

# Original/Review Articles

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## Unnecessary Suffering: Definition and Evidence

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and  
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*Although it is possible to formulate stronger moral principles than "animals should not be made to suffer unnecessarily," there are significant grounds for doubting these stronger principles. But the principle that underlies the dictum regarding unnecessary suffering is generally recognized as valid, since denial of it implies that we can do whatever we want with animals, a conclusion that is usually considered unacceptable. A determination of whether any particular instance of suffering is necessary or unnecessary must be based on an analysis of both the seriousness of the purpose of the act that involves pain in animals, and its relative avoidability, as well as more concrete concerns like costs and availability of resources for a given community.*

*We can conclude, with reasonable certainty, that animals are suffering, by making observations of changes in physiological and behavioral factors that are similar to the changes that tell us other humans are in pain. Further, the conclusion that any animal is suffering is sound, according to scientific methodology, because this hypothesis is usually the best available explanation for the observed alterations in physiology or behavior.*

### Zusammenfassung

Dieser Artikel behandelt die verschiedenen Auslegungen des Prinzips, dass man Tiere nicht unnötig leiden lassen darf. Das Prinzip von "unnötigem Leiden" wird vornehmlich im Zusammenhang mit der landwirtschaftlichen Praxis behandelt, ist aber auch für viele andere Sachgebiete, die in diesem Artikel nicht zur Sprache kommen, von grosser Bedeutung.

Tiere nicht unnötig leiden zu lassen ist ein weithin anerkanntes und gültiges Prinzip. Die Verleugnung dieses Grundsatzes brächte unannehmbare Folgen mit sich, so könnte z.B. jedermann mit Tieren machen was er will. Als allgemein anerkanntes Prinzip wurde es auch zur ethischen Grundlage für viele Gesetze, welche das Wohl der Tierwelt sicherstellen (Jackson, 1978; Leavitt, 1968). Ein weiterer Personenkreis hat strengere ethische Prinzipien befürwortet, z.B. dass Tiere ein Recht auf Freiheit haben oder dass Interessen der Tiere denen des Menschen nicht nachstehen und somit gleichermassen berücksichtigt werden müssen (Rachels, 1976; Singer, 1975). Es gibt jedoch bedeutende Gründe, solche Stellungnahmen, die sich über die in diesem Artikel besprochenen Prinzipien hinwegsetzen, anzugreifen. Da jedoch das Prinzip, so wie es hier vertreten wird, auf keinen ernsthaften Widerstand stösst und die Verleugnung desselben weitherum zu Konflikten mit dem Gesetz führt,

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bekennen sich die Autoren zum Prinzip, dass man Tiere nicht unnötig leiden lassen darf.

In der Meinung der Autoren muss dieses Bekenntnis auf weiterer Klärung der Behandlung selbst begründet sein, denn die verschiedenen Auswirkungen/Folgen für das Tier können allein aufgrund des Prinzips nicht festgelegt werden. Obwohl das Prinzip bereits als Grundlage für viele Gesetze verwendet wurde, ist wenig getan worden, den Begriff des "unnötigen Leidens" klarzustellen. Erforderlich ist eine klare Unterscheidung zwischen notwendigem und unnötigem Leiden. Aber da ist noch ein zweites Problem: diese Klarstellung kann nicht jene Komplikationen eliminieren, die sich auch dann ergeben, wenn man unnötiges Leiden vermeiden will. Denn "unnötiges Leiden" kann nur mit gründlicher Kenntnis über das Leiden der Tiere und wann Tiere leiden verhindert werden. In diesem Artikel werden beide diese Probleme behandelt:

1. Wie unterscheiden wir nötiges und unnötiges Leiden?
2. Wie wissen wir, wann ein Tier leidet?

### *Moral Principles and Animals*

In this paper, we discuss the various ramifications of the principle that animals ought not to be made to suffer unnecessarily. While we are primarily concerned here with the implications of this principle for agricultural practices, what we have to say concerning "unnecessary suffering" has relevance to many other contexts that are not taken up in this paper.

That animals should not be made to suffer unnecessarily is widely recognized as a valid moral principle. That this principle is valid may be demonstrated by the fact that denial of it carries with it unacceptable implications: to wit, that a person can do whatever he or she pleases with animals. Because of the evident validity of this principle, it has been used as the ethical basis for many laws that are intended to protect the welfare of animals (Jackson, 1978; Leavitt, 1968). Some people have advocated stronger moral principles, for example, that animals have a right to liberty or that animals are entitled to equal consideration of interests (Rachels, 1976; Singer, 1975). But there are significant grounds for doubting these sorts of principles—grounds that do not extend to the princi-

ple under consideration in this paper. However, since the denial of the principle under consideration here is clearly invalid and since this principle is not open to serious objections, such as those that beset the stronger moral principles, we believe that this principle is true.

While it is, we believe, reasonable to affirm the principle that we ought not to cause animals to suffer unnecessarily, such affirmation should be conditional upon further elaboration, since the various implications of this principle for actual treatment of animals are not self-evident. Although the principle has already been used as the basis for much legislation, little has been done to explicate the concept of "unnecessary suffering." What is needed is some clarification on the distinction between necessary and unnecessary suffering. But there is also a second problem: clarification of this distinction will not eliminate all of the complications involved in the application of the principle that we ought not to cause unnecessary suffering, because application of the principle requires a knowledge about *when* animals are suffering. In this paper we shall discuss both of these problems briefly:

1. How do we distinguish between

necessary and unnecessary suffering?

2. How do we know when an animal is suffering?

### *Necessary Versus Unnecessary Suffering*

What is unnecessary suffering? To answer this question, let us consider the possible connotations of the term "unnecessary." An event might be said to be necessary if it is the result of causal factors over which people have no control. Thus, one possible definition of "unnecessary suffering" is:

- Suffering is unnecessary if it is avoidable. Another connotation of the term "unnecessary" relates to purpose: an event is unnecessary if it is done purposefully. Thus, another possible definition of "unnecessary suffering" is:

- Suffering is unnecessary if it is brought about purposefully.

Is either of these two definitions of "unnecessary suffering" acceptable? The answer to this question is, we believe, negative. Neither of these definitions of "unnecessary suffering" is fully satisfactory. When we say that we ought not to cause unnecessary suffering, we mean *neither* that we ought not to cause suffering on purpose *nor* that we ought not to cause avoidable suffering. A great deal of suffering that is both avoidable and purposefully caused is suffering that is necessary suffering. A scientist doing research on the effectiveness of some treatment for a disease may purposefully bring about avoidable suffering in some experimental animals, but such suffering is necessary suffering. We do *not* agree that the scientist ought not to cause such suffering, *unless* he can achieve the same research goals in some alternative manner, that is, in some manner that causes less suffering or no suffering at all.

A determination of whether suffering can be considered necessary or justified is clearly related to an examination of the purpose for which the suffering in question is caused. Suffering that is brought about merely to gratify the sadistic pleasures of some human being is unjustified. Suffering that is unlikely to add significantly to the well-being of the human community or to that of animals is, for the most part, unjustified. Furthermore, whether suffering is justified is clearly related to the avoidability of the suffering. In this respect, one of the definitions of unnecessary suffering that we rejected above is, in part, on the right track. We should not say that suffering was necessary suffering if the purpose for which the suffering was brought about was not sufficiently worthwhile, or even if the purpose for which the suffering was brought about was sufficiently worthwhile, if it could have been achieved without causing suffering to the same extent. Of course, questions can be raised concerning the formulation of methods for the determination and measurement of the importance of human purposes. These questions raise deep issues in regard to theories of values—issues that cannot be pursued in a brief paper. It is our view that certain purposes, such as the provision of adequate nourishing food and safe and effective medicines, are of sufficient importance. Other purposes, such as those relating to personal appearance, are more dubious as to their importance, while still other purposes such as, for example, the alleviation of a slight inconvenience concerned with animal care, are of no importance.

In the last paragraph we argued that the necessity of some suffering is relative to both the purpose and the avoidability of the suffering. It is also relative to human knowledge, at any particular time. This point can be infer-

red from the points made in the last paragraph. Some suffering may be avoidable only if human beings know how to take steps to avoid it. Thus, advances in knowledge or technology may have implications concerning what kinds and degrees of suffering are necessary. Even though suffering of farm animals from certain diseases was unavoidable in earlier times, such suffering is, in many cases, avoidable today. Some people may try to justify the suffering of farm animals in modern times under certain conditions by asserting that such animals have always suffered under those conditions. But this proffered justification is often unacceptable.

### *Suffering and the Cost of Alleviating It*

It is, perhaps, less apparent that whether or not suffering is necessary, it is related to costs and available resources. Nonetheless, this is in fact the case. Even in instances in which the knowledge required to alleviate animal suffering is available to a community, it may be too expensive for the people in that community to apply such knowledge and thereby reduce animal suffering. In a poor society, where the people have barely enough resources to produce what is necessary for food, clothing, and shelter, any expense to reduce suffering of farm animals that is not fully compensated by increases in productivity of food would be too costly to bear. By contrast, for a community that produces surplus food relatively inexpensively, certain increases in cost production can be accepted, even though such increases do not yield increased productivity, providing that such increases really do reflect a reduction in suffering in animals. In modern industrialized societies, where the cost of food represents a relatively small fraction of the income of the community, certain practices that cause animal suf-

fering should not be accepted. Such practices include improper handling and care of animals, inadequate nutrition, reduction in space to unreasonably small amounts, and failure to allow for the expression of genetically conditioned behavioral propensities.

We might summarize this part of our discussion in the following way:

*Suffering of animals is unnecessary suffering if it is not essential for purposes of sufficient importance or if it could be avoided by adopting alternative practices that would achieve the same important purposes, but would result in less suffering, providing that such alternative practices were not too expensive for the community in question to bear.*

### *Identifying Suffering in Animals*

Let us now turn to the other problem that arises if we try to apply the moral principle under consideration. If we are to avoid unnecessary suffering, we must know what conditions lead to animal suffering. How do we know when animals are suffering? Some people may maintain that we don't know that farm animals ever suffer. While this is an extreme position to which few people actually subscribe, it may be instructive to consider what steps one might take in the attempt to persuade such a person that his position is mistaken. With this in mind, one might start by asking such a person whether he believes that human beings other than himself can suffer? If he answers this question in the negative, then we can dismiss his view as absurd. Possibly there is nothing that we can do to convince him that his view is mistaken, but there is little danger that very many other people will ever agree with him. Let us assume, then, that we are conversing with a person who agrees that other human beings suffer, but doubts that animals suffer. We might

ask such a person to tell us how he knows that human beings suffer; that is, we might ask him to describe the evidence available to him which supports his contention that human beings suffer. Since we are discussing the ways by which he comes to know that humans other than himself do sometimes suffer, he cannot say that he has this knowledge because he himself can feel the actual pain of others.

At this point there are several courses of argument that he might adopt, and a full discussion of this issue would require a lengthy treatise and is therefore inappropriate in this context. In our view, the consequence of such a discussion would be that we know that human beings are sometimes in pain, because the hypothesis that they are in pain is the best explanation that we can offer for certain kinds of behavior that we observe. For example, in most cases, the best explanation that we have of limping behavior in a human being is that the person who is limping has a pain in his leg or foot.

Furthermore, we can make the same types of observations on other animals in pain as we do in the case of other human beings. For example, if we see an animal standing on three legs, the best explanation we may have of this behavior is that the animal is doing this to avoid the pain that it feels when it puts some weight on its fourth limb. Our theory that there is pain in the animal's limb rests essentially on the same type of evidence as our knowledge of the pain in another person's leg. According to circumstances and the type of animal in question, observations of such behaviors as rigid posture, limited use of a part of the body, changed level of alertness, alteration of such factors as respiratory rate, heart rate or body temperature, disorganized behavior, vocalization, intense homotopic investigation, etc., are observable behaviors that are best ex-

plained by the hypothesis that the animal in question is suffering from some unpleasant stimulus or painful state.

We have argued above that we arrive at a determination that animals are suffering pain because this hypothesis is essential for formulating the best available explanation for observable animal behavior. We have essentially the same type of evidence for the existence of other psychological states in animals. For example, observations of escape reactions are evidence of fear. Now, it is most important to note that our evidence for such psychological states as fear, boredom, or pain is not fallacious anthropomorphic reasoning. The evidence that we have that an animal is afraid or in pain does not consist of dubious analogies to human behavior. For example, what grounds are available to support the contention that a sheep which sees or smells a wolf feels afraid? We *do not* say that we know that the sheep is afraid because when human beings are in contact with wolves they feel afraid. Such reasoning would be fallacious and might lead to absurd conclusions. Rather, the evidence that the sheep feels fear in the vicinity of the wolf includes observations of physiological and behavioral factors, as well as the consideration that fear appears to make a significant contribution to the animal's chance of survival. While it might be suggested that we don't need the hypothesis that the animal feels fear in order to explain the animal's behavior in the presence of the wolf—that such an explanation can be given without reference to the animal's mental state, we believe that this suggestion is superficial. To see that this is so, we ask the reader to try to describe and explain the sheep's behavior in a useful way *without* using terminology that carries some implications concerning the sheep's mental state. We believe that reference to the animal's fear is warranted because

the best available descriptions and explanations of the sheep's observable behavior make reference to its fear. Reasoning in this way is in accord with sound canons of scientific method; it is not anthropomorphic.

We have argued that we have methodologically sound scientific evidence for the existence of mental states in animals. This point may be illustrated further with another example. Let us ask, What grounds support the contention that a pregnant sow that is denied the opportunity to make some sort of nest with straw or some other material suffers to some degree from the frustration of what is, for pigs, a natural instinct. Again, no support for this contention is derived from alleged similarities with human behavior. Rather, we observe the sow's behavior. Such observation will support the above contention: Many sows that are close to parturition and lack nest-building material will investigate the floor and engage in what may be described as "vacuum" nest building with their heads, that is to say, they engage in a sort of pantomime of nest building. Some pigs in that condition also show increased stereotypy and bar-biting. Such behavior may be a consequence of labor pain, but may also be indicative of a state of frustration associated with the absence of nesting material.

Someone may criticize the remarks that we have made here by claiming that the evidence that we have concerning the suffering of the sow, etc., does not constitute *proof* that the animals in question are suffering. This objection reflects a type of skepticism that is legitimate in many cases. We must be ready to admit, with respect to many claims such as those illustrated above, that we may be mistaken; to be rigidly dogmatic about our contention would be unscientific. But, to deny or doubt conclusions that are supported by good scientific reasoning is also faulty scientific methodology.

We have good scientific evidence that injured or diseased animals suffer pain and, similarly, we have, in some cases, good scientific evidence that animals suffer fear or boredom. Such evidence may not amount to absolute certainty, but that sort of certainty is rarely, if ever, attained in scientific studies.

### *The Issue of Intensive Agriculture*

Prior to concluding this paper, we wish to raise two further points. First, it is fashionable these days to direct criticism toward intensive methods of animal agriculture. But the type of question we have been considering, namely, whether some agricultural practices cause unnecessary suffering, is of much broader relevance, because criticisms based on the principle of avoiding such suffering are also applicable to *non-intensive* methods of animal agriculture. For example, one might consider chickens raised in "free-range" conditions. In such conditions, the birds might regularly suffer from harsh weather, predators, high incidence of parasites, infections transferred from wild animals, etc. Also, in free-range conditions, disease prevention and precise medication are difficult to attain. Given our capability to reduce or eliminate such forms of suffering, we may well ask whether animals raised in free-range conditions are suffering unnecessarily. It is not at all clear that the extent or intensity of suffering of birds raised on a "free range" is less than any discomfort that the birds suffer when raised in cages.

Second, in raising the issue of whether some agricultural practices cause unnecessary suffering, we are not impugning the motives of the producer who has employed such practices—he or she is not deliberately cruel. In saying that a particular practice causes unnecessary suffering, we are *not* saying that the practice was introduced merely to cause suffering and we are *not* saying that the

producer is an insensitive person. Some animal welfarists have made such criticisms, but we do not believe such character assassination of those engaged in animal agriculture is justified. However, agriculturists are incorrect if they believe that there can be no legitimate criticisms of agricultural practices from a moral point of view, or that the critics of agricultural practices are doing nothing more than making unfounded vicious attacks against the character of those who are engaged in production of food.

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