

# **Killing Domestic Animals**

Yes, if ... or no, unless?

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## **English Language Summary**

### *Chapter One*

#### **Introduction: Justifying killing animals**

The Dutch *Animal Health and Welfare Law* (1992) operates according to a ‘no, unless’ principle with respect to killing animals: this means that killing animals is prohibited, unless it may be defended on reasonable grounds. In other words, the killing of animals must at all times be morally justified. If it is not, then this can lead to social outcry; as was the case when millions of healthy animals were preventively culled during recent outbreaks of classic swine fever (1997), foot-and-mouth disease (2001) and avian influenza (2003).

This ‘no, unless’ principle for killing animals is set down in Article 43 of the aforementioned law. According to this clause, killing animals is prohibited in cases other than those stipulated in the general regulations (AMvB). The consequence of this section of the law was that an AMvB had to be drawn up to establish under just what conditions the killing of animals could be justified. By 1997, despite the best efforts of policymakers at the Ministry of Agriculture, an adequate AMvB had not yet been drafted. This provided the motivation for us to submit an interdisciplinary research proposal to the Incentive Programme Ethics and Policy Issues of the Netherlands Organisation for Scientific Research (NWO) in 1998. Funding was eventually granted and our project started in September 2000.

The aim of the sociological part of this research project was to gain insight into Dutch attitudes towards killing domestic animals, i.e. livestock, pets and horses. In order to develop adequate public policy, it is necessary to have a good overview of societal attitudes and moral experience with respect to killing animals. Through conducting a public attitudinal survey and in-depth interviews with individuals directly or indirectly involved in killing animals, we explored exactly which reasons people deemed good reasons to kill animals and what grounds people use to justify terminating animal life in concrete situations. Further to this, we investigated just why people consider killing animals to be morally problematic.

Likewise, the normative-ethical component of this research sought to reveal why killing animals is found morally problematic. To this end, the norms and values that play a role in the moral debate about killing animals were analysed. Through this conceptual analysis, we attempted to gain insight into the moral arguments used within the field of animal ethics to explain the moral acceptability of killing animals. We used these insights, for example, in the design of a number of survey questions, which were intended to reveal people’s moral intuitions about killing animals.

Finally, the ultimate goal of the research was to construct a coherent normative vision regarding the killing of domestic animals. To achieve this, the results of both the sociological and normative-ethical were combined to produce a clear vision of the social and ethical acceptability of killing domestic animals. In this way, we hope to have provided policymakers a helping hand in the development of a coherent and practical policy, which can count on a broad level of societal support.

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## *Chapter Two*

### **Dutch governmental policy towards the killing of domestic animals**

The dawn of the twentieth century bore witness to a change in mentality towards animals, which was characterised by an increasing resistance to treating animals solely instrumentally. There was a growing awareness that the lives of animals in their own right should be protected. This was not only reflected in ethical ideas about killing animals, but also in governmental policy. This chapter examines how, under these circumstances, a 'no, unless' policy was developed and how this policy gave shape to animal protection law in the Netherlands.

According to the present animal protection laws, the killing of animals is not prohibited. Killing in itself is not something for which one may be legally punished. One may only be prosecuted if the killing of an animal takes place in a way that constitutes animal cruelty. Until now, therefore, policy has solely been directed towards the avoidance of the infliction of pain and suffering on animals when they are killed. Although the prevention of animal suffering is extremely important, this policy is viewed as being too restrictive. Many people believe that people should also be made accountable for killing animals when there is no good reason to do so.

Since the 1970s, this view has gained increasingly more ground. The Dutch government listened to these concerns by including a new section on killing animals in the *Animal Health and Welfare Law* (GWWD). Under parliamentary pressure, a 'no, unless' principle was introduced. This found expression in Article 43 of the GWWD, according to which it was determined that killing animals was prohibited in cases other than those stipulated in the general regulations (AMvB).

The government was thus given the task of defining the situations within which it was justifiable to kill animals. To this end, a framework had to be developed whereby judgements about the situations in which animals could be legitimately killed could be assessed. The development of this decision-making framework did not prove an easy task. Although the Ministry of Agriculture presented a proposal - including a flowchart by which decisions to kill animals could be assessed - in 1997, it raised so many questions that it was never actually implemented in the AMvB. As a consequence, Article 43 of the GWWD has never come into force and the socially desirable 'no, unless' policy with regard to killing animals has not yet been implemented.

## *Chapter Three*

### **Ethics and killing animals: the protectability of animal life**

In our society, the killing of animals is often experienced as being morally problematic. Whether or not terminating animal life is morally acceptable is dependent on the answer to the question of whether, or the degree to which, the lives of animals should be protected. In this chapter, a number of important answers to these questions are considered, highlighting the reasons why the lives of animals should be protected. These reasons also reveal why killing animals is found to be morally problematic.

This chapter presents four important explanations for the protection of animal life, which derive from the field of animal ethics. The first reason to protect animal life is that animals have a vested interest in their continued existence, because the continuance of life means that the animal will be able to also enjoy a pleasant life in the future. By killing animals, we deprive them of the potential well-being that they may experience during the remainder of their lives. Killing animals is here seen as morally problematic, because it renders the chances of undergoing positive experiences in the future impossible. Animal ethicists have differing opinions with respect to the level of consciousness that is necessary to have an interest in continued existence. Some believe that self-awareness is a requisite, while others feel that it is sufficient for the animal to have some awareness of the (near) future. Others still contend that even that is not necessary and assert that only the capacity to experience welfare is sufficient to have a vested interest in the continuation of life.

The first reason for the protectability of animal life is, therefore, that the welfare that an animal may experience during its lifetime should be taken into account. The second reason is closely connected to this notion. However, here the issue is not whether animal actually has the capacity to experience welfare, but whether animals have a preference to continue living. The underlying idea is

that the animals that have a preference to carry on living also have a preference to not be killed. The majority of animal ethicists are of the opinion that only rational and self-aware beings can have a preference to not be killed. Human beings are thus also included in this category. Nevertheless, opinion differs with regard to the question of whether there are also other animals that belong to this category of rational and self-aware beings, and if so, which species. The problem that one encounters when trying to answer this question is how to find empirical evidence for this. It has proved extremely difficult to 'scientifically' demonstrate exactly which animals have a preference to not be killed. On the basis of research into the differing cognitive abilities of animals, an intersubjective agreement can be reached on the issue of to which animals the preference to not be killed may be ascribed.

Both of the aforementioned arguments can be situated within the framework of utilitarian theory (namely, hedonistic utilitarianism and preference utilitarianism). An important objection to utilitarianism is that it pays insufficient attention to the interests of the individual animal. According to utilitarianism, it is permissible to make the interests of the individual animal - such as the interest not to be killed - subordinate to the common good. Deontological theories, which pay greater heed to the interests of the individual animal, have consequently been developed to counter this objection. A deontological principle that is applicable to killing animals is respect for animal life. This principle entails that an animal's life should not be terminated without justifiable reasons. The concept of respect for life has been further fleshed out in two ways: firstly, the introduction of the notion of respect for beings that are 'subject-of-a-life' and secondly, the idea of respect for the natural course of life of animals.

According to the school of ethics where the 'subject-of-a-life' stands central, every being that meets the criteria for being a subject-of-a-life has a right to life. As Tom Regan, the originator of this concept, has argued, human individuals and members of the category 'higher' animals are subjects-of-a-life. His point of departure is that all animals that are subjects-of-a-life have an inherent value. Moreover, all subjects of life have an equal right to life. An objection to this is that this conflicts with the moral intuition that a distinction can be made between different species of animal. This intuition is in opposition to the opinion that all animals (which are subjects-of-a-life) have an *equal* right to life. On the basis of differences in psychological complexity, it seems to be acknowledged that one has a stronger moral obligation to one species to not to kill it than one does to another kind of animal.

Another objection to the concept of a 'subject-of-a-life' is that it exclusively concerns humans and other 'higher' species. Our moral intuitions may resist the notion that 'lower' animals - i.e. animals that have no sentience or another form of consciousness - are not afforded a right to life. To overcome this objection, the principle of respect for life must be expanded to also include 'lower' animals. One way in which this can be achieved is to introduce the principle of respect for the natural course of life of animals. This entails that the life of an animal must follow its normal, 'natural' course. The consequence of this is that the interruption of this life-course - by, for example, killing the animal - must be justified. This principle allows a distinction between different forms of life to be made, for instance between 'higher' (vertebrate) and 'lower' (invertebrate) animals. On the basis of differences in biological and psychological complexity, it can be defended that we have stronger moral obligations to not kill 'higher' developed species than towards less biologically and psychologically complex species.

The four reasons for the protectability of animal life, which are discussed in this chapter, provide insight into why the killing of animals is morally problematic. From an analysis of these reasons, it appears that the arguments behind them lead to differing conclusions with regard to the moral acceptability of killing animals. Although ethicists proffer different reasons for the permissibility of killing animals, there is, however, unanimity with respect to the notion that animals should be killed in a painless and stress-free manner. The societal agreement on this point is so great that this moral norm has been included in both national and international legislation with regard to killing animals.

By focusing the spotlight on these arguments, light is also shed on the question of why killing animals is morally problematic. Moreover, we have ascertained that there has been relatively little attention paid to the issue of killing animals within the existing literature on animal ethics. Apparently, the question of why killing animals is morally problematic is also a difficult problem for the ethicists to figure out. The majority of animal ethicists are concerned with the issues surrounding the concept of quality of life, which is more concerned with the *way of life* of animals than their *end of life*. Although many ethicists have made statements with regard to killing animals, there is no-one who has done so

more extensively than Peter Singer and Tom Regan. Both, albeit from different normative-ethical theories, have succeeded in developing a coherent vision on the killing of animals and have thereby made a valuable contribution to the debate on this subject. Although there has been much critique of their respective positions, their critics' opinions have contributed to a clarification and sharpening of the moral argumentation.

#### *Chapter Four*

### **Societal attitudes towards killing animals**

The societal and moral acceptability of killing animals is not only highly dependent on the reasons why animals are kept, but also how animals are perceived in our culture. For instance, pigs in the Netherlands are generally kept to be fattened, slaughtered and devoured, whereas dogs are kept for companionship or for working purposes. Pigs are thus equated with food and thus regarded as a legitimate source of protein, yet we are repelled by the idea of eating dog meat. The primary aim of the sociological part of this research was to gain greater insight into Dutch attitudes towards killing of different kinds of animals. In sum, we sought to discover what reasons within our society are taken to be good reasons to terminate animal life and which grounds are used to justify killing animals in specific and concrete situations.

Our sociological study involved two forms of empirical data collection. Firstly, a total of 43 in-depth interviews were conducted with individuals directly or indirectly involved in the killing of animals in the Netherlands. The interviews took place between April 2001 and June 2002. The sample consisted of 31 veterinary practitioners and 12 representatives of animal-related interest groups, governmental institutions and commercial corporations. These interviews were largely semi-structured in nature and encompassed a wide variety of situations in which domestic animals are killed, or requests to kill animals are made. In this regard, the 'vignette method' was widely employed: a vignette is essentially a short story about hypothetical characters in specified circumstances to whose situation the respondent is asked to respond. This method was chosen since it provides an ideal way of not only revealing people's responses to moral dilemmas, but also exposing their cultural norms and ethical framework.

Secondly, an extensive nationwide Internet-based survey involving a 'telepanel' of households representative of Dutch population was also conducted on our behalf by CentERdata, Tilbury University in November 2001. A total of 1939 respondents, ranging from 16 to 88 years of age, completed the questionnaire (72% response rate). The primary aim of this survey was to investigate public attitudes with regard to the moral and social acceptability of killing animals. This public attitudinal survey comprised three sections; the vignette method was also employed in parts two and three of this survey.

In the following, the general results of both this survey and the qualitative interviews will be presented and discussed in a highly condensed fashion. It should also be noted although we examined a range of demographic variables, such as gender, age and educational level, only the general statistics are provided in this summary.

The first part of our survey consisted of twelve general propositions about killing animals in a variety of different contexts (see Table 1). Although our research was mainly concerned with attitudes towards killing domestically kept animals, in this part of the questionnaire we also chose to pose some questions relating to wild and laboratory animals in order to be able to situate attitudes towards domestic animals within a broader context. These twelve questions were closed and pre-coded. A five-point ranking scale - later reduced to a three-point scale for the purposes of analysis - was used to record level of agreement or disagreement with each statement. In table 1, the results of part one are presented and ranked in order of the degree to which our respondents were in agreement with each proposition.

As this table illustrates, the killing of animals that are incurably ill and suffering intolerably receives the greatest degree of societal endorsement. This result is perhaps unsurprising; in a society where the personality structure of individuals is characterised by a delicacy of feeling and a highly

developed aversion to the suffering of one's fellow human beings, it is far from extraordinary for such sensitivities and aversions to be projected on other animals, particularly those species with whom we often live quite intimately (Swabe 1999). Keeping of livestock for the production of meat also enjoyed a broad level of social support. Within our society, meat may only be obtained through slaughter. The consumption of meat in our society is also often very much taken for granted, indeed, as is argued in this chapter, it can be said to be part of our *habitus*.

A significant danger to human health and safety was also widely regarded to provide justifiable grounds for killing animals. This indicates that the interests of people are seen to take precedence above the animal's interest to continue its existence, if the animal poses a serious threat to human welfare. In this regard, it is notable that the killing of the irritating fly has pride of fourth place in this ranking, given that it poses no immediate threat to human health and safety. Nevertheless, the broad social acceptance of killing this fly may be explained by the inferior cultural status of insects and other invertebrates, which do not have the same 'cute' factor and cannot as easily be identified with as, for example, mammals.

*Table 1*

**Reasons for killing animals in ranking order**

	Agree		Not agree/ not disagree		Disagree	
	%	n	%	n	%	n
1. It is acceptable to kill an animal that is incurably ill and suffering intolerably.	94,6%	1835	1,6%	31	3,8%	73
2. It is acceptable to keep livestock for the production of meat.	79,5%	1541	14,1%	274	6,4%	124
3. When animals pose a great threat to the health and safety of people it is acceptable to kill them.	75,7%	1467	16,7%	324	7,6%	148
4. It is acceptable to kill a fly if it is bothering you.	73,0%	1416	14,1%	274	12,8%	249
5. When an infectious disease rages among an animal population, which threatens the health of other animals, it is acceptable to kill and destroy the infected animals to stamp out the disease.	70,7%	1370	19,2%	372	10,2%	197
6. In the interests of medical research, the lives of people take precedence over the lives of laboratory animals .	58,6%	1136	26,1%	507	15,3%	296
7. The slaughter of horses to obtain meat is acceptable .	49,1%	953	26,9%	521	24,0%	465
8. It is acceptable to kill urban pigeons because they cause a nuisance.	41,8%	811	27,1%	526	31,0%	602
9. When there is a shortage of food in a nature reserve, which will result in starvation for many animals, it is acceptable to kill a number of them.	37,5%	728	26,4%	512	36,0%	699
10. The breeding of mink for the production of fur is acceptable.	14,4%	280	16,9%	327	68,7%	1332
11. The recreational hunting of animals is acceptable.	8,8%	170	12,8%	248	78,4%	1521
12. It is acceptable for fish that have been caught by angling to be left on the riverbank, instead of being eaten.	4,1%	80	2,2%	42	93,7%	1817
<b>Total Number of Respondents = 1939</b>						

Our data also reveals a broad base of social support for the killing and destruction of *infected* animals in the framework of animal disease control. The prevention of serious suffering, combating the further spread of infectious disease and the necessity of stamping it out are all reasons why the slaughter of infected animals is largely accepted.

From the sixth place in this table onwards, the validity of the reasons for killing animals seem to be more socially contested. Although the killing of laboratory animals for medical research still received the support of the majority of our respondents, our results still suggest a significant degree of ambivalence and rejection of this practice. Experimentation on animals for medical purposes, therefore, cannot be said to enjoy blanket social endorsement.

The slaughter of horses for meat clearly met with less societal approval and certainly more ambivalence than the slaughter of livestock for the same purpose. This aversion to killing horses for

meat may partly be explained by the fact that these animals are increasingly being seen as ‘companion animals’ rather than food-producing ones, in spite of the fact that they are still on the whole being used instrumentally as recreational or working animals within our society. For many, it is simply abhorrent to eat an animal that enjoys the status of a pet. However, as our data suggests, this shift from an economic to cultural appreciation has not yet trickled down throughout the whole of Dutch society. For the time being, the consumption of horse meat continues to enjoy significant social support.

Likewise, the killing of urban pigeons was also tolerated, or responded to in an ambivalent fashion. Our respondents were most greatly divided on the issue of killing wild animals during a food shortage and we were unable to draw any conclusions on the basis of responses to this question. Finally, the last three propositions clearly provided insufficient grounds for justifying the killing of animals. Leaving the issue of angling aside, it is evident that not only the farming of mink for fur, but also hunting for recreational purposes are not widely viewed as legitimate reasons to kill animals in our society.

The second part of our survey was quite different in character. Respondents were presented with eleven brief vignettes of situations where the killing of one or more domestic animals is seen as a solution to a problem. The respondents were asked whether they found the killing of the animal(s) in each situation acceptable. Pre-coded closed yes/no answers were possible. Respondents were afforded the opportunity to further elucidate their answers, thus providing a significant amount of qualitative data. This data was analysed alongside the interview data on the same topics. Both forms of data not only provide insight into what reasons people considered to be good reasons to kill animals, but also to some extent reveal the respondent’s underlying moral intuitions on this subject. The data in this chapter was organised according to the reasons for killing animals.

The first issue to be explored was the killing of animals for veterinary medical reasons. In our in-depth interviews, the euthanasia of animals that are terminally ill or intolerably suffering was consistently put forward as the primary reason to deliberately kill animals. Akin to proposition about incurably ill animals discussed above, a survey question about an owner’s request to euthanise a fifteen year old cat with incurable cancer was also given the approval of 96,9% (n=1879) of the respondents. The interviews, however, indicated that there are grey areas. For example, an animal may be infected with a contagious and inevitably fatal disease, such as the Feline Leukaemia Virus (FeLV), yet may still be asymptomatic. The question of whether it is ethically acceptable to kill such an animal, while intolerable suffering is not yet an issue, was posed to our interviewees. They argued that as long as contact with other cats was prevented, there was no reason to euthanise the infected animal while it was still healthy. If, however, this was not possible, then it was morally acceptable to kill the carrier to prevent the further transmission of the virus.

Another grey area was the ethical acceptability of killing pet animals with treatable or chronic diseases. For example, on the basis of a vignette about a cat suffering from diabetes mellitus presented to our veterinary informants, it became evident that veterinary medical considerations were not the only reasons that informed decisions to treat or kill pet animals. The owner’s capacity or willingness to care for, or nurse, an animal, or to seek alternative solutions, such as re-homing, also played a role in decisions to end a pet’s life. As far as livestock is concerned, the veterinary interviewees - in reference to a vignette about a seriously ill calf with a 50% chance of survival - observed that not only the prognosis and the cost of treatment, but also the animal’s gender, type of livestock production for which it is destined, the potential future value of the animal and the farmer’s motivation are part and parcel of the decision-making process.

This was echoed in responses to a vignette that dealt with a sheep farmer who decided to cut his losses by sending a ewe with parturition problems to slaughter, given that cost of a caesarean section exceeded the value of both the sheep and unborn lamb. 71.6% (n=1388) of those surveyed did not find this to be a valid reason to kill the pregnant ewe. For example, opponents declared that sheep are living creatures whose welfare should not be subordinated to economic considerations. Birthing difficulties and veterinary bills were seen as risk inherent to the business of sheep farming. Moreover, the fact that the lives of both ewe and lamb could potentially be saved through veterinary intervention played a clear role in the respondents’ responses. The interviewees agreed that killing the ewe was morally unacceptable due to the viable alternatives, though observed that this hypothetical situation no longer reflected the legal realities of the transport and slaughter of pregnant livestock.

Just as with livestock, economic motives may also influence the fate of pets. Both our interviewees and survey respondents were presented with the same dilemma: a 2 year old Labrador has sustained a serious complicated fracture as a result of a road traffic accident. This injury can only be repaired by way of an expensive operation. The dog's owner lives off social security benefits and simply cannot afford to pay for this surgery, he consequently asks the vet to put the animal down. Our respondents were asked whether they found the euthanasia of this dog to be acceptable. Those surveyed were greatly divided: 46.8% (n=907) found euthanasia to be justifiable, 53.2% (n=1032) disagreed. Indeed, a wide range of divergent attitudes towards animals could be distinguished in their written reactions to this vignette. Some respondents, for example, contended that the owner's financial situation should prevail over saving the animal's life; others emphasised that such animals are 'replaceable', thus the dog owner should cut his losses by having the dog put to sleep and get a new one. For other respondents, a concern for the animal's welfare being severely compromised informed their sanctioning of it being euthanised.

Nonetheless, the remaining responses questioned both the legitimacy and morality of such finite decisions being financially motivated, principally because the injured animal could be treated and recover from this injury. In this regard, not only the owner's moral responsibilities and obligations towards the animal, but also those of the veterinarian - who it was felt by many should save the animal irrespective of money - were brought into question. Another common response was the suggestion of alternatives to killing the Labrador, such as arranging a plan for payment in instalments, seeking financial assistance from friends, family or the *Dierenbescherming*, or requesting an exceptional payment from the social security agency. Finally, numerous respondents pointed out the necessity of taking out (obligatory) pet health insurance when a pet is acquired, which would preclude such decisions having to be made. This idea was also strongly promulgated by the *Dierenbescherming*.

The interviewed veterinarians also recognised this as being a terrible dilemma, though they observed that in practice it seldom occurs that no kind of financial arrangement can be reached with the client. In this respect, they argued that not being able to pay was very much a different issue to not being *willing* to pay, which was strongly morally censured. The vets echoed many survey respondents by arguing that when one takes on an animal, one must also take on all the burdens as well as the joys. In short, the interviewed veterinarians' preference was indeed to operate on such a young dog given its good chances of recovery. However, if a client cannot be persuaded to consent to or pay for surgery, then euthanasia may be justified given that the animal will otherwise suffer intolerably if left untreated. The ultimate burden of responsibility, they contended, lay not at the door of the veterinarian, but that of the owner.

Economic motives often form the basis of decisions to send unproductive livestock animals to the abattoir. Both our survey respondents and interviewees were confronted with this issue with respect to a question about a dairy cow, which had been yielding insufficient milk for at least a month. Given that keeping and feeding the animal was costing rather than making him money, the farmer chose to send the animal to slaughter. Respondents were asked whether these economic motives provided sufficient grounds to kill the cow. A majority of 60.6% (n=1195) answered affirmatively. The slaughter of this cow was frequently justified not only by the survey respondents, but also by all the large animal practitioners interviewed, due to the fact that dairy cattle are kept with production purposes in mind: yielding milk and ultimately meat also. Some respondents did not object to the slaughter of this cow *per se*, but commented that such a decision was premature unless veterinary investigation into the cause of this lack of productivity had taken place. Although numerous respondents deemed such economic motives to be deplorable for deciding the fate of a healthy animal, the vast majority of responses to this question could be characterised by pragmatism rather than sentimentality. This indicates a broad social acceptance of livestock-keeping as an economic activity within which killing unproductive animals is regarded as a necessity.

The lack of productivity of working horses proved to be a different kettle of fish. Respondents were presented with a short vignette concerning a riding school owner who decided to send one of his horses, suffering from a treatable joint problem, to an abattoir for slaughter given that the treatment costs were high and the animal would be out of action for at least three months. Respondents were asked whether these were sufficient grounds to justify the slaughter of this animal. A majority of 86.2% (n=1672) of the respondents found the killing of this horse unacceptable. Some respondents argued that these economic motives provided sufficient justification for the slaughter of the horse,

which would indeed enter the food chain. The slaughter of the animal could thus not be considered 'senseless'. However, the vast majority of respondents argued that it could not be justified, since there was no question of an incurable condition and that by killing the animal it would be reduced to the status of an economic object. What was most interesting was that this riding school horse was frequently described by the respondents as an 'employee' or 'colleague'. By ascribing this human status to the animal, the slaughter thereof was deemed indefensible. The veterinarians interviewed with regard to this issue pragmatically observed that in practice the issues surrounding horse-keeping and slaughter generally revolves around the argument that a horse must be fit for the purposes for which the owner has acquired it. They contended that the slaughter of horses that no longer fulfil the demands of their owners is inherent to that way in which horses are kept within our society, which is still largely instrumental in nature.

Economic considerations for killing animals do not necessarily revolve around productivity *per se*, but may concern the inherent economic value of the animal. In poultry production, the males of the breeds developed for egg production are unsuitable for meat-production since they do not grow fast enough. Given that keeping these male birds is not cost-effective, they are generally gassed to death immediately after their gender has been identified. Although many of those interviewed revealed their distaste for this practice, they argued that it is an unavoidable consequence of both the production process and societal demands for a cheap egg supply. As long as the huge demand for eggs continues and no alternatives to killing the male chicks have been developed, then these birds, which are annually destroyed in their millions, will continue to be superfluous to food-production. Even though many of the interviewed veterinarians claimed to not have great objections to this practice, as long as the chicks were killed in a humane fashion, it still ran counter to their intuition that newborn life should be protected and preserved. For this reason, it was emphasised that alternatives to routinely killing male chicks should be sought, possibly within the realms of biotechnology. Moreover, it was also argued that the burden of responsibility for killing these birds should be shifted onto the consumer, who should be prepared to pay more for his eggs in order to help end this practice.

The killing of new-born animals also featured this research with respect to the issue of unwanted pet animals. Survey respondents were asked whether they found it acceptable for unwanted new-born kittens to be euthanised by veterinarians to prevent the surplus of cats: 58% (n=1135) agreed. Many respondents, however, noted that this was only acceptable if the queen was also immediately sterilised. The prevention of feline nuisance and cats becoming feral or strays were given as other valid reasons to kill unwanted kittens. Others noted that the fact that the animals would be euthanised by a vet, rather than being disposed of by other means, contributed to their sanctioning of this act. Objections to killing these unwanted kittens centred around the prevention of this problem through neutering, which was viewed as the responsibility of animal owners. Respondents also balked at this due to the existence of reasonable alternatives such as giving unwanted kittens away or placing them in animal shelters. Respect for life was also presented by some respondents as an argument for not killing them. The interviews with veterinarians revealed that not all vets are indeed prepared to euthanise unwanted kittens. Not only given that they found this to be ethically unacceptable, but also because - particularly in urban areas - there is much demand for kittens. This research found that euthanasia is generally only carried out on the condition that the owner agrees to have the mother sterilised and, moreover, if the kittens' eyes are not yet open. The older respondents indicated that attitudes towards killing unwanted kittens have changed throughout the past few decades as a result of the increasing growth of neutering and societal aversion to killing unwanted baby pet animals by drowning or other methods.

Returning to livestock animals, the slaughter and destruction of healthy animals within the framework of animal disease control provided the basis for two questions in the second part of the public attitudinal survey and extensive discussion during the interviews. The first took the form of a vignette about an outbreak of swine fever on a pig farm. Following a brief explanation of current European law with regard to non-vaccination and export, they were asked whether they found it acceptable that the healthy pigs on surrounding farms to also be killed and destroyed due to the economic interests relating to export. 77.8% (n=1508) thereof deemed this reason to kill healthy pigs to be unacceptable. Some respondents observed that once upon a time the pig farmers had themselves been economically motivated to opt for non-vaccination should thus learn to live with the consequences. Others noted that his disease control strategy is legitimate not only in terms of effective disease control, but also due to international agreements with respect to animal disease

control. However, the majority of respondents were highly critical of political and economic interests influencing such decisions to kill healthy animals. The highly intensive nature of pig production also came under fire, underscoring the need to restructure this agricultural sector and make it less vulnerable, by shifting the focus of pig production from an external to an internal market. These views were echoed in the in-depth interviews: the majority of those interviewed lamented the current non-vaccination policy and deemed it unethical to slaughter and destroy healthy pigs when it is scientifically possible to vaccinate and protect them against this disease. The importance of developing acceptable 'marker' vaccines was thus also emphasised. On the basis of our research, it may be concluded that there is insufficient societal support for both killing healthy animals under such circumstances and the European legislation that compels the Dutch authorities to do so.

One of the further consequences of the outbreak of animal disease is that severe restrictions on the movement and transportation of animals are introduced to prevent the further spread of the epidemic. This may lead to potentially severe problems with respect to animal welfare as livestock housing units become increasingly overcrowded, as was the case during the 1997 outbreak of swine fever. At the time, the euthanasia of piglets to prevent future welfare problems led to great public uproar. In particular, it was the veterinary profession that found itself between a rock and a hard place. Several of those large animal practitioners interviewed were actually involved in the mass euthanasia of piglets, other of their colleagues clearly expressed relief that they were not forced to participate in this deed. As with the newborn chicks, the notion of terminating young life went very much against their moral intuition. Yet, in spite of their distaste for this, the interviewees were unanimous in stating that under the given circumstances the welfare of the animals would have been severely compromised if the piglets had not been euthanised. Nevertheless, they maintained that this did not detract from the feeling that things could have been different if mass vaccination had been permitted. Furthermore, the introduction of breeding restrictions and an increased buffer capacity in the piggeries were presented as alternative measures that might have rendered the killing of the piglets unnecessary.

The final issue with regard to the slaughter and destruction of healthy livestock within the framework of animal disease control concerned killing animals for public health reasons. Our survey featured a brief vignette on the acceptability of preventatively culling all the healthy cattle on a farm because one dairy cow was found to be suffering from bovine spongiform encephalopathy (BSE). They were asked whether they deemed it acceptable to kill this healthy herd in the interests of public health was acceptable: 52.3% (n=1014) thought that it was. Many respondents asserted that they found the protection of public health to be legitimate ground for killing such animals. Moreover, others stated that consumer confidence in meat may be compromised if these animals entered the food chain. Respondents were also keen to point out that livestock farmers should be compensated for their losses. While some objectors argued that the herd should be placed in quarantine, others were under the misapprehension that cattle could actually be vaccinated against the disease. The interviewees contended that there was no valid scientific reason why the entire herd should be slaughtered, arguing that both the buyers and consumers of animal produce should be aware of this in order for the livestock farmers income and future to not be compromised. It should be noted that the policy towards BSE has changed since this research was conducted, eliminating the necessity of slaughtering an entire healthy herd.

Thus far, this chapter has illustrated that not only strong moral arguments and economic factors, but also legitimate veterinary medical considerations provide a degree of justification for killing pet animals. Nevertheless, requests and decisions to euthanise pets do not necessarily always have any medical foundation. The issue of 'convenience euthanasia' was broadly addressed in our study. One of the vignettes presented to all our respondents dealt with a four year old castrated tomcat that had urinated on the bed of a client twice. Even though her vet could find no physiological cause for this inappropriate elimination behaviour, the client requests that the animal be euthanised. The question was whether our respondents would deem this inappropriate behaviour sufficient grounds to kill the cat. A 92.3% (n=1789) majority found this to be an unacceptable reason. Indeed, many respondents voiced their alarm and outrage about this request, leading to such scathing remarks as the owner 'is the one who should be put down'. The notion of respect for life formed the basis for many responses, others focused on the existence of adequate alternatives to killing the cat, such as banning the animal from the bedroom, behaviour modification training, the use of hormone treatments, cleaning the litter tray more regularly, paying the animal more attention, re-homing the cat and so forth. Such arguments

were reiterated by our veterinary respondents, who consistently argued that killing an animal displaying such inappropriate elimination behaviour was unacceptable, unless all medical and behavioural avenues had been completely explored and exhausted, and re-homing was found to be impossible.

A similar question regarding a request for pet euthanasia due to a child having developed allergies and animal shelters being full was regarded with similar disdain by both many of our survey respondents and all of the veterinarians interviewed. However, in contrast to the first question, a much smaller majority of 64.7% (n=1254) found euthanasia due to a child's allergy unacceptable. Interestingly, in their written responses, those who agreed that euthanasia was permissible under these circumstances often contended that here the interests of the child should take precedence over the interests of the animal to remain alive. Those who disagreed found there to be sufficient alternatives to killing the animal and protecting the child's health. In contrast, our veterinary respondents deemed this to never be an adequate reason to kill an animal and pointed out that it is a familiar excuse for people to try to get rid of one; re-homing was viewed as the only legitimate solution to this situation.

Aside from the above, a number of other 'psycho-social' reasons for killing animals were discussed in our in-depth interviews, namely requests to kill dogs due to behavioural problems as a result of separation anxiety, killing healthy elderly animals, killing animals out of aesthetic considerations (i.e. those that do not meet a breed standard) and killing pets on request of a terminally ill owner. Aside from the latter case, where a minority of respondents found that human interests may sometimes take precedence, these reasons for killing animals were generally deemed unacceptable.

As the above suggests, a clear aversion to killing pet animals for convenience exists within our society. This points to a shared cultural understanding that a healthy animal has a right to life, unless there are well-founded reasons to end it. One such justifiable reason, as our research attests, is the killing of aggressive animals. On the basis of a question that concerned the legal possibilities for banning breeds of dangerous dogs, our survey respondents were asked whether they deemed it acceptable to kill aggressive dogs to protect public health: 79.3% (n=1538) believed it was. Although some argued that there were alternatives, such as muzzling dogs, behavioural testing and behaviour modification training, many maintained that there should be no room within our society for aggressive dogs. In this case, the health and welfare of people was seen to take clear priority over the lives of animals. It was argued that we should take no risks, particularly where children were concerned. Nevertheless, dogs were widely perceived as being the victims of human conduct. In this regard, accountability for aggressive canine behaviour (due to inappropriate nurture and poor breeding practices) was specifically laid at the door of both dog breeders and owners. Our results also suggest that the proper enforcement of a ban on the breeding of dangerous dogs is socially desirable.

All the same, our respondents were keen to point out that the temperament and behaviour of individual animals rather than the breed should be decisive in determining whether or not a dog should be killed. In other words, pit bull terriers should not be killed simply because they are pit bulls. This view was clearly echoed in our interview data. Indeed, as, for example, various veterinary respondents and the Kennel Club interviewees observed, the majority of serious bite incidents have little to do with the breeds that are currently regarded as being dangerous, but instead with other popular 'family' breeds. This notwithstanding, our interviewees had no qualms whatsoever about euthanising a dog that was a clear and present danger to its environment, particularly if it had already seriously bitten someone. The veterinarians, however, did point out that before all decisions to kill such an animal should be made, one must first consider the circumstances and cause of the biting incident, whether it had previously displayed aggressive behaviour and how big or capable of inflicting injury the animal was.

The third part of the survey aimed to gain insight into people's moral experience with respect to killing animals. It involved the use of five complex vignettes describing situations in which animals are killed, or requests to kill are made. These included an unwanted parrot, an aggressive golden retriever that had bitten a child, superfluous day-old chicks, killing of piglets during a swine fever epidemic and the killing and destruction of healthy livestock during an epidemic of foot-and-mouth disease. Three commentaries were formulated for each situation, each containing arguments and considerations that are relevant to determining the moral acceptability of killing animals and which derive from the ethical theories discussed in Chapter Three. The respondent was asked to choose the commentary, which best reflected their own opinion.

In the case of the request to kill an unwanted parrot, 85.1% (n=1651) found that one should not prematurely terminate the life of an animal simply because you are tired of it. Respect for the animal's natural survival instinct was thus viewed as the most important argument to not kill it. 10.7% (n=208) of the survey respondents chose the argument that although animals have this instinct, it is morally acceptable to kill them painlessly given that they are not self-aware and thus do not have the capacity to think about life and death. A 4.1% (n=80) minority favoured the view that there were no objections to killing the parrot as long as this was done in a professional and painless fashion.

The second vignette about the aggressive dog who had bitten a child without any clear motive, and with whom the owner did not want to take any more risks, met with a slightly more mixed response. 57.2% (n=128) chose the moral argument that out of consideration for respect for life, the animal should be permitted to live and alternatives (e.g. muzzles and behavioural modification training) should be sought to prevent further incidents. Only when such alternatives have been tried and failed, is the killing of the dog acceptable. 36.2% (n=702) opted for the line of reasoning that although the animal has a right to life, the common societal interest weighs more heavily. Aggressive dogs that pose a threat to human health and safety may, therefore, be killed. Just 6.6% (n=128) found that the dog's right to life must not be violated and it should not be killed even if it was aggressive, but should be kept or re-homed in a way that it is no longer a threat.

The fate of superfluous day-old male chicks, as also discussed in part two, was the subject of the third vignette. 41.5% (n=804) chose the argument that while the chicks had an interest in their continued existence, killing them is preferable given that no-one will be prepared to look after them. 30.2% (n=585) favoured the moral line of reasoning that one does not have the right to deprive these animals of the welfare that they may experience in the future. Instead, they should be allowed to grow to become broiler chickens in an animal-friendly environment and for which a market must be found. The remaining 28.4% (n=550) chose the argument that the natural life-course of these animals should not be interrupted and they should be allowed to live, on the condition that they are afforded a good life.

The killing of piglets during a swine fever epidemic due to overcrowding and potential welfare problems formed the basis of our fourth vignette. 54.3% (n=1053) of the respondents found it acceptable to kill the piglets to protect the welfare of the remaining pigs; 10.7% (n=207) regarded killing the young pigs as a waste of food resources, while the remaining 35% (n=679) believed that the destruction of young life goes against the principle of respect for the natural development of animal life and that other measures should be adopted to render euthanasia unnecessary. It is here clearly evident that while there is significant social concern to protect animal welfare, there is still a strong societal preference to seek alternatives to killing healthy livestock.

The final vignette dealt with the killing and destruction of healthy livestock during a foot-and-mouth epidemic. 47.5% (n=917) of our respondents favoured the argument that from the perspective of respect for life it is morally unacceptable to kill healthy animals; they should instead be allowed to live and inoculated against the disease. 36.4% (n=703) opted for an argument that concerned the interests of the livestock-keepers rather than the animals. According to this line of reasoning, the animals should be inoculated and allowed to live to prevent the emotional and economic damage that killing them would do to the farmers. Only 16.1% (n=311) displayed a preference for the commentary in which killing these healthy animals was seen as morally acceptable not only to prevent these animals from contracting foot-and-mouth, but also due to the broader interests of protecting the export market.

On the basis of these five vignettes, this chapter concludes that the notion of respect for life plays an important role in the evaluation of the moral acceptability of killing healthy animals. This notion was presented in our vignettes as not interrupting the natural life-cycle of animals. This may only be disturbed if there are adequate reasons for doing so. This provides an explanation for why people seem to have a greater problem with young animals being killed than adults. It is also interesting that in spite of the acknowledgement that animals have an instinct to stay alive, few respondents found the issue of whether animals have an awareness of the future or death to be relevant.

An important finding is that the responses to these vignettes provide a good indication of the situations in which people find killing healthy animals acceptable. It has been established that, out of respect for their natural life-cycle, animals must not be killed without good reason. However, from the perspective of the animal, this does not necessarily mean that they should be kept alive at all costs.

Our results - particularly with respect to the day-old chicks and the piglets - suggest that killing healthy animals is acceptable, if it cannot be guaranteed that they will have a good life if they are allowed to live. In such cases, the animal is thought to be better off dead. However, most reasons for killing healthy animals concern human interests. It seems that people are generally inclined to reject healthy animals being killed when there are concrete and viable alternatives. The most pertinent examples of this relate to the vaccination of healthy livestock during outbreaks of infectious animal disease. Only when the alternatives are unfeasible or ineffective is killing animals viewed as being open to discussion. On the basis of our results, it may thus be concluded that, at least for the majority, economic interests alone are not considered to be sufficient and legitimate grounds for terminating the lives of healthy animals.

Following the presentation of our research results, this chapter concludes with a sociological discussion on attitudes towards killing animals. As the research data suggests, there is great variety in the value that people place upon animals in our society. The divergence of cultural attitudes towards livestock animals, pets and horses is clearly evident in our attitudes towards killing them. The reason why an animal is kept not only plays a decisive factor in deciding whether or not it is morally acceptable to kill an animal, but is also inextricably bound to the social acceptance of killing animals.

Animals tend to be ranked according to their social value and the role that they (are expected to) play within that society. The concept of the sociozoological scale, introduced by Arluke and Sanders (1996), was used in this chapter as tool by which both the social construction of animals and the diversity of cultural attitudes to killing animals could be understood. In short, animals are generally divided into the dualistic moral categories of 'good' and 'bad'. Pets, horses and livestock all fall under the category of 'good' animals: pets have an affective value to humans and generally submit to human authority, whereas livestock have a clear instrumental value within our society; horses are situated in the sociozoological scale somewhere in between. In contrast, animals that are commonly regarded as 'pests', such as wild rats, mice and insects, fall under the category of 'bad' animals. The social status of the animal provides not only the basis for justifications for killing them, but also contributes to the inconsistent way in which animals are regarded in our society. This partly explains why insects may be indiscriminately swatted to death, while a complicated process of moral deliberation is required to terminate the life of a dog.

The species' position in the sociozoological scale is not the sole factor that influences the social acceptability of killing animals. This chapter concludes that irrespective of the species and the esteem in which it is held, not all reasons are considered equally good reasons to terminate an animal's life. Firstly, it is clear that it is unacceptable within our society to indiscriminately kill animals; there must always be a specific reason to do so. This suggests the existence of a fundamental and underlying shared cultural understanding that one must not kill animals gratuitously. Moreover, it also suggests that 'respect for life' is a guiding principle, which informs people's understandings and actions with regard to killing animals. Secondly, our research has clearly illustrated that the killing of animals is only socially sanctioned when the killing is carried out to achieve a clear and specific objective. In this regard, we have demonstrated that it is, for example, socially acceptable to end an animal's suffering, to slaughter livestock species - and to a lesser extent horses - to procure meat and to terminate the life of an animal that is deemed a threat to public health and safety.

We must, therefore, conclude that killing animals only becomes problematic when the reason for so doing is deemed inadequate or unwarranted. For example, when the reason given is considered groundless - such as the cat displaying inappropriate elimination behaviour - or when there are satisfactory alternatives available, which render the termination of animal life unnecessary; for example, the slaughter and destruction of healthy livestock animals as a measure to control the spread of animal disease in spite of the availability of adequate vaccines. This suggests that the basis of societal support is not only determined by the specific species in question and the human relationship to the animal, but also the reason why the animal is being killed and whether there reasonable alternatives to killing it exist.

Finally, this chapter observes that a number of other sociologically relevant facts were brought to light in this research. Clear demographic differences with respect to gender, age and educational level were discerned. The most significant divergence in attitudes to killing animals related specifically to gender, with women often articulating greater objections to concrete situations and attaching more

value to respect for life arguments than their male counterparts, who more greatly favoured economic and welfare arguments. This is consistent with the findings of many studies of attitudes towards animals, which also show that women have more affinity and empathy for animals than men. Our research also suggests subtle changes in cultural attitudes towards animals throughout time. Older respondents tended to display a higher degree of acceptance of killing animals, revealing a more utilitarian and less emotional attitude, than the younger ones. Such disparities reflect broader social and psychological changes in attitudes towards animals that have taken place throughout the past century.

### *Chapter Five*

## **Towards a shared normative vision on killing animals**

The ultimate goal of this research was to construct a coherent normative vision regarding the killing of animals, which can count on a broad level of social support. Such a shared vision must meet two conditions. Firstly, the vision to be developed should have broad public support, which means that a high degree of social agreement must be reached on the policy regarding the killing of animals. Secondly, because the view to be developed concerns a *normative* vision, it is necessary that the policy can be *morally* justified.

To achieve a considered judgement on killing animals that could be justified both socially and morally, we used the Reflective Equilibrium Method of moral reasoning. Moral reasoning according to this method implies a continuous interplay between moral intuitions (intuitive judgements and moral beliefs), moral principles and morally relevant facts. Combining the results of the sociological data (chapter 4) and the analysis of existing ethical theories on killing animals (chapter 3), we sought to examine whether ordinary people's moral experience and the existing ethical theories correspond. Drawing on the reflective equilibrium model, we explored whether equilibrium could be achieved through a process of critically reflecting on the interplay between people's moral intuitions and beliefs, moral principles regarding killing animals and morally relevant background theories about the lives of animals.

Following a discussion of our research data in the light of the reflective equilibrium model, two policy options with regard to killing animals were subjected to deeper analysis in order to uncover which policy could be most greatly justified both socially and morally. These two options were a 'yes, if' and a 'no, unless' type of policy. According to the 'yes, if' policy, killing animals is justified if the condition that animals are killed in a painless and stress-free manner is met. A 'no, unless' type of policy prohibits animals from being killed in principle, unless valid and justifiable reasons for doing so can be presented. With respect to the justification of a 'no, unless' policy, we made a distinction between the killing of diseased animals and the killing of healthy animals.

With respect to a 'yes, if' policy, it may be concluded that there is a high degree of social agreement on the stipulation that animals be killed in a painless and stress-free way. This generally accepted norm is also codified in the present national and European legislation in the legal provision that an animal must be spared as much pain and stress as possible when it is killed.

Although the 'if' can be socially and ethically justified, this does not necessarily mean that the 'yes' will have the support of the public in all cases. Even if an animal is killed in a painless and stress-free fashion, it may still meet with societal opposition. Our empirical research suggests that people do not find the killing of animals acceptable if there is no valid or good reason for doing so. This stance provides grounds for the support of a 'no, unless' kind of policy. Yet our analysis demonstrates that there is no base of social support for categorical or blanket 'no, unless' policy, which applies to all categories of domestic animals and to all situations in which animals are killed. For pragmatic reasons, one could thus opt for a two-track policy, which does justice to both the 'no' and the 'yes'. The killing of an animal is thus permissible - the 'yes' - if there is a high degree of societal agreement about the reason for killing. Our research indicates that there are two reasons that may count on such social sanctioning: killing animals that are unbearably suffering and killing animals for the production of food of animal origin. For all other reasons, such as socio-economic, psycho-social and (public) health considerations, societal opinion is so strongly divided that it is appropriate for a 'no, unless' style of policy to be chosen.

## *Chapter Six*

### **Conclusions and recommendations**

On the basis of this research, the following conclusions were reached:

- In the discourse on the acceptability of killing animals, it is assumed that this will occur without undue stress and pain.
- The moral principle of respect for life, which is understood as being respect for the natural life-course of the animal, provides an important moral foundation for the common sense belief that animals should not be killed, unless there are reasonable grounds for doing so. On the basis of difference between the biological and psychological complexity of 'higher' vertebrates and 'lower' invertebrates, it can be said that a greater moral responsibility to not kill more highly developed animals exists than for 'lower' animals. The issue of whether an animal has an awareness of the future and death is seen as irrelevant (i.e. animals with or without self-awareness). Instead, the protection of the animal's future welfare is viewed as paramount.
- In general, the killing of a seriously ill animal, which is suffering intolerably, and the slaughter of animals to procure foods of animal origin are viewed as valid reasons for prematurely killing animals.
- All other reasons, such as psycho-social, social economic and (public) health considerations, are only deemed legitimate grounds for killing animals in specific situations.
- The killing of animals, which pose a significant threat to human health and safety, can count on a broad level of social support. However, people are more reticent about killing aggressive dogs.
- The slaughter of livestock due to lack of productivity was found to be widely acceptable, but only if the animal completes its 'normal' cycle of production (i.e. slaughtered for meat).
- Healthy animals may only be killed when, for a specific reason, the future welfare of the animal cannot be guaranteed.
- Killing animals with treatable conditions was deemed unacceptable, unless there were specific reasons or extenuating circumstances - mostly of a psycho-social nature - that could justify killing them.
- When there is highly infectious disease raging throughout an animal population, which threatens the health of other animals, killing the infected animals is justifiable.
- The killing of healthy animals in the framework of organised animal disease control, mainly for the economic reasons of export, is not socially sanctioned.
- There is insufficient social support for killing mink to obtain their fur.
- The killing of young animals, such as 'superfluous' day-old male chicks and 'unwanted' baby pet animals, was generally rejected.
- In the interests of medical research, human life was seen as taking precedence over animal life.
- The social status of the animal – pet, horse or livestock – partly determines the legitimacy of killing an animal in a specific situation.
- Gender differences in attitudes towards killing animals could be discerned. Women appear to attach more value to the moral principle of respect for life than men, while men favour pragmatic arguments, such as violation of animal welfare, or economic considerations.

Finally, the following recommendations were made as a consequence of this research into killing domestic animals:

- A two-track policy with regard to killing animals can accommodate the differences in social attitudes towards different categories of animals in a variety of situations. Killing animals is acceptable when an animal is suffering unbearably and also legitimate to procure food of animal

origin. These two reasons can count of a large degree of social support for a 'yes, if' policy. For all other reasons, such as psycho-social, economic and (public) health considerations, a 'no, unless' policy is appropriate. This research provides reasons why the killing of animals in specific situations is justified or not.

- Policy relating to organised animal disease control should be directed towards preventing the killing of animals that are not sick or infected.
- The policy regarding aggressive dogs should be primarily directed at dealing with the individual animal and not the introduction of a general ban on particular breeds. In this regard, the responsibility for canine behaviour rests with breeders and owners.
- The evaluation of reasons for killing pet animals is seen as problematic. The responsibility should thus be primarily be taken by the animal owner and veterinarians. In this regard, veterinarians should take the responsibility for developing their own guidelines for killing pet animals.
- Attitudes towards killing animals may shift over time. It is therefore recommended that such possible changes in societal attitudes towards killing animals be re-assessed in the future, which may give rise to future policy changes in this area.

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