**The Simplest Argument for Not Eating Fish?**

Arguments for and against vegetarianism and veganism can be complex and bewildering. To focus them for a moment, this essay asks what is the simplest, convincing argument that one could use for not eating fish?

We focus on one kind of animal here just to simplify things. Fish are the focus here because one can fairly easily make a case that the catching and eating of fish at least causes them suffering, and this will provide us with the basis of a simple argument for not eating them. And given we are dealing with fish, there will be no need, for example, to appeal to the implausible view that fish are *persons* so we should not eat them, or to get embroiled in complex philosophical and empirical questions about whether, even if they are not persons, fish have beliefs about their own futures and future welfare, and a preference or a desire to continue their life, so we should not eat them. If a fish did desire to continue living, as a person does, then it would be wrong – other things being equal – to kill and eat it. But our argument won’t be based on the view that it does.

Nor is there any need to consider the difficult issue of whether fish have a *right* to life. It can therefore remain an entirely open question whether fish – or any other edible animal – is a person, or prefers to carry on living, or has a right to life. The fact would remain that one shouldn’t eat them for much simpler reasons. Finally, there is no need to argue, as many vegetarians have done, that the relevant interests of fish are of equal value to those of humans. It is possible that they are, but the question of whether we should eat fish can be answered without worrying about that either.

The strongest argument one could possibly develop for not eating fish, is that a fish is a person and so we should not eat them, unless we also think it is morally permissible to eat humans, who are also persons. However, the concept of a person is a very difficult one, about which there is fairly limited agreement, and in any case it would be difficult to argue that a fish is a person. Even David DeGrazia, a staunch defender of animals’ rights, is happy to regard apes and dolphins as persons and would regard it as morally wrong for that reason to eat *them,* but he uses other arguments against eating fish.[[1]](#endnote-1)

Stopping short of treating fish as persons, we might still argue that their mental life is so rich that eating them becomes morally problematic. The most elaborate argument of this kind is still Tom Regan’s argument in his classic *The Case for Animal Rights.[[2]](#endnote-2)* Regan argues that many of the animals we wish to eat are what he calls ‘a subject of a life’, even if they are not persons. Being a subject of a life appears to involve capacities that few people would deny even fish, such as perceptual abilities, memory and the capacity to feel pain. It also involves more controversial cognitive attributes, such as beliefs about one’s own future and associated preferences in relation to one’s own future welfare, including a preference to continue one’s life[[3]](#endnote-3). Regan develops powerful arguments that most one year old mammals are subjects-of-a-life. As such, he believes they have a right to respect that makes eating them morally unacceptable.

However, discussions about the complexity of animal awareness are philosophically and empirically difficult. Issues can arise about whether animals *really* have beliefs and preferences, and one is quickly drawn into metaphysical debates about what a mental state *really* is[[4]](#endnote-4), as well as complex discussions about the relation between having beliefs and preferences and being a language user. One may be forgiven for wishing to steer clear of these minefields. In any case, it is not clear that even Regan regards a fish as a subject-of-a-life in his sense, so other arguments are needed to prevent our eating them.

And there are equally good reasons for steering clear of the question of whether animals have *rights.* As de Grazia points out in his popular review of this issue[[5]](#endnote-5), there are at least three senses in which we might argue that animals, such as fish, do or do not have rights, so we would initially have to worry about what sense of the word ‘rights’ we want to work with. More pertinently, many philosophers, argue that there are no rights anyway, of any kind. Jeremy Bentham, for instance, famously described them as ‘nonsense on stilts’[[6]](#endnote-6) and many of his Utilitarian successors, such as Peter Singer – who actually thinks eating fish is wrong – does so without claiming they have rights. So, in order to determine if a fish has rights, we would first have the hard problem of establishing that the concept of a right even made sense.

And as for the question of whether the interests of fish are of an equal status to that of humans, we can avoid that as well. One of the difficulties in discussing the ethical status of animals is how to grant them such status without committing to the view that they have, overall, equal moral status with persons. De Grazia, for instance, is keen to argue that while animals have moral standing, they do not overall have the same moral standing as human beings. Even Regan conceded this point. But there is a view that the interests of animals – such as their interest in not suffering pain – should be granted equal consideration to similar interests in human beings. However, for our purposes, we can grant that it is not necessary to treat the interest of a fish in avoiding pain as *equal* to that of a human being. For the purposes of our argument, we will make the generous – if slightly obscure – concession, that the pain of a fish is only worth 50% of the pain of a human being.

Nevertheless, one can argue that that catching and killing fish for food causes them unnecessary suffering and is therefore morally wrong. This is similar to the simple line taken for instance by Gary Francione and Anna Charlton.[[7]](#endnote-7) This line can be taken with apparently limited speculation on the mental life of animals and little discussion of the difficult notion of rights. All we first need to accept is that catching and killing fish causes them suffering.

This is easy to show. Peter Singer has rightly described what the trillion fish for food each year undergo as ‘an unimaginable amount of pain and suffering’.[[8]](#endnote-8) Fish caught in nets are landed on boats and allowed to suffocate. In longline fishing, they take a baited hook and are dragged about for hours until being landed on boats and allowed to suffocate. One can only deny that fish for food suffer by taking a view on the mental life of animals that no one now accepts, one in which they are not even capable of feeling pain. While there remains a lot of argument about whether such things as fish are capable of beliefs and preferences in relation to their own future welfare, few deny that fish can suffer pain. And while there are some discussions of whether an animal that experiences pain is actually *suffering,* these seem rather pedantic. One assumes that a suffocating fish is suffering. And, even if we regard the suffering of a fish as about 50% less significant than the suffering of a human, it remains true that overall, fish for food undergo an unimaginable amount of pain and suffering.

Of course, simply recognising that fish caught for food suffer does not in itself amount to an argument that one ought not to do it. Most of us accept that suffering is sometimes permissible for the greater good. Francione and Charlton argue, though, that we should not make animals, including fish, undergo *unnecessary* suffering. But why is their suffering unnecessary?

We could argue, for instance, that the suffering of fish is necessary for the counter-vailing pleasure that we get from eating them. The usual, and fairly convincing reply to this, used by Francione and Charlton is that it is not. The pleasure that fish eaters get from eating fish surely does not offset the suffering of fish. Singer once described the pleasure of eating meat as ‘trivial’ or ‘minor’ compared to animal suffering. It does seem obvious that the pleasure I get from eating a piece of cod, even if this is not *trivial,* does not outweigh the suffering of a cod that may have been dragged about for a few hours and then suffocated on a deck. Even if we concede that human pleasures may be sophisticated, it seems impossible to defend this degree of suffering on the part of the fish. It is not even necessary to argue at this point, as many vegetarians do, that we do not *need* to eat fish, as we can get the nutrients we get from fish from other sources. This may be true, but it is not necessary to argue it.

However, when asking whether the suffering of fish is necessary, we cannot simply consider the pleasure that fish-eaters get from eating them. There is also a need, as Francione and Charlton, do not seem to address, to consider the stake of those that are in the fish industry? If we all stop eating fish, won’t they all be worse off? If we are simply arguing that the suffering of fish is *unnecessary* we can’t just assume it *is* unnecessary *before* we add in the stake of those in the fish industry. We can’t, for instance, say that the interests of those in an *immoral* business can’t be counted, for we do not know if the business is immoral until these interests have been counted. After all, if those in the fish industry are put out of work, they will suffer; perhaps some of them will even die. Could the suffering of fish be necessary for their continued well-being?

Perhaps the best reply to this is still Regan’s point that joining the fish industry is a little like entering a race. In a race, you are worse off if you don’t come first, but you are not *owed* first place. Similarly, if you voluntarily go into fish farming, you will be worse off if people stop eating fish[[9]](#endnote-9). But no one *owes* it to you to keep you in business. And this is true independently of the morality of eating fish. So, while it may be the case that by not eating fish we will cause the suffering and, possibly, death of those in the fish industry this is not something that needs to be factored in to the calculation of net happiness that informs our moral decision. And, if this is the case, we are left only with the pleasure that fish eaters get to offset the suffering of fish, and it is clear that it does not do so. It does therefore seem that the suffering caused to fish is *unnecessary*, and should be stopped.

But if it is wrong to eat fish because it causes them unnecessary suffering, what if we could eat them without causing them unnecessary suffering? It is not at all clear that this could be done on the scale required to satisfy the trillion-fish-eating habits of the world, but it is clear that one could catch and kill some fish in a way that does not cause them any suffering. Is it then morally wrong to eat a fish? If one thinks that fish are persons, or subjects of a life who have a preference to continue living, or that fish have a right to life, one would presumably think that it is still morally wrong to kill and eat a fish. But what if one wants to avoid these difficult issues?

Clearly, one cannot now argue that it is wrong to eat fish because it causes them unnecessary *suffering.* But even if one does not cause the fish suffering by catching and eating it, one does after all have to kill it. But killing a fish may not involve causing it any *suffering.* So the question is now whether killing a fish involves causing it not unnecessary suffering, but *unnecessary harm.*

This question remains hotly debated. Even Peter Singer, when defending vegetarianism, once conceded that from his preferred Utilitarian point of view, that if an animal is not a person, and it has no preference to continue living, then killing and eating it is only morally wrong if you do not replace it. If you do not replace it, the total amount of pleasure or happiness in the world has diminished*,* so this would be morally wrong. But if you replace it, that’s fine. So Singer was a little uncertain about whether it was morally wrong to kill fish if this could be done without causing them suffering.

Philosophers who defend meat-eating often argue that it does no harm to an animal to kill it if it does not have a preference or desire to continue its life. Here, we are quite prepared to concede that we don’t know if a fish can be said to have a preference to continue its life. Francione and Charlton seem convinced that any *sentient* being has a preference to continue its life, but in saying this they possibly confuse two things. They write, ‘Sentient beings, by virtue of their being sentient, have an interest in remaining alive; that is, they prefer, want, or desire to remain alive.’[[10]](#endnote-10) However, having an interest in staying alive is not quite the same as having a preference to stay alive. We can concede, for the sake of argument, that a fish does not have a *preference* for staying alive.

Christopher Belshaw argues, with others, that if an animal lacks a *preference* for staying alive, killing it does it no harm.[[11]](#endnote-11) This is quite a complex issue. But Belshaw is surely wrong about this. If I kill a fish then I have done it a harm. If I had not killed it, it would have carried on swimming and eating and reproducing. It would have had a lot of pleasures. Surely by depriving the fish of these pleasures I do it a harm, even if it does not have a *preference* for continuing to live. There are at least two very odd consequences of Belshaw’s opposing view. One is that a baby is not harmed by being killed, because it has no preference to remain alive. It follows from this that if no one else cares whether the baby is killed, I do no harm to the baby by killing it. Another consequence of Belshaw’s view is that one does no harm to an animal by killing it if, by surviving, the animal would endure some suffering. This might be called an anti-veterinarian principle. Faced with a suffering animal, one would do it no harm by killing, instead of treating its suffering, it if one thought that its future life would include some further suffering. But such a principle seems to render veterinary care inappropriate.

Of course, there are occasions when it morally permissible to eat fish. If one would die, or become very unhealthy, without eating fish, it seems morally permissible to eat fish. One could also eat a fish that one found dead, in the same way that Donald Brueckner has advocated it is morally permissible to eat roadkill.[[12]](#endnote-12) But it is clearly morally wrong to eat a fish that has been produced by the fish industry, for this fish will have endured unnecessary suffering. It is also morally wrong to eat a fish that has been produced by some method that has not caused it unnecessary suffering. For to eat it, you have to kill it, and killing a fish causes it unnecessary harm. So, mostly, it is morally wrong to eat fish. And this is the simplest, convincing argument you need for not eating fish. You don’t need to think fish are persons, or that they are subjects-of-a-life, or that they have a preference to continue living, or that they have a right to life, or that their relevant interests are due equal moral consideration to those of humans. Perhaps all these things are true, but you don’t need to believe them in order to believe that it is usually morally wrong to eat fish.

Word Count : 2768

1. David DeGrazia, *On The Question of Personhood beyond* Homo Sapiens, in Peter Singer (ed.)., *In Defense of Animals, The Second Wave* (Blackwell, 2006) [↑](#endnote-ref-1)
2. Tom Regan, *The Case For Animal Rights,* ….. () [↑](#endnote-ref-2)
3. Regan, p. [↑](#endnote-ref-3)
4. See for instance Daniel Dennett, Do Animals Have Beliefs? [↑](#endnote-ref-4)
5. De Grazia ….a vbi to [↑](#endnote-ref-5)
6. Jeremy Bentham, [↑](#endnote-ref-6)
7. Gary Francione and Anna Charlton, Eat Like You Care : An Examination of the Morality of Eating Animals, Exempla Press (2013) [↑](#endnote-ref-7)
8. Peter Singer, If Fish Could Scream, in *Ethics in the Real World,* Princeton (2016) [↑](#endnote-ref-8)
9. See Regan, p.338ff [↑](#endnote-ref-9)
10. Francione, Gary. Eat Like You Care: An Examination of the Morality of Eating Animals (p. 78). Exempla Press. Kindle Edition. [↑](#endnote-ref-10)
11. Belshaw, p [↑](#endnote-ref-11)
12. Bruckner. … [↑](#endnote-ref-12)