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CAN WE EAT ANIMALS WHOSE EXISTENCE DEPENDS ON IT?

Karri Heikkinen

ONE COMMON DEFENSE of eating meat appeals to the idea that if we did not farm animals for human consumption, these animals would never exist. Consequently, at least if the animals have sufficiently good lives, those eating meat may in fact be doing them a service. A classic statement of this argument comes from D. G. Ritchie, who writes:

> If all the world were Jews, it has been well said, there would be no pigs in existence; and if all the world were Vegetarians, would there be any sheep or cattle, well cared for, and guarded against starvation?[1]

Leslie Stephen echoes the sentiment, writing:

> The pig has a stronger interest than anyone in the demand for bacon. If all the world were Jewish, there would be no pigs at all. He has to pay for his privileges by an early death; but he makes a good bargain of it.[2]

This point has since become so well known that anyone interested in the ethics of eating meat is likely to have heard it in some form. But should vegetarians be moved by it?

As far as I am aware, most vegetarians have not been moved. This, I believe, is largely due to the troubling ways the very same reasoning can be applied to humans. A contemporary opponent of Ritchie and Stephen, the animal advocate Henry S. Salt comments on the argument as follows:

> It has, in fact, been the plea of the slave-breeder; and it is logically just as good an excuse for slave-holding as for flesh-eating. It would justify parents in almost any treatment of their children, who owe them, for the great boon of life, a debt of gratitude which no subsequent services can repay. We could hardly deny the same merit to cannibals, if they were to breed their human victims for the table.[3]

1 Ritchie, *Natural Rights*, 110.

2 Stephen, *Social Rights and Duties*, 236.

3 Salt, *The Humanities of Diet*, 221.

Something very close to Salt's reply, I think, is also familiar to those working on the ethics of eating meat. Importantly, it seems to make our original argument—or the "logic of the larder," as Salt memorably calls it—obsolete. For if the argument is to work, it must be complemented with some argument justifying the differential treatment of humans and animals. But if that can be done, then it looks unlikely that we still need our original argument. Instead, we could presumably just appeal directly to whatever justifies this differential treatment and thereby justify omnivorism. Unsurprisingly then, much of the contemporary debate on the permissibility of eating meat revolves around the more fundamental issue of the moral status of animals.

In the last couple of decades, however, the picture has grown more complicated. Many consequentialists, despite the influence that consequentialism has on the contemporary animal advocacy movement, now feel the force of the argument. For example, Peter Singer, the author of *Animal Liberation*, now concedes that a limited form of omnivorism may be permissible if it leads to the existence of happy animals, and any animals who die are replaced with new happy animals.[4] This is because, according to Singer's utilitarian view, the permissibility of omnivorism ultimately depends on whether it produces the impersonally best outcomes.[5] If omnivorism leads to the existence of sufficiently many sufficiently happy animals, their happiness may ultimately make the world impersonally better.[6] Something very much like this view is also suggested by R. M. Hare.[7]

Furthermore, even many philosophers with a consequentialist orientation who reject omnivorism still take the argument to be worth struggling with. For example, Tyler John and Jeff Sebo argue that eating meat generally leads us to form attitudes that undervalue animals; therefore, consequentialists still have indirect reasons to resist omnivorism.[8] In a similar vein, Gaverick Matheny and Kai Chan claim that even if we accept the basic idea behind the argument, buying meat is very unlikely to be the most effective way to transform our resources into welfare.[9] Tatjana Višak, on the other hand, argues that utilitarians need not accept the "logic of the larder" since they need not accept the idea

4 Singer, *Animal Liberation*.

5 Singer, *Practical Ethics*, ch. 5.

6 The utilitarian interpretation of argument suggested by Ritchie and Stephen is sometimes called the *replaceability argument*. For a comprehensive overview of the history of this version of the argument, see Delon, "Replaceability Argument in the Ethics of Animal Husbandry."

7 Hare, "Why I Am Only a Demi-Vegetarian."

8 John and Sebo, "Consequentialism and Nonhuman Animals."

9 Matheny and Chan, "Human Diets and Animal Welfare."

that being brought into existence is a benefit.[10] To give one more example, Jeff McMahan, despite having considered and rejected the argument, later admits in an interview that he still does not know if omnivorism is wrong.[11]

Of course, some readers may take consequentialism's failure to decisively vindicate vegetarianism as a reason to reject consequentialism rather than vegetarianism. But recently, this position has also come under threat. This is due to Abelard Podgorski, who takes up the kind of argument suggested by Ritchie and Stephen and develops it into what he calls the *diner's defense*.[12]

What makes Podgorski's version of the argument particularly impressive is that he makes very significant concessions to vegetarians at the outset: he grants animals the exact same moral status as humans and accepts that animals are harmed when they are killed. Furthermore, he does not rely on any form of impersonal consequentialism, meaning that, unlike Singer, Podgorski does not think that the harm done by killing animals can somehow be offset by replacing them with new happy animals. Yet Podgorski manages to argue that eating certain kinds of meat can be permissible essentially because by buying meat, we bring into existence animals who benefit from their existence overall. This development means that contrary to what vegetarians following Salt might be inclined to say, the "logic of the larder" cannot be easily dismissed by pointing to its implications for humans nor by labelling it as an obscure implication of consequentialist theorizing.

In this article, I pick up the debate on behalf of vegetarians. The article has two aims. In sections 1 and 2, I aim to work out the best version of the argument we started with. While I make significant use of Podgorski's recent development of the idea, I also argue that he misses some of its most striking implications. One of these implications deserves to be mentioned straight away: if we take the argument seriously, then consuming dairy seems to be significantly morally worse than eating meat. I then ask whether we should accept the revised argument, and I argue that we should not. This is for three reasons, all of which I explain in depth in the relevant sections. In section 3, I argue that the resulting defense of omnivorism makes the so-called nonidentity problem unavoidable. In section 4, I show how a significant part of its intuitive force seems to problematically rely on contingent features of our world. Finally, in section 5, I argue that even the best version of the argument still seems to

10 Višak, *Killing Happy Animals*.

11 McMahan, "Eating Animals the Nice Way." For the interview, see Goldhill, "An Oxford Philosopher's Moral Crisis Can Help Us Learn to Question Our Instincts."

12 Podgorski, "The Diner's Defence."

have problematic implications when generalized to humans, even beyond the nonidentity problem.

1. THE DINER'S DEFENSE

I credit Podgorski for significantly developing the kind of argument that Ritchie and Stephen suggest, so a natural place to start is to look at Podgorski's view in more detail. Podgorski aims to provide a qualified defense of consuming the meat of farmed animals (and, by extension, as we shall see in section 2, other products made using animals). He puts in place three qualifications. First, he is defending only the consumption of meat, not its production (so, for example, he is not defending farming). As we shall soon see, this restriction is essential for avoiding some of the criticism that Salt leverages against Ritchie and Stephen. Second, the animals in question must have lives that are worth living overall, meaning that the argument may not apply to all or even most of the meat currently on the market. Third, Podgorski's argument is only that there is no *harm-based* reason against consuming meat, meaning that we might still have other reasons to refrain from this practice (for example, the negative environmental effects of beef production). For readability, I do not repeat these qualifications. Unless explicitly stated otherwise, readers should assume that whenever I talk about, for example, Podgorski's view permitting the consumption of animal meat, I mean to say that the view has this implication when considering only harm-based reasons and only farmed animals with lives worth living.

Two things make Podgorski's argument particularly worthy of attention. First, the most influential arguments against moral omnivorism in the literature invoke harm-based reasons in one way or another, for example by claiming that eating animals violates their rights or causes them suffering in exchange for mere gustatory pleasure for us.[13] So even though Podgorski's argument is limited, it nevertheless challenges very influential views. Second, as already mentioned, Podgorski makes multiple exceptionally significant concessions to vegetarians at the outset. Most importantly for the purposes of this article, Podgorski grants to his opponents that farm animals have the same moral status as humans and that death is bad for these animals.

With these preliminaries in place, we can move on to the argument itself. Podgorski begins by considering two ideas that often come up in discussions of vegetarianism, which he calls *existence-dependence* and *indirectness*. Roughly, the

13 For some of the most influential arguments in this vein, see Singer, *Animal Liberation*; Regan, *The Case for Animal Rights*; and Norcross, "Puppies, Pigs, and People."

former idea is what we started with—namely, that the animals we eat would not have existed at all were it not for us farming them with the intention of eating them. The latter idea concerns the fact that consumers do not typically kill the animals they eat but rather leave this to the producers of meat. While neither of these ideas is sufficient to justify omnivorism on its own, Podgorski thinks we can combine them into an argument that is up to the task.

According to Podgorski, there is an important kernel of truth in the existence-dependence idea. He summarizes the lesson as follows:

> An animal or person does not have a harm-based complaint against an act that causes them to exist, if no alternative act would have led to their existence, and their existence is good for them.[14]

This holds even if the person's or animal's life involves severe harms, as long as their life is overall positive. Note, however, that this principle applies only to acts that are necessary for the person's or animal's existence: after they are born, they can have a complaint against any subsequent act, distinct from the act that brought them into existence, that makes their life worse than it could have otherwise been.

It can be objected that existence itself cannot be said to be good for someone or to benefit them. In fact, Salt already thought of this objection over a century ago. He writes:

> The fallacy lies in the confusion of thought which attempts to compare existence with non-existence. A person who is already in existence may feel that he would rather have lived than not, but he must first have the *terra firma* of existence to argue from; the moment he begins to argue as if from the abyss of the non-existent, he talks nonsense.[15]

In response to this objection, it might be pointed out that it seems eminently possible to imagine a life so bad that it would be worse than nonexistence; and if that seems possible, then it is hard to say exactly why a life cannot be better than nonexistence as well. Furthermore, many philosophers now accept the idea that an existence can be good or bad in a noncomparative way, thus avoiding the problem of comparing existence with nonexistence.[16]

The best response, however, is to simply avoid this problem by modifying Podgorski's argument slightly. Instead of speaking about existence being good for an animal or person, we can just say that an animal or a person does not

14 Podgorski, "The Diner's Defence," 71.

15 Salt, *The Humanities of Diet*, 221.

16 See, for example, McMahan, "Causing People to Exist and Saving People's Lives."

have a complaint against an action that causes them to exist if that existence is *not worse* than nonexistence. This weaker principle is all that is needed for the argument to go through, and it is very difficult to deny that a life can be not worse than nonexistence: if that was not true, then we would hardly ever be justified in creating anyone at all.[17]

This principle becomes crucial when it is combined with what Podgorski takes to be the important takeaway from the idea of indirectness. He states this second lesson as follows:

> Producers of animal meat have control over whether animals suffer and die that comes apart from their control over whether those animals exist. Consumers of animal meat do not.[18]

The idea here is that the indirect relationship between consumers and the suffering of animals grounds an asymmetry between the consumers and producers of animal products. Producers of animals could in principle decide to breed animals and then refrain from putting them into small cages or killing them so that their meat can be sold. But when a consumer buys meat in a shop, they buy meat from an animal that has obviously already been slaughtered. Therefore, it is not the case that when a consumer buys meat, they harm existing animals or that if they do not buy meat, existing animals are spared from harm. Instead, the purchase sends a signal to the producers of meat that there is demand, and this leads the producers to breed new, additional animals. From the point of view of the consumer, the only way to stop the suffering and untimely death of these potential future animals is by not buying meat, but this would mean that these very animals never come to exist in the first place. So we get the asymmetry: consumers of animal meat can decide only whether future farm animals exist or not, whereas producers of animal meat can decide both whether these animals exist and, independently, whether these animals suffer and die on their farms.

17 Višak claims that bringing an animal into existence can neither harm nor benefit it (*Killing Happy Animals*). I find this view very difficult to defend given the strong intuition that it is possible for a life to be so bad that it would be better to not exist than to experience that kind of life. Furthermore, while I do not have the space to engage with her view here, I believe that Višak's attempt to make this claim compatible with our intuitions in cases that instantiate the so-called nonidentity problem (see Parfit, *Reasons and Persons*, ch. 16) does not succeed. However, even if we leave these points aside, the response I give in the main text should suffice. It is surely the case that if bringing an animal into existence can neither harm nor benefit an animal, then an animal is not made worse-off when it is brought into existence. This is all we need for the argument at hand to get off the ground.

18 Podgorski, "The Diner's Defence," 71.

Putting these two claims together, we get what Podgorski calls the diner's defense. Because of indirectness, a consumer of animal products faces a choice with only the following two options:

1. Do not eat meat, with the consequence that some possible future animals never exist at all.
2. Eat meat, with the consequence that these same animals do exist and live lives (marginally) worth living.

Because of existence-dependence, the animals have no complaint against option 2, for this choice is necessary for their existence, and this existence is not worse than nonexistence. Therefore, the argument goes, it is permissible for the consumer to choose option 2. After all, choosing this option does not make anyone worse-off than they would have otherwise been, for choosing otherwise would mean the relevant animals never exist at all.

Podgorski holds that this argument can be used to defend only diners: it cannot be used to defend producers of animal meat. This is because a producer, unlike a consumer, faces something like the following options:

1. Do not breed the animals, meaning that the animals never exist at all.
2. Breed the animals, put them into small cages, kill them as soon as they are ready for eating, and so on, meaning that the animals live lives marginally worth living.
3. Breed the animals but then let them roam free and refrain from slaughtering them.

Here, option 2 is not permissible because the farmer could instead choose option 3 and give the same animals a better life. So the animals have a complaint against the farmer who puts them into small cages and kills them, because the farmer could stop these things from happening without stopping the animals from existing. But the animals have no complaint against diners, as diners can choose only whether the animals come to exist in the first place.

It is important to note how significant a role the asymmetry between producers and consumers of animal meat plays in the argument. Recall how Salt, in the passage quoted at the beginning of this article, complains that the kind of reasoning we are discussing here could just as well be used by human parents to justify any kind of treatment towards their children. But Podgorski in fact explicitly considers the generalization of his arguments to humans, using an example that responds directly to this worry.[19] I paraphrase the example as follows. Imagine that you are considering whether to purchase a chocolate bar.

19 Podgorski, "The Diner's Defence," 72.

A perfectly reliable oracle tells you that if you purchase the chocolate, it will trigger a complicated chain of events that results in a boy named Theodore being born. Theodore will be beaten and treated cruelly by his family, and he will die young. Nevertheless, Theodore will have a life worth living, and he will be glad to be alive. If you do not purchase the chocolate, Theodore will never be born.

In this example, Theodore is meant to be analogous to the animals that are born as a consequence of us purchasing meat, and his abusive family is meant to be analogous to producers of meat. And yet, Podgorski holds, it is intuitively permissible to buy the chocolate in this example.

What this example shows is that Salt's objection, at least when taken at face value, is too quick: as Podgorski makes clear, both people and animals can have complaints against any action that makes them worse-off than they would have otherwise been *after* they are born. When it comes to eating animals, this means that the animals do in fact have complaints against many things that the producers do, including slaughter. It is just that consumers do not have the power to change these things, without also changing which animals come to exist, meaning that the animals do not have a complaint against the consumers.

The key takeaway from this exchange is the following. We want to find a way to use the existence-dependence argument to justify eating meat without generating implausible results with respect to humans. What we see here is that the asymmetry between producers and consumers achieves exactly this: it allows us to say how putting animals into small cages and killing them is wrong, just as it would be with humans, even though purchasing meat is not.

In sum then, the best version of the argument we started with must in fact make two key claims: first, animals do not have a complaint against actions that cause them to live lives not worse than nonexistence; and second, there is a causal asymmetry between those who buy and eat meat and those who produce it. Now, readers familiar with population ethics might notice a link between this view and the so-called nonidentity problem. I discuss this issue in detail in section 3. Before that, however, we must clarify an important aspect of the argument as it stands: Is it really the case that consumers of animal products have no influence on what happens to already existing animals?

2. THE SCOPE OF THE ARGUMENT

We have seen that for the argument that we started with to matter, it must be compatible with something like the assumption of equal moral status for humans and animals, and for this to be plausible, we must differentiate between the creation of new animals and the harming of existing ones. But it seems to me that even if we accept this distinction, there are many animal products that

still cannot be permissibly consumed, because we do in fact harm existing animals when we buy them. A good example of how this might happen is cow's milk, or dairy.

One sometimes underappreciated fact about producing dairy is that cows do not automatically produce milk after a certain age. Rather, milk production involves forcibly impregnating a female cow. Dairy cows need to reach an age of about two years before giving birth for the first time, after which they can typically produce milk until they reach an age between four and six years.[20] This means that, unlike with meat, a consumer buying dairy sends a signal that usually has time to reach farmers during the productive lifespan of *already existing* cows. Consequently, producers are likely to respond to the continued demand for milk by impregnating already existing cows multiple times rather than by continuously bringing new dairy cows into existence.[21]

What all this means is that even if we fully accept the defense of omnivorism that we have discussed so far, buying dairy is likely to be impermissible because doing so harms existing animals. Impregnating a cow after it has already been alive for a couple of years is obviously not necessary for that cow's existence. Furthermore, given that we are talking about already existing animals, a farmer acting out a consumer's will does not mean that the consumer is off the hook: just as paying someone to kill your enemy on your behalf does not absolve you of responsibility, so too paying someone to impregnate a cow on your behalf does not mean that you get to drink milk with a clear conscience.

It can be objected that forcibly impregnating a cow is not harmful to the cow in the same way it is for a human. However, this objection seems to give up the explicit assumption granted to vegetarians that animals have the same moral status as humans. Even if we accept, as I think we should, that humans face much graver psychological harm from such an act of violence than animals do, it is very difficult to see how we could uphold the assumption of equal moral status yet maintain that forcibly impregnating a cow is fully permissible. Furthermore, keep in mind that if we start relaxing this key assumption, then

20 De Vries and Marcondes, "Review."

21 To keep things simple, I do not discuss the so-called inefficacy problem. The inefficacy problem, also known as the problem of collective harm or collective impact, arises when many people acting in some way collectively causes a great harm (or benefit), but no individual action makes a difference. It seems these actions must be wrong (or *pro tanto* required), but given they do not make a difference, it is not easy to explain why. However, I think this problem can be overcome. For an overview of the problem and some potential solutions, see Nefsky, "Collective Harm and the Inefficacy Problem." For further discussion of potential solutions, see Kagan, "Do I Make a Difference?"; Nefsky, "How You Can Help, Without Making a Difference"; and Hedden, "Consequentialism and Collective Action."

there are more direct ways to justify omnivorism than the argument we are investigating here.

Another potential objection is to deny the empirical claim that milk consumption causes harm to existing animals. A natural way to do this is to claim that if we did not buy milk, farmers would simply send dairy cows to be slaughtered for meat. Insofar as this seems even worse than continuing life as dairy cows, it might be thought that we do the cows a favor by keeping them alive with our dairy purchases. In essence, the idea goes, we are paying farmers to keep producing dairy so that the cows at least avoid slaughter.

This reply, however, is ineffective in at least two ways. First, note that in the case where a dairy cow gets slaughtered for meat, there now seems to be a significant risk that this cow can have a complaint against those who buy meat. This is because those buying meat have not caused the existence of the dairy cow that gets sent to slaughter, but rather, they have affected the fate of an animal that exists independently of those purchasing choices. This is unlike in the normal case of meat consumption, where the demand for meat does not make it the case that, as Podgorski puts it, "animals destined for better things are redirected onto someone's plate."[22] However, in the case of our redundant dairy cow, there being demand for meat does mean that our consumption choices lead to an existing animal, who does not owe its existence to meat consumption and who might have otherwise been able to continue its life, to be sent to the slaughterhouse.

Second, even if we accept the idea that we are, in a rather surprising way, saving dairy cows from an even worse fate by buying milk, this seems to imply that we are now committed to a duty to save farmed animals from at least some kinds of treatment. And if that is the case, then it is an oddly convenient coincidence if these duties are such that they require buying dairy but not, for example, nonviolently blocking animals from being transported to slaughterhouses. Furthermore, if we accept the idea that we may sometimes be required to intervene, then it seems clear even in the case of meat that while an animal may have no complaint against the act of buying meat that led to its existence, it can have a complaint against people who *allow* the producer to kill it. Indeed, if we have a duty to save other humans from dying, and animals and humans have equal moral status, then it is not easy to see what justifies our inaction in a situation where billions of animals are killed for meat every year. Even though these points are not inconsistent with the argument for omnivorism that we have been discussing, I suspect they reduce the appeal that this argument has for those who wish to eat meat.

22 Podgorski, "The Diner's Defence," 71.

Where does all this leave us? The specifics depend on several empirical questions regarding what happens to animals as a consequence of various consumer decisions and other possible interventions, as well as the more detailed view we adopt about our duties of rescue. While I do not have the space here to engage with these questions further, two things seem clear to me. First, it seems clear that even the most developed version of the argument we started with cannot justify the consumption of all animal products, even if these animals have good lives. This includes dairy, as well as any other product such that its consumption leads to already existing animals being subjected to treatment that we find unacceptable for humans. This result is interesting and potentially practically very important because many people consider the next best option after veganism, in the sense of refraining from the consumption of all animal products, to be vegetarianism, in the sense of refraining from eating meat while eating products that include dairy, such as cheese. However, if something like the argument Podgorski and his predecessors propose is correct, then vegetarians have it backwards: the thing to forgo is not meat but rather dairy.

That said, it is important to note that some types of animal-meat products are also such that when a consumer buys them, harm is inflicted on already existing animals. This happens in the same way milk production harms already existing cows: we artificially inseminate animals and force them to give birth. Veal, a side product of the dairy industry, is a clear example, but we should also note that in many places around the world, almost all pigs are bred artificially.[23] Breeding pigs have a lifespan of about one and a half to two years, meaning that consumer demand should have enough time to translate into existing pigs having a higher number of litters during their lifetimes. However, practices differ significantly across the world and across different animals. This means that those wishing to justify their consumption of animal products by appealing to something like the argument we have been discussing must not only make sure the animals they consume have lives worth living but also carefully research the way in which these animals come to exist.

Second, it should be noted that unlike many other arguments for omnivorism, such as those that deny the assumption of equal moral status for humans and animals, the argument at hand often implies that if we can, we should stop animals from being killed. While this result may seem obvious once we see how it comes about, it is also so surprising that it is worth spelling out. For example, it could be that there comes a day in the future when we might wake up and permissibly buy a sausage roll for breakfast while also being

23 Zuidema et al., "An Exploration of Current and Perspective Semen Analysis and Sperm Selection for Livestock Artificial Insemination."

obliged to vote in favor of banning the slaughtering of animals for meat in a referendum taking place later that day. And if a reader is inclined to believe in more stringent duties of rescue, then voting may not be enough: after filling ourselves up with our sausage rolls, we may be required to storm a slaughterhouse to liberate the animals there. This result, I wager, is not what most defenders of omnivorism wish to achieve.[24]

3. THE NONIDENTITY PROBLEM

Let us take stock of what we have seen so far. As I pointed out in the introduction, the argument suggested by Ritchie and Stephen must be made compatible with the assumption of equal moral status for humans and animals for the argument to make a difference in the debate on omnivorism. As we learn from Podgorski, the way to make this possible is to draw a sharp distinction between acts that determine whether an animal comes to exist and acts that make existing animals better- or worse-off. But from that, I argue, two important limitations follow: first, the resulting defense of omnivorism cannot justify the consumption of all animal products even when the animals have lives worth living; and second, despite being permitted to buy meat, even consumers are often obliged to take action to stop existing animals from being killed.

Having worked out the argument, we can now ask: Should we accept it? I believe we should not, and in the rest of this article, I mount three objections to that effect. In this section, I explain how the picture of morality that underlies our defense of omnivorism has counterintuitive implications in a wide range of cases that instantiate the so-called nonidentity problem. In the section after that, I argue that the argument also has counterintuitive implications when we imagine away the empirical asymmetry between producers and consumers that we had to posit to make its generalization to humans plausible, even if we focus just on animals for the moment. Finally, I also show that despite all the work done to improve it, the argument still has counterintuitive implications when applied to humans.

To see how the argument at hand leads us to the nonidentity problem, we must note that this argument relies on what we can call a *person-affecting* picture

24 Outside of agriculture, there are many other practices where the consumer may cause harm to existing animals, such as hunting, bullfighting, keeping animals in zoos, and using animals in medical research. If we take Podgorski's view seriously, then many of these practices may be impermissible, even when the animals have lives worth living. However, these cases also raise further empirical and philosophical complications, such as the question of whether living in captivity might in fact spare an animal from even more suffering in the wild. Thus, I leave the investigation of these practices for another time.

of morality. According to this picture, there are no victimless wrongs: for an action to be wrong, it must always wrong some particular individual—that is, the action must make a person worse-off than they would have otherwise been or in some other way give them a complaint against the agent. The gist of the diner's defense is to show that when it comes to consumers buying and eating animal meat, this condition is not met: a consumer does not make any animal worse-off than it would have been; they merely cause a new animal with a life worth living to be born.

The person-affecting picture has some very attractive features. One such feature particularly relevant to our topic is that it can offer a very natural explanation for the so-called *procreation asymmetry*. Roughly speaking, this is the idea that even though we have strong moral reasons to avoid creating beings with very bad lives, there is no moral reason to create beings with very good lives. Under the person-affecting picture, if we create someone with a life so bad that it would be better for them to have never existed, then our action wrongs that person. On the other hand, if we *do not* create someone who would have had a very good life, then there is no one who is wronged by our choice because the person that could have had a very good life simply never exists.

This attractive implication may make the person-affecting picture look like a no-brainer. However, views like this also have some serious problems. For our purposes here, the key issue is the so-called nonidentity problem. This problem, made famous by Derek Parfit's discussion of future generations, arises from the fact that many of our actions influence not only the welfare and number of beings who come to exist but also their identity.[25] Perhaps the easiest way to grasp the problem is through an example.

Imagine that we need to decide between two climate policies, *A* and *B*. Policy *A* involves a massive decarbonization of the economy, across all sectors of society. Policy *B* makes some moderate efforts to reduce climate change but mostly continues business as usual until we run out of fossil fuels. Let us assume both that policy *B* is better for those currently alive because it means the current generation avoids the costs of the transition and that policy *B* will not make things in the future so bad that it would be better for future generations to not exist at all. However, let us also assume that policy *A* would make things go enormously better for every subsequent generation who comes to exist after the next fifty years.[26]

It seems intuitive that, morally, we ought to choose policy *A*: after all, there is so much at stake for the future, and the sacrifice demanded from the current

25 Parfit, *Reasons and Persons*, ch. 16.

26 This case is meant to resemble Parfit's Depletion case in *Reasons and Persons*, 362.

generation is very modest. However, this intuition is inconsistent with two very intuitively plausible principles. In other words, it does not seem possible to accept all of the following three claims:

1. For an act to be wrong, it must make someone worse-off than they would have otherwise been.
2. Being brought into existence with a life worth living does not make one worse-off than one would have been if one had never existed at all.
3. Choosing policy *B* is wrong.

Claim 1 above captures the core of the person-affecting picture of morality, as explained above, whereas claim 2 is essentially the existence-dependence claim, which we have used to get our argument for omnivorism off the ground. The problem is that if 1 and 2 are true, then choosing policy *B* is not wrong, contrary to claim 3. This is because the population that would come to exist as a result of policy *B* is not the same as the population that would come to exist as a result of policy *A*. To see this, note how transforming our way of life would lead to people working different jobs, travelling to different places, and thus meeting different people at different times—and ultimately, having different children. Consequently, as long as those who come to exist as a result of policy *B* do not have lives so bad that they are not worth living, then choosing policy *B* does not make anyone worse-off than they would have otherwise been; were we to choose differently, these people would not exist at all, and other people would exist instead. In sum, then, our defense of omnivorism commits us to denying that choosing policy *B* is wrong, contrary to our strong intuitions. Or in other words, it forces us to bite the bullet on the nonidentity problem.

The nonidentity problem is so called because most scholars have historically taken the inconsistency of the three claims sketched above to be a problem that requires a solution: we must either modify these three claims to avoid the contradiction or find a principled way to reject 1 or 2 in order to vindicate 3. To this end, one natural move is to deny 1 and appeal to policy *A* being *impersonally* better. This can then be further defined in a large variety of ways, for example by appealing to higher total or average welfare, potentially including some prioritarian weighting or only counting welfare above some critical level.[27] Alternatively, we might deny or modify 2 by adopting a different notion of harm.[28] Or to give one more example, we might think that when it comes to creating new

27 For an overview, see Greaves, "Population Axiology."

28 See, for example, Shiffrin, "Wrongful Life, Procreative Responsibility, and the Significance of Harm"; Harman, "Can We Harm and Benefit in Creating?"; and Gardner, "A Harm-Based Solution to the Non-Identity Problem."

beings, we have conditional obligations to create beings with the best possible life, even if we are not normally required to create anyone.[29]

All that said, there are also some scholars who swim against this current: most notably, David Boonin thinks that instead of seeing a problem here, we should see a sound argument, albeit with a surprising conclusion—an argument from 1 and 2 to the negation of 3.[30] Part of the reason why one might find this strategy appealing goes back to the procreation asymmetry: the impersonal approach mentioned above struggles to accommodate this asymmetry, and if one also finds none of the other strategies for responding to the nonidentity problem appealing, then one might decide that accommodating the procreation asymmetry is more important than avoiding the nonidentity problem.[31] In his paper, Podgorski sides explicitly with Boonin, claiming that the nonidentity problem need not force us to reject the case he makes for moral omnivorism.

Contra Podgorski, I believe that the cost of biting the bullet on the nonidentity problem is way too high. As I have explained, these costs include the implication that we have much less reason to fight climate change than we commonly think. But there is more: given just how contingent our identities are, this stance has a destabilizing effect on almost any putative duty to make sure future generations are better-off, whether it is about making sure that future generations can enjoy clean air, about safeguarding democratic institutions, or about aiming to secure a good start in life for our own children.[32] For me, any argument for the permissibility of eating meat that also makes it permissible to disregard the future in such a profound way simply goes too far.

Even if a reader shares my judgement, it can be objected that consumers of meat do not face a nonidentity case: instead, they face a choice between creating a given farm animal and creating no one. If this were true, then we could perhaps adopt one of the views canvassed above to explain why we should

29 For the most influential view in this vein, see Frick, "Conditional Reasons and the Procreation Asymmetry."

30 Boonin, *The Non-Identity Problem and the Ethics of Future People*.

31 For another view in this vein, see Horton, "New and Improvable Lives."

32 In "Diner's Defence," Podgorski also very briefly makes the claim that when it comes to the nonidentity problem, there is an important difference between procreation and buying meat: with the former, our intention is to create a new being, whereas with the latter, this is merely a foreseen side effect (74). He then suggests that we could bite the bullet on the nonidentity problem in the latter kind of case without doing so in the more worrying, former kind of case. Therefore, the thought goes, we need not worry about biting the bullet on the nonidentity problem in the context of eating meat. However, even if intentions were important, note that my central illustration of the nonidentity problem does not involve a choice where our intention is to create new people, and yet biting the bullet in this case still seems extremely unappealing. So this reply does not affect my argument here.

choose policy *A* in the nonidentity case while still employing the person-affecting picture to explain why buying meat is permissible.[33] However, real-life meat consumers are practically always in a nonidentity case. For one thing, they can bring into existence animals with better or worse lives depending on what kind of meat they buy. Furthermore, they can even use their money to pay for someone to raise domestic animals in a sanctuary or to conserve natural habitats. More generally, the bundle of goods we consume almost always leads to one set of beings existing rather than another. Therefore, this response does not help omnivores.

This discussion of course invites the question of what the best way to solve the nonidentity problem is. Unfortunately, the literature on the problem and the further complications it raises is so vast that I cannot engage with it here. Instead, I want to make a more modest point. What we have tried to find out is whether the kind of argument suggested by Ritchie and Stephen can be developed so that its generalization to humans seems more plausible. Despite the limitations discussed in the previous section, Podgorski's recent work helps us make progress in this direction. However, what I have shown here is that the nonidentity problem significantly curbs these ambitions: insofar as we think that we ought to help future people flourish by acting on climate change, we cannot use the argument we have been discussing to justify eating meat.[34]

33 I thank two anonymous reviewers for pushing me to clarify this point. Relatedly, Podgorski briefly mentions that the kind of intuition I rely on in my climate policy case seems to him the strongest when we must choose who to create from a set of mutually exclusive options ("The Diner's Defence," 74). He then goes on to suggest that buying meat is not like this; instead, consumers usually make a sequence of *independent* choices whereby they either create a given animal or create no one. But our consumption choices are not really independent of each other: if we spend money on a given product now, we have less money left to spend in the future, and this affects the set of options we will have. In other words, the opportunity cost of our choices means that we are always choosing from a set of mutually exclusive consumption bundles.

34 As an anonymous reviewer rightly points out, the nonidentity problem could also complicate things for the vegetarian. One possible takeaway from this section is that given the difficulties with the person-affecting picture, we should go back to the impersonal view. It could then be argued, along the lines of Singer's view, that this makes eating high-welfare meat permissible. However, there are also well-known problems with this argument: it violates the procreation asymmetry and forces us to grapple with the classic problems of population axiology, such as Parfit's "repugnant conclusion." Furthermore, I find Matheny and Chan's response to this argument convincing: if we are serious about making the world impersonally better, then animal agriculture is generally not an effective way to turn energy into welfare. However, I do not have the space here to argue for these claims. The main point is this: it might seem like Podgorski's recent work justifies omnivorism while avoiding the well-known pitfalls of the impersonal approach, but as I show, this approach leads to different problems that are just as worrying. So either way, the fact that farm

4. THE ROLE OF THE ASYMMETRY BETWEEN PRODUCERS AND CONSUMERS

In the previous section, I explained how our defense of omnivorism leads us to the nonidentity problem. In this section, I take up a more subtle issue with the argument. I believe the empirical asymmetry between producers and consumers of meat, which, as we saw in section 1, is essential for making the generalization of the argument to humans plausible, also has the effect of making the person-affecting claim at its core more appealing than it really is. Let me explain.

I assume those of us who are at least willing to entertain the starting assumption that humans and animals have the same moral status feel uneasy about the modern practice of farming animals for human consumption. Surely, we think, there must be *something* wrong about cramming sentient beings into tiny cages and killing them, at least when we do not need meat to survive and use it only to achieve momentary gustatory pleasure. Any attempt at justifying omnivorism faces the challenge of explaining away this moral anxiety.

Against this background, I believe that what makes the argument at hand initially seem so attractive is that it offers a unique explanation of this moral anxiety: we do not need to explain away this anxiety because we can instead place it firmly on the shoulders of farmers. There *is* something wrong with factory farming; it just so happens that, at the same time, consuming animal meat is permissible. We can thus use the conduct of farmers as a kind of pressure valve to relieve ourselves of any remaining moral unease we might have about our meat consumption.

Furthermore, the asymmetry between consumers and producers allows us to blame the producers in a way that many of us are already, to some extent, primed to do. This is because doing so fits together very neatly with the kind of picture that most of us, who have not worked on farms or deeply internalized the messages from animal rights activists, have about meat production. Seeing ourselves as basically decent people, we like to think that the animals we eat, as shown by the happy pigs and chickens in commercials, had good lives. Of course, we are aware that there are exceptions, but generally it is only when a rogue farmer does something terrible that this picture cracks. The picture of course suits the meat industry because it is in its interest to maintain the public perception that problems with factory farming are limited to a few rotten eggs. It is also promoted by tabloid newspapers and social media algorithms that aim to maximize clicks: news about rogue farmers doing unusually terrible things to their animals is much more shocking and thus more interesting than the

animals would not exist without us eating them does not open up an easy route to moral omnivorism. See Singer, *Practical Ethics*; Parfit, *Reasons and Persons*, 388; and Matheny and Chan, "Human Diets and Animal Welfare."

routine suffering that millions of animals on factory farms experience every day. This makes us more prone to accept the argument than we really should be.

Now, a straightforward way to test my hypothesis and to see the point I am trying to make is to imagine the asymmetry away and see what our reactions are. So let us do exactly that. Imagine that in the near future, everyone accepts our argument as it stands, and seeing that animals have legitimate complaints against many things that farmers do, we conscientiously make it illegal to farm animals. Understanding, however, that this does not mean that eating meat is inherently wrong, we replace traditional farms with fully automatized ones. To enjoy a chicken with your roast dinner, what you now need to do is go online, click one button, and wait a couple of weeks. Your click sends a signal to a production facility where a highly sophisticated 3D printer produces a fertilized egg, not involving any already existing chickens in the process. From this egg, a chicken optimized for maximal muscle growth is born, and it then lives a few weeks before its heart stops. Robots then collect the dead animal, process the meat, and deliver it to your door. The chickens suffer from a variety of health problems during their short lives due to growing so quickly, but they nevertheless have lives marginally worth living. They are also not killed by anyone—instead, just as their muscles are optimized for growth, their hearts are optimized to be just strong enough to keep the chickens alive until the desired size is reached. Furthermore, because this sophisticated process requires the chickens to be selectively bred in a very specific way, it is not possible to build these farms so that they would give the same individual animals a better life.

According to the defense of omnivorism that we have been considering, it looks like there is nothing wrong at all with this automated farming practice. Since the animals have lives not worse than nonexistence, they do not have a complaint against consumers bringing them into existence with the click of a mouse, and there is no one else who affects their fate for better or worse. Indeed, I think that if we endorse the argument for omnivorism in play here, then, as a society, moving to farms like this would be *preferable* because this would mean that we no longer accept the putatively immoral things that farmers do as mere passive onlookers. So presumably, my example should produce a neutral or even a positive reaction.

My expectation, however, is that readers feel morally troubled by this example. The primary difference between the hypothetical example and the real world is that in the hypothetical example, there are no farmers to shoulder our discomfort around eating factory-farmed meat. This suggests that when we strip away the empirical asymmetry between producers and consumers, our argument for moral omnivorism becomes less appealing, just as I suggested it would. And it seems to me that if detaching the argument from what is essentially an accidental,

contingent feature of the world we currently live in makes it significantly less appealing, then this should lead us to question whether the argument is correct.

5. FARMING HUMANS

While I find the example at the end of the previous section extremely worrying, some readers may not share my intuitions. However, in this section, I discuss a modification of that example that may lead such readers to revise their judgements. This case involves not chickens but human children. Imagine the following.

In the near future, technological progress allows us to artificially breed large numbers of children who are just like us except for a few important differences. Because the technology is not perfect, these children suffer from a variety of diseases that inevitably cause them significant pain over the course of their lives. These children also all die "naturally" at the age of seven. We farm them so that their kidneys can be harvested for lifesaving organ donations for the "regular" citizens of society. The lives of the farmed children are simple and include periods of significant pain, but they are treated as well as possible: they live in a kindergarten-like environment, where all their physical needs are met until their expiry dates arrive and they die, without us having to kill them. Thus, their lives are worth living.[35]

Even if the argument we have been considering avoids Salt's charge that it licenses holding slaves or parents treating their children however they wish, nothing in the argument blocks the implication that farming children for their organs along the lines of the above example is permissible. The farmed children have no complaint against consumers buying organs from farms like this because the children's existence depends on the demand for organs, and this existence is not worse than nonexistence. Even more importantly, however, the permissibility here is not limited to the consumers because the children are (by stipulation) treated as well as possible, and they die without us having to slaughter them. This means that the producers working on these farms are not wronging the children either. In fact, we can just imagine the producers away, just like we did with the automated chicken farm: perhaps the children come to term in artificial wombs, get taken care of by humanoid robots, and

35 Interestingly, while this example is fictional, note that a kidney from a genetically modified pig has already been used in a human recipient. For a recent example of this procedure, see Yousif, "Pig Kidney Transplant Patient Leaves Hospital." For a discussion of the ethical issues that this practice raises, including arguments from the nonidentity problem, see Casal and Williams, "Human iPSC-Chimera Xenotransplantation and the Non-Identity Problem."

finally have their organs processed in a fully automated production line.[36] So our argument for omnivorism implies that there is nothing wrong at all with this practice. Yet I take it that the thought of having an organ from one of these farms strikes us as extremely morally troubling.

In fact, we can go even further. Note that from a strictly person-affecting point of view, these human kidney farms are much better than regular animal farms, as the already existing people receiving the kidneys get a benefit that is much more significant than mere gustatory pleasure. Indeed, on the view we are considering, if we imagine that building and operating these farms turns out to be cheap and easy, then it starts to look like we may even be *obliged* to build them. For if we do not, then already existing people who need kidney transplants to avoid death could have a weighty moral complaint against the rest of us on the basis that we have gratuitously failed to help them by refusing to engage in a practice that saves the lives of many people while generating complaints from no one.

This result strikes me as absurd. It shows that even the most developed version of the argument for omnivorism that we have considered has very counterintuitive implications when applied to humans, even when we leave the nonidentity problem aside.

Even though I believe that the example I have just described gives us a weighty reason to reject the argument for omnivorism that we have been considering, there is a natural objection to make here: What about the case of Theodore? In that case, the argument for omnivorism that we are considering seems to have no troubling implications, even when applied to humans, whereas the case I just presented seems very troubling indeed. This conflict of intuitions, it might be thought, calls for an explanation from vegetarians.[37] I think there are two plausible responses here.

First, while I previously took the reaction Podgorski prescribed to the case involving Theodore as given, I think there is in fact space to push back. The intuition that buying the chocolate and thereby creating Theodore is permissible is likely to be skewed by a general resistance to what we perceive as overdemandingness. The idea that something as ordinary as buying a chocolate bar might be impermissible due to some complicated causal chain leading to a given person being born might well strike us as too demanding: it feels unreasonable to be subjected to moral criticism just because a seemingly innocuous everyday action happens to have certain consequences for far-off future people. But we might, on reflection, nevertheless decide that there are legitimate moral

36 I thank an anonymous reviewer for prompting me to make this link clearer.

37 I thank an anonymous reviewer for pushing me to clarify my view regarding this objection.

demands of this type: perhaps we should aim to adjust our consumption habits, career choices, and activism so that these tend towards better-off beings existing in the future, at least when doing so is not too costly. Many of us already accept something like this in relation to climate change: we might, for example, buy secondhand clothes or travel by train instead of flying. So perhaps we can reconcile our judgements by accepting that depending on the details, creating Theodore may not be permissible after all.

Note that this move becomes even more appealing when we consider just how strong the intuition against human farming is: if we have to give up our intuitions in either the case of Theodore or the case considered here, it seems better to give up the intuition regarding Theodore. Furthermore, if we accept a view on the nonidentity problem that, in one way or another, sets a high bar for the permissibility of creating new people, then such a view naturally goes together with this response. To put my cards on the table: I think this is most likely the right way to go. However, defending this view requires taking a stance on various issues in population ethics, and doing so is not possible in this article. So it is worth considering another plausible way for vegetarians to reconcile our judgements.

The second option is to retain our original reactions to both the human farming case and the case involving Theodore by appealing to some morally relevant difference between them. One natural candidate for such a difference is that creating Theodore is a side effect of buying the chocolate bar, whereas by farming humans for organs, we use them as means to our ends.[38] Interestingly, Podgorski in fact grants that something like this reasoning may still pose an objection to omnivorism, even if we accept his reasoning.[39] However, he maintains that such an objection is much weaker than the harm-based objections usually raised against eating meat.

Personally, I am not sure how much weight to put on objections to omnivorism that rely on something like the idea that we should not use other beings as mere means to our ends. Nevertheless, if this is what distinguishes

38 For one version of this idea in the context of creating people, see Kavka, "The Paradox of Future Individuals."

39 Podgorski discusses the related but different idea that it may be wrong to benefit from wrongdoing because he operates under the assumption that producers of meat wrong animals, even though consumers do not ("The Diner's Defence," 75). However, imagining farms to be automated in the way I have described makes this idea difficult to employ, which is why I talk about using others as means. Alternatively, we might try to appeal to the doctrine of double effect or some version of the ideal of relational equality: perhaps the problem with farming is that it brings about a world where farmed humans have a status of second-class citizens, and there could be something objectionable about this even if these people are not straightforwardly harmed by their existence.

the case involving Theodore from the case I presented, then clearly what we have here is a very weighty moral consideration. After all, this consideration makes a huge difference in the intuitions that we have with regard to the two cases. If we remain consistent on our commitment to the equal moral status of humans and farm animals, then it follows that this consideration also poses a very serious objection to omnivorism—contrary to what Podgorski claims. In sum then, even if we hold on to our initial judgement regarding the case involving Theodore, eating meat remains clearly impermissible.

There is one more natural thought that I believe some readers may have in response to the human farming case. This is the thought that even if there are significant moral limits to how we may treat animals, the moral status of farm animals must be different from that of humans after all. It could be that the difference between the moral status of humans and animals is something like this: while neither can be harmed, humans should also not be treated as mere means. If using others as mere means is the key difference between the human farming case and the case involving Theodore, then this view would entail that human farming is impermissible, whereas creating Theodore and buying meat, even from an automated farm, are both permissible. I expect that some readers find this combination of results appealing.[40]

However, note that even if a view like this is easier to defend than the extreme view that farm animals do not morally matter at all, it still faces significant costs. For one thing, if omnivores take this route, then they abandon Podgorski's ambitious project of justifying omnivorism even while assuming equal moral status. But more importantly, views like this face all the classic problems of justifying differential moral status for humans and animals: we need to explain exactly what gives rise to the additional moral constraints on our treatment of humans and to do this in a way that deals fairly with cases on the margins, including humans with limited cognitive capacities and animals with capacities more sophisticated than that.[41] While it may be true that the argument for omnivorism that I have considered in this article remains relevant, taking on this project would amount to accepting that the philosophical heavy lifting happens elsewhere.

Finally, note that even if we manage to justify the differential moral status of humans and animals along the lines discussed above and accept that this deals with the human farming case, the resulting defense of omnivorism still commits us to biting the bullet on the nonidentity problem. Choosing what

40 I thank an anonymous reviewer for prompting me to think about this possibility.

41 For a helpful statement and clarification of these issues from a vegetarian perspective, see Horta, "The Scope of the Argument from Species Overlap."

I call policy *B*, which leads to a future with much lower levels of welfare than the alternative policy, does not generate complaints from future people, nor does it treat them as means—rather, their existence is the side effect of our lifestyle choices. Therefore, even if we concede all this ground to omnivores, the argument that eating meat is permissible because the animals we eat would not exist otherwise comes with a hefty theoretical cost.

6. CONCLUSION

Let us recap. I began by reconstructing what I take to be the best version of the well-known argument that eating meat is permissible because the animals would not exist if we did not farm them for our consumption. I argued that even the most sophisticated version of this argument is limited in two important ways: first, it cannot justify the consumption of all animal products, including dairy; and second, it still implies that we should stop animals from being harmed by producers if we can.

After reconstructing the argument and pointing out its limitations, I raised three objections. First, I argued that the nonidentity problem poses a significant issue for the argument. Second, I argued that the asymmetry between producers and consumers that seems necessary to make the generalization of the argument to humans plausible also has the effect of giving it undue credibility. Finally, I argued that even the most developed version of the argument is still very difficult to accept when generalized to humans.

All of my objections give rise to some complications. Not all scholars share my judgement on the nonidentity problem; the automated chicken farm may generate different intuitions; and the difference between the intuitions we have regarding human farms and the case involving Theodore may strike us as puzzling. Nevertheless, my view is that taken together, these objections give us a decisive reason to reject the argument for omnivorism that we started with. It could still be the case that eating meat is permissible. But if it is, this is not because the animals we eat would not have existed without us farming them.[42]

University College London
karri.heikkinen.20@ucl.ac.uk

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