animals for food? They can only be justified in so doing if there are significant and relevant differences between humans and other creatures raised, or that might be raised, for human or animal food. Yet there are, it has already been pointed out, no such appropriate species-wide differences.

A fresh start can be made on the issue from a cannibalistic perspective. Since it is not eating human flesh per se that is wrong, what is it that is wrong, if anything, with raising humans or other creatures for food? Is it the raising, or is it the killing, or is it both? The answer is, of course, that trouble lies with both. Raising of creatures frequently has one or both of two damaging features accompanying it: first, deprivation of the raised creatures, and secondly, treatment of the raised animal merely as a means (not as an end). The second, attitudinal, difference may have little or no impact beyond the first. And the first may be avoided, e.g. where the creatures stay by choice but could depart if they wished. Kept geese, for instance, may be in that position; they are seemingly not deprived, but may live in rather natural conditions (except that migration and much that goes with it has been lost).

Killing involves something different again: all that goes with removing of a life, the termination of projects, purposes, associations of value, etc. (and also the definitive end of consciousness, etc.). With the predation issue also, a central issue is as to when killing an animal for food is permissible. It may be thought indeed that the killing for food issue just is, or is tantamount to, the general issue of killing, and that accordingly

the general issue as to when, or when precisely, killing for food is justifiable can be largely skirted. For it is justifiable, it is then claimed, when and only when killing itself is justified, whenever that is.

While one half of the italicised equivalence is uncontroversial - if killing for food (or for purpose P) is permissible, so is what it involves, killing - the converse is not. For consider some circumstances (assuming you can find them) where killing of person x is justified, e.g. in war, in retribution, in self-defence, in reducing great evil. Then killing x for these reasons is not killing for food, even if x is in fact subsequently eaten. There is an important intensional difference, so that being justified in killing x for some crime say, does not justify killing him for food, much as thinking of killing him for the one reason is very different from thinking of killing him for the other purpose.

What can be argued given the permissibility of eating dead humans, is that where killing of z is permissible, cannibalism of z is also IN FACT permissible. For example, if infanticide is alright under certain conditions (as Tooley contends, and others have hinted), then in fact cannibalism of infants is alright also under the given conditions (but the issues as regards the raising of infants for food are, of course, not thereby resolved). Thus the issue of when killing is permissible can, to this limited extent, be bypassed.

It is worth elaborating these points, since important extensions - not the only extensions - of cannibalism beyond the base cases depend upon them, and since - very differently - they furnish clear cases of inadmissible cannibalism. There are several classes of situations to distinguish:-

1a. Killing, causing to die, is impermissible.

1b. Letting die (passive killing, as it is sometimes misleadingly, but conveniently, called) is impermissible.

Then, in either case, killing or letting die for eating or followed by eating is also impermissible, by preceding principles (essentially $\neg Pp \ . \ \neg P(p \ \& \ q)$). So in particular it is where the creature is of the same species. That is, cannibalism is in these cases inadmissible. But some of these cases are clear; for instance, where creature (or human) x is leading a worthwhile nonaggressive independent and productive life in a peaceful countryside.

2a. Killing is permissible.

2b. Letting die is permissible.

In common reckoning there are many examples of both second classes, "passive" infanticide, suicide and gambling with life, euthanasia, killing or allowing to die to maximise community values where there are large numbers of people or choices between them, execution and assassination, self-defence, killing in war (the list follows roughly the later chapter headings in Glover, where these well-known types of examples are set out in some detail). In all these types of cases, death can be followed by eating, provided the base class conditions are satisfied. In such cases, henceforth called de facto extensions, cannibalism is also in fact admissible.

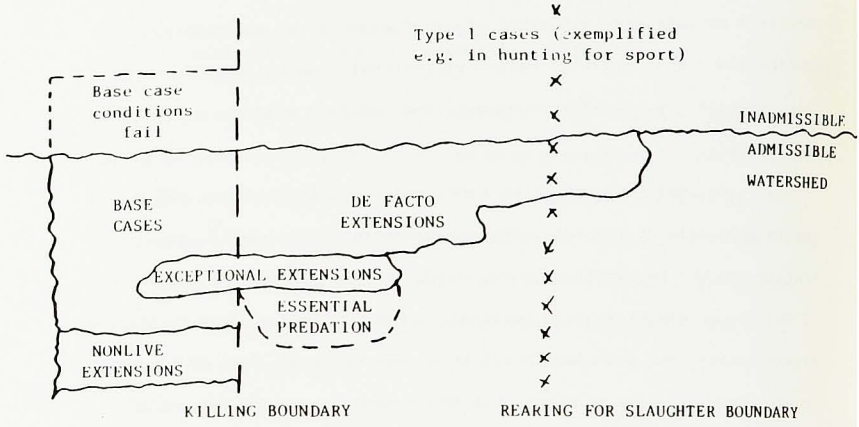
Almost always the killing or letting die in 2a and 2b is not specifically for eating. Eating the resulting dead is simply conjoined: the source of food is adventitious. Sometimes, however, in unusual circumstances some members of a party of the one species kill certain members of the party or allow them to die in order to

survive themselves, the survivors of an aircrash in a remote area, people on a life raft, etc. Such examples, where defensible, as they sometimes are, provide a further class of examples of admissible cannibalism - what might be called exceptional cannibalism, since the circumstances are, at present anyway, among higher mammals, rather exceptional.

An important and often times questionable practice, which can in principle at any rate, deliver exceptional examples[20], is hunting (in the intransitive form, which involves capture or killing if the object sought is duly located). Men continue to hunt in the French fields, and sometimes still their own species[21], not at present in the shape of enemy soldiers, but those cast as outlaws (manhunts). (Intransitive) Hunting divides into several types, according to its end purpose, for sport, for food, for extermination, for capture. Hunting humans for sport (hunting for "sport", so called, typically involves killing) is a practice that has persisted well into this century, in Australia for example. It has nothing to recommend it, though it can be given philosophical support by chauvinistic theories such as a limited and racially prejudiced group-utilitarianism or by appeal to the "ideal" of pure subspecies (the stud ideal). But if such hunting is impermissible, so, for the same sorts of reasons, is the hunting of many animals for sport. Hunting otherwise, except for capture, is a restricted form of killing, and to what extent it is permissible turns on when that sort of killing is permissible.

The position arrived at thus far is pulled together in the following diagram, which subsequent sections (and parts) endeavour to fill out and render more precise:-

Diagram 2: TYPES OF ADMISSIBLE AND INADMISSIBLE CANNIBALISM



So far, in considering examples of killing, issue has not been taken with enlightened conventional wisdom, with the result that a serious, and perhaps unwarranted, discrepancy between the treatment dished out to animals and that accorded humans is beginning to emerge. So the judgements made tend to follow conventional practice: killing humans for food is admitted but happens only in exceptional circumstances, killing animals for food is a pervasive practice. More generally, killing animals for food is considered permissible in a wide range of circumstances where killing humans is not, yet on what solid grounds? As regards killing, even enlightened conventional moral wisdom returns us to the heartlands of human chauvinism. To avoid it, the matter of killing and letting die will have (like most moral issues) to be reconsidered, nonchauvinistically.

§3. Unavoidable detours: when is killing a creature wrong, and when is letting a creature die wrong? It is not necessary, nor is it easy or desirable, to avoid entirely the issues of when killing is wrong and when killing for food is wrong, and when such kinds of killing are not wrong. But it is not so easy to elicit or to defend other than rather weak or circular principles. Worse, things that had seemed to be clear turn out on further reflection to be much less obvious. For example, it had seemed evident that the onus of justification (where this makes sense) characteristically lay with the action-taking party; that it is the killing or removal of life that must be justified, not the letting live. Some things, however, are clearer.

First and foremost, a satisfactory (nonchauvinistic) account of when and why killing a creature is wrong won't make exceptions for humans and, more generally, won't contain the term 'human' or logical equivalents. This important requirement disposes of much of the philosophical literature. It wipes out, for example, Ewin's attempts (pp. 135-9), which refer to the (contractual) conditions for human social life (the mixed account given should be faulted on several other grounds as well). Similarly it removes the main condition eventually achieved in Glover (a whole text devoted to moral issues concerning killing, which fails to present, or seriously address, the matter of necessary and sufficient conditions for when killing is wrong). The first main condition Glover arrives at is that 'taking human life ... is normally directly wrong: that most acts of killing people would be wrong in the absence of harmful side-effects' (Gp.42), i.e. so long as 'the best total outcome' does not involve killing (cf. p.286), to set down the underlying utilitarian recipe. Other conditions Glover outlines - similarly unacceptable even to their author when 'animal' replaces 'human' - are likewise faulted as damagingly chauvinistic,

for instance that it is wrong to kill a human whose life is worth living (Gp.53), whenever that is.

Secondly, unremarkably, most of the recipes suggested in the literature are defective, first among them utilitarian proposals, which, as is well-known can sanction unjust killing.[22] Other (non-utilitarian) recipes are also problematic, as a proposal by Young, which will help us on our way, serves to indicate:

> ...what makes killing another person [more generally a creature] wrong on occasions is its character as an irrevocable, [maximally] unjust preventing of their realisation either of the victim's life purposes or of such life-purposes as the victim may reasonably have been expected to resume or to come to have (Yp.518; repeated p.519 with 'maximally' included).

The proposal requires some brief explanation. The qualifying term 'irrevocable' is inserted to separate killing from life imprisonment which may, as a matter of fact, defeat the prisoner's purposes. The long final disjunction is designed to delegitimize killing of sometime comatose persons (it also would include people undergoing reform programs) – cases already apparently covered, so that it is not obvious that such an additional clause is required – and killing of potential future persons such as infants and foetuses – thereby writing in some very debatable judgements, such as that in the common case (on Young's construal of 'moral') where the expressed wish of the pregnant woman has only 'morally trivial or no moral support abortion will be unjustified' (p.528),[23] from which it follows that abortion is commonly unjustified. The disjunct should, it certainly seems, be deleted – especially since what justifies the main part of Young's proposal, considerations of what <u>has value</u>, does not justify the final disjunct, because merely potential persons do not appear to have requisite value, though they might (or might not) come to have such. Generally, <u>potential ys do not have the same range of features</u> (<u>including acquired value, etc.</u>) <u>as ys</u>, what they become if their potential is realised. Similarly what one is entitled to do, or feels like doing with respect to them may differ;

e.g. burning a collection of seeds (or seedlings) is one thing, burning a forest is another, slicing up or eating a raw egg is one thing, slicing up or eating an eagle is another, etc. It is a popular fallacy that potential vs merit the same consideration as vs, as if they were vs.

Call the result of making the required deletion, the modified proposal. It is the modified proposal that will be chiefly considered. The term 'unjust', which takes the proposal outside narrower utilitarian frameworks and induces a decided circularity, is qualified in the final proposal (p.519) by 'maximally', the point of which (though it is not fully explained) is to permit killing or sacrificing of one person in order to save others. The qualification makes way for certain cases of cannibalism, for instance those where some members of a group (on a lifeboat or from a remote airplane crash) are sacrificed for, or by, others of the group. But generally what the proposal permits and what it excludes depends critically upon what is accounted [maximally] unjust. For example, Young claims (Ypp.520-1) that the proposal lets through various types of killing in war, and almost (but not) captial punishment. If, however, there are no just wars then most killing in war is wrong; and if punishment by death is sometimes just, capital punishment is sometimes not wrong. If, for instance, a person's life purposes are sufficiently evil, e.g. they include genocide, then their fulfilment is certainly properly or justly, thwarted. Thus some proviso as to the character or quality of life purposes, such as the term 'unjustly' obliquely supplies, is essential (but often omitted in ethical discussions). It is not evident however that killing such a person (as distinct, e.g. from imprisonment, re-education, etc.) is permissible, except perhaps in worst cases.

There is no good reason to restrict the proposal to persons, and Young does not intend to. Many killings of animals constitute, he tells us (Yp.526), maximally unjust prevention of their realisation of life purposes, and accordingly are wrong. 'Killing such animals for food is only justifiable when no adequate food supply is available and food is needful' (Yp.526), in which event, presumably, justice prevails. A characteristic remnant of human chauvinism also intrudes, with Young appealing to the 'greater range of life-purposes normally human beings have' (Yp.527, italics amended);[24] and thereby smuggling in a greater value assumption as regards humans. Here, as elsewhere also, the account of when killing is wrong is progressively loaded, almost manipulated, to yield the sought results: in particular, what is unjust - including which killings are unjust and which class of life-purposes are more valuable - relevant to determining maximal injustice - are both open to rigging.

These points help to bring out too how back of Young's account and applications of his proposal lie more basic considerations of justice and value (and it is to such considerations that we should no doubt eventually turn). Consider, for instance, the route to the permissibility of systematic cullings of a herd. The

> proposal does not rule out killings which have the effect overall of fostering the wants of the largest subset of some group like a wild herd where otherwise the wants of an even larger subset will be thwarted. Systematic cullings in the absence of feasible alternatives, therefore, may be morally permissible. (Yp.527)

Wants, now substituting for life-purposes, are simply supposed to be summed up utilitarian-fashion, except that (somewhat as with Mill's utilitarianism) a weighting is imposed to reflect the respective values of different wants (those of humans, e.g., as opposed to those

of other creatures). Further it is simply assumed – though it could no doubt be argued (rather as below) – that requisite unjust acts are avoided.

Young's proposal as applied has bite; for example, it would oblige most of us to adopt a largely vegetarian life-style eschewing killing of creatures for food.[25] It is an illusion however that the modified proposal has bite: the bite all turns on Young's cunning application, since the modified proposal itself reduces to near tautologousness. For when does irrevocable prevention of a life's purposes occur? When, and only when (since it is irrevocable) that life is taken. So the modified proposal reduces effectively to AP. Killing x is wrong iff taking x's life is maximally unjust. But killing x is, according to OED, causing the death of x, which is tantamount, in terms of sense, to taking the life of x. And what is wrong is, according to OED again, what is unjust, and would be, if the OED were sharpened up a little, what is maximally unjust. Whence the adjusted proposal, AP.

We have come round a circle, but much was glimpsed on the way, so the circuitous route was not without its rewards. By working through other less chauvinistic accounts of the wrongness of killing (e.g. the nonchauvinistic base of Ewin's account) we can come a similar circular way and arrive at the same fairly stable result. Moveover, in the adjusted proposal we do have an account, not yet a highly usable account, since circular, but an account nonetheless. In terms of this account clear cases where cannibalism is morally inadmissable can be distinguished, for example as follows: Cannibalism of x is wrong wherever it involves maximally unjust taking of x's life. Conversely, there are many cases where

the killing of one creature by another creature is, because not maximally unjust, quite permissible; e.g. certain instances of killing in self-defence, exceptional cannibalism, abortion, etc. But if the creature is killed, then it is dead, so by the earlier argument it is permissible to eat it (under certain conditions). So there are many cases where killing a creature and then eating it, or its then being eaten, are permissible. If some of the many cases of permissible killing are, as they seem to be, cases of killing a creature of the same species, then active cannibalism involving killing is, in such cases, permissible. The argument needs of course filling out in crucial respects, especially by some enumeration of types of cases where killing is permissible, and a sub-listing of cases where these are intra-species killings.

Would this suffice? One question is whether the account determines (even in its circular way) the precise conditions under which killing <u>for</u> food can permissibly occur. The question reduces to the logical issue of whether AP as a strong logical equivalence warrants intersubstitutivity in more highly intensional frames such as those declaring purposes. Though I've tended to vacillate on this issue, my feeling increasingly is that substitutivity <u>is</u> warranted, the reason being that the equivalence of AP is of virtually synonymity strength, which legitimates replacement in all but quotational (type) sentence contexts. But purpose sentence contexts, such as '... for eating' are not quotational. Hence it follows using AP that

FAP. Killing x for food purposes is wrong iff taking x's life for food is maximally unjust,

and that

CAP. y's killing x for (and followed by) eating is wrong iff y's taking x's life for eating is maximally unjust.

Now let x and y be of the same species, say Homo Sapiens: then CAP provides exact conditions for when cannibalism is wrong, in cases where cannibalism involves killing. Sometimes these conditions are satisfied; often they are not. Sorting out when they are, and when they are not, will occupy many a controversial hour.

Letting die is not the same as (active) killing. However, it has recently become fashionable to try to remove the (moral significance of the) distinction between killing and letting die, by blurring or rejecting the distinction on which it is based, that between omission and commission (or else it is pretended that it is frightfully difficult to make this distinctions out, etc.). Rejection of the omission/commission distinction appears to rest on a mix of fallacious moves:-

FM1. A some to all argument,

FM2. A confusion of the thesis that the distinction is morally important with the quite different thesis that only commissions can be morally blameworthy and that omissions are morally guiltless (the position reportedly held by some religious groups in the past).

FM3. An extensional approach to nonextensional differences.

These points are considered briefly in turn:-

ad FM1. Those attempting to discredit the distinction usually rely heavily upon the fact that there are some cases where it is morally difficult to distinguish between certain commissions and certain omissions, e.g. that in appropriate circumstances exposing the baby may be little different morally from directly smothering it. (The Greeks believed it wasn't but that was because exposure gave the gods a chance to intervene and save from death those who were fated to perform especially important tasks).

But the fact that there are some cases where the distinction is not of great moral significance does not show that it is dispensable. In order to show that it is dispensable it is necessary to show that there are no cases where it is needed, that for all cases failing to provide a condition which would prevent x is (morally) equivalent to providing a condition for x. But it is easy to produce some cases where the distinction seems to be essential if we are to account for what we wish intuitively to say. For example, to take a case those who wish to abolish the distinction are fond of appealing to, we may wish to say that the people who did not attempt to help in the Kitty Genovese case were morally culpable, perhaps to a high degree, but few of us would wish to say that their moral culpability was exactly the same or of exactly the same kind as that of the murderer, and that they should equally be brought to trial on murder charges. Or, to take another case, placing poison in your husband's tea is not the moral equivalent of failing to give him the antidote when he has placed it in himself. In order to say what is evident in such cases, some equivalent of the omission/commission distinction is needed.

ad FM2. But the thesis that the distinction is needed and is morally significant in many, or at least some, cases must be clearly distinguished from the very much stronger thesis that all omissions are blameless, and that any commissions are morally open to blame – or praiseworthy. This thesis is, rather plainly, indefensible, yet has been responsible for much of the bad light in which appeal to distinction appears.

ad FM3. The principle of moral symmetry between omissions and commissions is in fact refutable. It appears to be based on an

extensionality assumption which removes scope. The principle appears to be that failing to provide a condition which would have been causally responsible for preventing x is morally equivalent to providing a condition which is causally responsible for x. Moral equivalence requires interchangeability witin deonitic contexts, indeed it could be characterised in terms of such substitutibility. The equivalence yielded is of the form $\sim F\sim x \leftrightarrow Fx$. But such a principle commonly fails, especially where F is not extensional. It is clear moveover that the causal responsibility functor is not extensional, and that such a principle fails for it.

Though letting die differs significantly, then, from killing, conditions upon when it is wrong may be reached in similar ways. How the condition for letting die corresponding to AP should go becomes rather more obvious if the righthand side of AP is expanded to: taking (the) action which terminates x's life is maximally unjust. The parallel passive condition can then presumably be formulated thus:-

DP. Letting x die is wrong iff refraining from taking (the) action which continues x's life is maximally unjust.[26]

Then in turn, substitution principles again yield clauses EDP and CDP, corresponding to EAP and CAP, special cases of which yield conditions under which cannibalism is wrong where it involves letting die. Principle CDP which supplies this condition, where x and y are of the same species, runs as follows:-

CDP. y's letting x die for eating purposes is wrong iff y's refraining from taking (the) action which continues x's life, for purposes of eating x, is maximally unjust. Since letting die is, for the most

part, less heinous than killing, cannibalism involving letting die is more widely permissible than cannibalism involving killing.[27]

14. The matter of predation, and important cases of legitimate killing and letting die for food. Paradigmatic examples of legitimate killing are provided by predation, where b is prey of a and a depends (essentially) for its livelihood, indeed for its survival, on eating bs.[28] Such predation is an essential part of any sufficiently rich ecosystem. Essential predation is predation which is essential to the normal livelihood of the predator, and where the predator takes for itself no more than it requires for its livelihood. Not only carnivores, such as the big cats, but some humans, such as some traditional Eskimos, are essential predators. The fact that humans are part of the natural predatory food chains should not be lost sight of.

Observe that the argument to permissibility of essential predation does not take the invalid form: such predation is a fact (a fact of life), therefore it is permissible. That arguments of this type, selectively relied upon by Diamond and (earlier) Hegel, are invalid is well-enough known (they commit a prescriptive fallacy), and is evident from such fallacious arguments as the diplomacists' argument, e.g. it is a fact of life that Indonesia has occupied (absorbed) East Timor; therefore it is perfectly alright that Indonesia occupied (absorbed) East Timor. Naturally it would be decidedly awkward if the fact of essential predation turned out to be impermissible: the whole natural order would be in moral trouble. This brings us to another defect of the argument from "facts", that it suggests that essential predation is really, at base, something pretty undesirable, but nonetheless something we have to live with – in contrast with predation, in its associated meaning, as plunder, which we don't, or rather oughtn't to, have to live with morally, and which is commonly reprehensible.

One tempting model that underlies the conflict picture of predation, of predation as basically undesirable but an unavoidable fact, a model that leads to human vegetarianism, is the following kind of atomistic axiological theory (or utilitarianism):- according to the initial positive value thesis, every living creature (every sentient creature, every higher animal, etc.) has an initial positive non-instrumental value which it retains unless it does something to forfeit that value. (On the even simpler position of biospheric egalitarianism, discussed below, all living things have equal worth, in some nontrivial sense.) These positive values just sum; and maximisation of value (or suitably averaged value) is, of course, the (or an) ethical objective. Then killing is generally undesirable, because it results in a reduction in net value, and survival is generally desirable.[29] The exceptions occur when a creature has forfeited its value, e.g. it persists in value-reducing behaviour, so that killing it would prevent a further decline in net value or lead to increase in total value. The underlying theme is that killing is unjustifiable when it leads to an overall reduction in value. The onus of proof, when it can be assigned, lies with those who make the exceptions, who do or license the killing. Predation now appears as an awkward fact, since, with one item of value consuming another item of value, it leads to an overall reduction in value. Since inessential predation is inessential, it is ruled out as inadmissible. Thus in particular, (nonindigenous) humans for whom predation is, it is plausibly argued, inessential, are not entitled to kill for food: therewith hunting, usual raising of animals for food, etc. are all excluded in one stroke, and a leading feature of vegetarianism imposed.

Essential predation is not so satisfactorily disposed of, but introduces conflict. For either one creature, the prey, is sacrificed or another creature, the predator, is: either way total value declines. In the interim, while vegetarian scientists work on new diets and new lifestyles for predators, there is an obvious recipe to be applied, which while not eliminating conflict, minimises its effect: just as steam gives way to sail, so the less valuable gives way to the more valuable. Thus if humans are reckoned to be more valuable than polar bears – the usual human evaluation – then polar bears are not going to be entitled to prey on humans, in the sense at least that their predation is not justified. Application of the recipe presupposes a value ranking on creatures under which some are more valuable than others: otherwise if all are equal, predation is never admissible, and essential predators just die out – at least that is the simple ethical picture. This points up one of the many problems for biological egaltarianism.

But the picture presented so far is too simple, and the recipes suggested dubious. For if the matter is properly considered not at a given time, but over a time interval, dynamically and not just statically, it is not so simple, and a rather different result emerges. One predator takes, over a typical lifetime, rather a lot of prey. Unless the predator ranks very much more highly than the prey, the value of the sum of the prey will exceed that of the predator. These considerations, in combination with a positive value thesis, suggest a very different result, that predators should be allowed to, or encouraged to, die out – unless they are somehow, what seems improbable for predators that remain wild, converted to vegetarianism.

Similar objections apply against biological egalitarianism, even when it is qualified as in Drengson and Naess by an in principle clause.[30] It is not (or not only) that it is taken for granted that predation is rather suboptimal: the trouble is that predation is strictly ruled out as a general practice. Since each lion and each antelope is assigned one unit of whatever is assigned equally, there is no way of justifying the lifestyle of a lion that consumes several antelopes.

Any equalitarian approach that is not atomistic is liable to further incoherence, as Drengson's holism reveals.[31] Let s be some living system of living things, e.g. the Earth as on the Gaia hypothesis (p. 233). Then s, which should(?) have the value at least of the living things that comprise it, has the same value as each of them (in effect $1 = n$, for $n>1$).

Some of the ecological consequences of implementing the suggested recipes, and reform of essential predators, can now be gauged. Massive environmental interference would be required, since the chains of predation are long and complex; and gross population distortions especially in lower-level prey would occur, with resulting ecological instability and often catastrophe. The consequences, that is, are ecologically highly undesirable. What this and the summation problems begin to reveal is that the initial atomistic value distribution picture is inadequate because it leaves out systems and systemic connections such as a more ecological approach would include.

The dynamic picture resorted to is still too simple in one important respect, that over a time interval, prey, which would often exceed natural (and sometimes reasonable) population levels without predation, are replaced. Where population of a preyed-upon species of creature is at an ecological limit, and minor culling of the sort

natural predation induces does not, owing to replacement, reduce population levels significantly below that limit, predation has no significant effect on total value. So results yet another, different, recipe, one which is a little nearer the ecological mark.[32]

Some utilitarians, Singer in particular, have recognised the role of replacement and made some allowance for it (at a serious cost to Singer's vegetarianism, it should be added). Singer now allows for killing and replacement of nonselfconscious life, but advances a nonreplaceability thesis for self-conscious life. For the basic division Singer appeals to 'Tooley's distinction' between

> beings that are merely conscious and ... those that are also self-conscious, in the sense of being able to conceive of themselves as distinct entities, existing over time with a past and a future (Sp.151).

In fact most of the sorts of free-range farmyard animals that Singer seems to be envisaging as nonselfconscious, and accordingly replaceable, creatures, for instance geese and hens, appear to satisfy Tooley's tests for selfconsciousness. Geese are certainly aware of themselves as distinct entities, and of geese as distinct from (and superior to) hens; they value members of their own community; and they remember elements of their past and, in things like nest building (practice), anticipate the future. More important, what has selfconsciousness (reflexive consciousness), or consciousness to do with the moral dimension? Until this is duly explained it is not satisfactorily explained as valuable in itself, because by no means all consciousness of conscious life is -[32a] Singer's theses lack foundation and look, while perhaps convenient for some traditional farmers, rather ad hoc. There are grounds for anticipating that it cannot be duly explained; for instance, being too valuable to be simply replaced, in the sense of having irreplaceable experiences, worthwhile projects, etc., does not have the requisite linkage with self-consciousness.

Furthermore, even if a replacement thesis for free-range farm animals (all of them) can be appropriately filled out, to exclude replacement of animals with unusual or special properties, e.g. those carrying valuable genes, and to allow slaughter, without shorter-term replacement, of those carrying damaging diseases or genes — as it no doubt can, in a modified replacement thesis — still a nonreplacement thesis fails to allow even for essential predation of selfconscious creatures, and accordingly should be scrapped.

Since this pronouncement is likely to be disputed, at least by some vegetarians, it is worth trying to indicate why essential predation is perfectly admissible. At the same time it can be explained what is still wrong with the tempting dynamic picture and the initial positive value thesis. What is wrong is not so much what is put in as what is left out. What is left out is not just that objects other than living creatures, both animate such as plants and trees, and inanimate such as rocks and buildings, may have initial value, but that complexes and wholes, in particular ecosystems, may well have initial value. Such wholes may have value furthermore which is not dissolvable into values of component parts, or atoms thereof. The reduction assumptions underlying value decomposition to atoms fail.

In terms of the value of wholes such as ecosystems, one of the arguments for essential predation is disarmingly elementary. It takes the form: (sufficiently) rich (natural) ecosystems are very valuable. Predation is an essential part of these systems. What is an essential part of what is very valuable is admissible. Therefore, predation is admissible.

Such predation, which may be argued for in other ways, admits of extension by the following principle:

EP. If something is entitled to kill for food under certain conditions, e.g. respectfully and when in need, then so are others under the same conditions.

The argument for EP is of the same type as that for other similar indifference, or interchangeability, principles in ethics. It follows from EP and essential predation that, since a tiger may when in need kill a cow to eat, then so may humans in need. If taking the cow's life is not maximally unjust in the one case, nor is it in the other, since the circumstances are similar. The results reached may be alternatively argued for using principle CP.[33]

Perhaps Singer is also on the right track, though he has latched onto the wrong distinction. Perhaps there is a (descriptive) condition q (or a condition q_s for each sorts of agent), appropriately tied with causing to die, such that while killing creatures without q under suitable conditions is permissible, killing creatures with q is not, except under special conditions.[34] Given that q is appropriately morally connected such a procedure would fit into the annular picture (given earlier: q would mark out the interior of the dotted elipse). Nor need the distinction be chauvinistic, because it cuts across species in a morally defensible way. But, what, if anything, is q? Can a suitable morally-unloaded category-based distinction be located? And how disconcerting would it be if some such distinction could not be made good? Wait for the next exciting episode.[35]

§6. *Postscript.* The paper is very incomplete. It fails to address several issues intimately connected with cannibalism, such as hunting of humans and other animals, in particular for food, and as raising humans and other animals, especially defective infants, for food. Worse, it is evasive on some fundamental issues, and it fails to penetrate very deeply into some of the issues it does begin to consider, such as predation, or as the necessary and/or sufficient conditions for admissible killing. It is little consolation that others are in the same position. Hopefully some of these deficiencies will be compensated for in subsequent parts.

At the same time several themes will be developed that may not have been evident so far, e.g. that in "modern" societies there is far too much killing taken much too lightly, but far too little general experience of killing and death when it does occur, that is except usually among small groups mostly of inured professionals, which "shield" most humans from the phenomena involved.

FOOTNOTES

* It was singularly appropriate that this paper should have otained its first (and only) public presentation at the Alfred E. Packer Memorial Center, University of Colorado. I am indepted to several members of the audience for comments and references, and in particular for the first extension of the base case.

1. These themes are defended, and the annular model explained, in HC, p. 103ff., and in AHC. The themes are also defended in other recent work, e.g. by Tooley and Singer.

   As the schematic diagram shows, humans do not occupy a central ring. Thus adoption of the model does not imply, what Pickering assumes (p. 374), that 'humans are more central' or, for that matter, that 'humans are owed more extensive moral consideration than plants' Nothing in the model itself depends on humans. The model is not species based, or biologically based, but category based, and designed to reflect the different sorts of things there are, e.g. things capable of entering into contracts conferring obligations, and things not so capable, things that can have preferences and make choices as opposed to things that cannot (truly, or significantly), things, including systems and organisations, with a telos and things without. Nor, therefore, does the model write in a new type of chauvinism, or confer privilege or moral advantage on things in more central rings. Indeed, things in central rings will have obligations and commitments, and be subject to limitations on what they do, in ways that things further out cannot be; so there will be some moral disadvantages in occupying a more central place. As this indicates, the categories selected are intended to have moral linkages. And different sorts of behaviour are morally appropriate with respect to the different categories of objects.

2. The popular view that dialectics and adoption fraction of assumption themes are dangerous is partly based on a modal fallacy, e.g. that what can be believed is believed. For the fallacy in operation in more intellectually respectable quarters see the Epilogue of Harris WW.

3. Some dialectics are accordingly recommended for anyone convinced that cannibalism must be wrong. The investigations undertaken in this paper also share other features with (classic) dialectics: there are many loose ends, and in several crucial areas firm conclusions are not reached. Later parts of the paper will take care of some of these things.

4. Thus Hogg (p. 188),

   > Cannibalism ... can hardly be said to exist in the world of today. There may be isolated pockets of survival in the heart of New Guinea and among some of the tribes in the remotest corner of South America or African jungles; but they will be no more than the rarest of phenomena.

5. Hopkins, given the last word by Hogg, p. 192. The whole quote from Hopkins is of passing interest:

> It is noticeable how people who have never been cannibals despise the horrible thing; and how quickly it disappears when a cannibal tribe comes into contact with a wider world than that merely of their own bush village. Directly daylight falls on the habit, it withers away. This is remarkable when we remember the sanctity of it in primitive man's eyes. The cannibal is not necessarily a hopelessly degraded brute, but a man who has not yet lived out of the dark obscurity of bush tribalism, and so had blindly followed a practice deep-rooted in the sacrificial ideas common to man the world over from his earliest days.

6. Some of the advantages of institutionalisation of certain cannibalistic practices are evident, e.g. a much enhanced supply of protein. Various disadvantages if not evident should become so in the course of the text.

7. See again in HC and similar. Although the human/nonhuman distinction is not, so it is argued, one of moral significance, not all distinctions vanish. Other distinctions of moral importance - those of the annular model - naturally remain.

8. Of coures, this practice is (still) controversial, and offensive to various religious and other groups. But a great advantage of a pluralistic society is that it can accommodate (better than alternatives) such differences over the morality of practices. Issues such as human burial and restricted cannibalism, however, make the limits of present pluralism evident.

9. Or else did not incur official establishment disapproval, though the acts strictly appeared to infringe the prevailing law of the land. Every second raconteur has examples of cannibals not brought to "justice".

10. This clearly anticipates an initial argument of this paper. My thanks to W. Berryman for drawing my attention to the attitude of the Catholic Church, as presented in Read.

11. Consent in principle will carry the requisited load, and for this it is normally enough that the person would consent. This indicates one logical route to the liberalisation, and removal, of the consent clause.

12. There would (so far) be no trophies, e.g. Z's head in the hall, Y's skull on a stand, because trophies involve hunting and killing (for which see below).

13. As some vegetarians would freely admit; other "vegetarians" go further and regard the killing of certain (nonself-conscious) animals for food as admissible provided no suffering is incurred and that the animals are replaced. But it is true that usually 'vegetarians do not touch the issue of our attitudes to the dead' (D., p.9).

14. In a like vein it is suggested that Singer and Regan do not see that 'a cow is not something to eat; (for them) it is only that one must not help the process along' (D., p. 468). The latter incidentally would not exclude the use of dead creatures for food, leather goods, etc.; things that animal liberationists like Singer definitely exclude.

15. Diamond recognizes this objection, p. 471, but does not meet it.

16. In similar ways we are said to gain the concept of an animal; see p. 476.

17. Diamond introduces this piece of serious confusion in the course of emphasizing why the 'assumption that we all agree that it is morally wrong to raise people for meat ... is not, or not merely, ... too weak' (D., p. 469).

18. Diogenes Laertius, vol. II, p. 297. And Sayre reports (p. 25),

> Cannibalism (ἀνθρωποφαγία) is alleged to have been a practice of the Cynics by Philodemus and by Theophilus Antiochenus; but, if so, it must have been confined to their early history, for they had a number of critics during the Christian era who would have mentioned it if they had known of it. Both Philodemus and Theophilus were biassed and we must remember that similar stories were told of the early Christians. However, cannibalism is said to have been authorized by the Republic and Thyestes (or Atreus) attributed to Diogenes and also by the Republic of Zeno and by Cleanthes and Chrysippus (Philodemus, On the Stoics; Theophilus Antiochenus, Ad. Autolycum 3, 5; D.L. 6, 73; Ibid. 7, 188; cf. 28th Letter of Diogenes; Dio Chrysostom 8, 14).

As Diogenes Laertius goes on to explain, that Chrysippus did countenance the eating of dead humans was one of the points brought against him by those who 'ran him down as having written much in a tone that was gross and indecent'. As regards such attitudes to the dead, times have not changed that much. The (idea of) eating "the dead" (dead humans, of course), under any circumstances, is still widely regarded as scandalous, and highly newsworthy (see Read, p. 296 ff).

19. Cannibalism which involves explicit killing for food is a kind of reflexive predation, but generally (cases of) cannibalism and predation only properly overlap.

20. An example would be where some of the survivors of a crash or wreck hunt other "survivors" in order to survive; cf. W. Golding, Lord of the Flies.

21. Pace K. Bell, according to whom,

> Men have always hunted in the fields around Potigny and Falaise. They still do, but no longer their own species.

Some of the complex issues concerning hunting will be considered in subsequent parts, others elsewhere.

22. See, e.g., Benson, and also Ewin and RKU.

23. A notable piece of male chauvinism also slides through, in the suggestion that, in the absence of more weighty moral backing, the expressed wish of a pregnant woman is morally trivial.

24. But one's life-purposes are diminished (how can this be on Young's picture?) if they jeopardise those of others. Hence Young's preparedness to let Amin be killed by the stampeding horses, Yp. 527.

25. Indeed it leads, as Young interprets it, to a more sensible vegetarianism than Singer's initial position (in Animal Liberation, not as significantly modified in Sp.153). For neither culling nor predation are simply ruled out.

26. Action and taking action should be construed in a wide, but common enough fashion, e.g. the action taken may amount to doing nothing or getting-the-hell-out-of-it.

27. It is tempting to try to prove this on the basis of a proper inclusion assumption, that where letting die is wrong so is killing, but not conversely. The assumption may, however, need qualification; e.g. killing may sometimes be preferable to letting died in a lingering way.

28. 'Predation" is a singularly unfortunate word to be stuck with to describe this universal phenomenon. It is unfortunate both because of its etymology, and because of its other meaning. At to the first, 'predation' derives from praedari, 'to plunder', which derives in turn from praedo, 'booty'. As to the second, 'predation' also means a 'practice or addiction to plunder or robbery'. Both carry strong negative connotations. There is a similar damaging duality in the expressions 'prey' and 'prey upon'.

29. These defective considerations also lead to a maximisation of population of creatures of the base class assigned values, up to the limit - if any (on frontier philosophers there are none) - where declining returns set in. Where, further, humans are typically, but erroneously, assigned greater value than other creatures, the considerations support the rapid biassing of terrestial faunal population in favour of humans that we are witnessing. The second point does not apply, in that form, against biological egalitarianism, and the first objection fails where total value is replaced, as under some utilitarianisms (with what justification is less clear, since surely we want to maximise value so far as constraints permit: see RKU), by average value, average value per (base class) life lived, etc.

The argument in the text is not affected materially by switching from value analogues of total utilitarianism to analogues of some form of average utilitarianism. On some of the serious problems with these utilitarianisms, see Jamieson.

30. Drengson, following Naess and others, espouses 'biospheric egalitarianism and the intrinsic value of all life' (p. 222). According to the theory, each (living) being has intrinsic value (pp.233-4), and hence each presumably has equal worth (and is entitled, in Singer's terms, to equal consideration, if not equal treatment). In Naess and Drengson this biospheric egalitarianism is qualified by an in principle clause. According to Naess, 'The 'in principle' clause is inserted because any realistic praxis necessitates some killing, exploitation and suppression' (p.95), and according to Drengson, 'This qualification is made with the simple recognition that we cannot live without affecting the world to some degree' (the latter claim is inadequate, because it is not just 'we' who are involved).

31. Axiological approaches that are atomistic have other problems, some reminiscent of those Wittgenstein discusses for logical atomism. In particular, how do we locate the atoms to which value is supposed to adhere fundamentally. A first bad feature of this approach is invariance failure: it matters for final summations how the atoms are chosen, for different choices will assign complexes quite different values. Secondly (Wittgenstein's question), why are some things said to be atoms not complexes, and vice versa. A third group of problems, brought out in HC, concerns the choice of a base class.

32. An environmental ethic should also be an ecological ethic, in the sense of an ecologically realistic ethic. In this resepct too the facts are certainly relevant.

32a. A detailed case for this claim appears in Routley and Griffin.

33. Thus CP can be made to yield a good deal more than Young's application of his proposal (for which he offers no proper justification):

> A creature is entitled to kill another creature of lesser value when its life (and so all its functions, prospects, etc.) depends on it and when it does not kill more creatures than it needs for these purposes.

And the dubious business of imposing such order rankings on creatures can be bypassed.

34. The qualifications are necessary. If the latter exceptional conditions clause were not adjoined, the prospect of finding a condition q would be wiped out by such cases of essential predation as exceptional human cannibalism. The qualifications, although they enhance the prospects of locating such a q, do not appear to make it analytic or near analytic that such a descriptive q can be found.

35. Not only are there many proposals for q to sift through – most of which however seem to fail for reasons already indicated in the text – but also there are apparent options to finding such a distinction, such as resetting the problem, in a less individualistic way, in the framework of (ecological) communities.

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