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**Could Some People Be Wronged by Suffering from Swine Flu? A Case Discussion on the Links between the Farm Animal Sector and Human Disease**

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# **Could Some People Be Wronged by Suffering from Swine Flu? A Case Discussion on the Links between the Farm Animal Sector and Human Disease**

## **Abstract**

This paper uses the imaginary case of Gemma, presented initially at the International Swine Flu Conference (London, March 2010), to discuss whether a nurse who disagrees with most ways in which animals are farmed would be wronged if she contracted swine flu. It is argued that the farm animal sector has contributed to the emergence of H1N1 flu, and that the sector in general contributes significantly to the burden of human disease. The aim of this paper is to promote debate on the question whether a range of systems used by the farm animal sector survive moral scrutiny in light of these concerns.

## **CASE DESCRIPTION**

In order to debate the issues raised by the ongoing swine flu pandemic, New-Fields organised the International Swine Flu Conference, held in London on 10-12 March 2010, an event that was attended by participants from a wide range of countries. In his keynote address with the title 'What Are the Ethical

Issues Associated with Actual and Potential Flu Pandemics, and How Should We Resolve Them?’ the author of this paper used the following case to stimulate discussion:

Gemma is a mother of three children who works as a nurse. She disagrees with most methods that are used to rear farm animals, partly on the basis of the view that they carry disproportionate risks for human health. In addition, she is a long-standing defender of animal rights. Gemma has now contracted swine flu and is faring poorly.

## **DISCUSSION**

Delegates were then asked whether they thought that Gemma’s contraction of swine flu should be considered not only sad, but also bad. A show of hands revealed that almost all participants thought that it was just sad. The author then proceeded by arguing that there might be reasons to believe that it is also bad, i.e. that Gemma had been wronged by contracting swine flu. This paper is a more developed attempt to address why this might be so and to elicit discussion on this issue.

A first point that must be made is that the claim that Gemma has been wronged depends at least in part on the assumption that something could have been done to prevent Gemma from contracting swine flu. This assumption is contested by those who would consider the creation of a virus to be a natural process that is beyond human control. Provided humans do not set out to create a virus deliberately, there is some truth in this claim. However, it is also clear that humans might create the conditions that facilitate the development and spread of new viruses. In this respect, the argument has been made that the conditions in which many human beings keep farm animals facilitate the development of new viruses and their transmission within and between different species.[1] With regard to the recently emerged strain of H1N1 swine flu that caused a pandemic, it is beyond any reasonable doubt that human beings facilitated its emergence and transmission through farming pigs, even if there is considerable uncertainty with regard to the question of whether either extensive systems or intensive (or concentrated) farming systems are more directly implicated.[2] More generally, research has shown that about 60% of all known human pathogens are zoonotic, and that zoonoses account for about three quarters of recently emerged human pathogens.[3] One reason why zoonoses are increasing stems from the fact that the number of intensive systems to farm animals is growing quickly to feed the rapid increase in the consumption of farmed animal

products. Such systems provide rich havens for the emergence of new pathogens. This is so for a variety of reasons, including the facts that a large number of animals are crammed together in small spaces, live in unhygienic conditions, and enter into close contacts with farmers.[4] While it is not possible to say unequivocally that swine flu could not have emerged if the farm animal sector had not existed, it is nevertheless beyond reasonable doubt that the sector has facilitated the development of a wide range of zoonoses, including swine flu.[5] Had the farm animal sector not existed, it is highly likely that the H1N1 swine flu pandemic would not have occurred.

Secondly, if something could have been done to prevent Gemma from contracting swine flu, the questions must be asked if it ought to have been done, and who should have done what. With regard to the latter question, it may not be easy to identify who the culprits are: Are they those who farm animals in general, or only those who farm particular animals in particular ways? Are they those who consume their products? Are they governments that have failed to pass appropriate health protection legislation? Even if it were possible to attribute responsibility to the moral agents involved, a remaining problem is that some might argue that the disadvantages of abandoning the relatively high-risk systems that are used by the farm animal sector are not outweighed by the benefits that such systems provide. In spite of their high risks, some might say that such systems provide more benefits

than the benefits that could be provided by other systems to produce human food. Alternatively, some might say that the systems used by the farm animal sector provide greater protection of certain rights, for example the right to adequate health protection,[6] or of central health capabilities,[7] than the protection that could be provided by other systems. A further possibility is that some might think that either the sector as a whole or particular systems fail to provide greater protection of certain rights, capabilities, or benefits compared to other systems that could be used to produce food, but that the difference is too small to justify ascribing moral culpability. For example, some might argue that Concentrated Animal Feeding Operations ('CAFOs') provide animal products relatively cheaply to many who are living today, and that their interests in consuming those products are sufficiently great to tolerate the extra risks such systems might entail compared to other systems.

Whereas this paper does not aim to settle this issue, but to raise further discussion of this point, there are reasons to believe that many systems used by the farm animal sector jeopardise human health in serious ways. Apart from contributing to zoonoses, the sector has also been associated with unsustainable land and water use, a disproportionate use of energy, and a disproportionate contribution to climate change.[8-14] While it is clear that not all systems that are used to farm animals raise challenges that are as profound as those associated with the intensive systems that are used

today, it has nevertheless been argued that, as the demand for farmed animal products is expected to double by 2050 relative to the production level in 2000, ‘the environmental impact of livestock production will worsen dramatically ... in the absence of major corrective features’.[15] To the extent that these impacts harm things that deserve protecting, for example people’s rights to adequate health protection,[6] or their central health capabilities,[7] it could therefore be argued that more ought to have been and to be done to avoid exposing Gemma and others to some of these harms. Options range from altering particular systems to abandoning the farming of animals altogether.[6,14] In relation to the available options, delegates at the conference were mainly concerned with intensive systems to farm animals, while some – in particular Mabel Mokoto, a delegate from Botswana – started questioning the farming of animals altogether.

However, even if agreement could be reached that the farm animal sector ought to be altered from its present form, this need not imply that those who have already been harmed by the sector have been wronged. In order for someone to make a morally justified claim that they had been wronged, it would seem to be necessary that the risk of harm that materialised had not been accepted voluntarily or that they had not been sufficiently aware to assess the risks (either through a lack of capacity or through a lack of information). Let us imagine that Gemma lived near a nuclear power plant



and had been exposed to a high dosage of radiation after a nuclear accident. If Gemma had been aware of the risks involved with such plants and had embraced the risks voluntarily from the conviction that the benefits of having such plants outweigh their actual and potential disadvantages, it would be much more difficult for her to make a justified claim that she had been wronged. By analogy, in order for Gemma to have been wronged by contracting swine flu, any of the following conditions must be fulfilled: either Gemma might not have been informed adequately, or Gemma might have lacked sufficient mental capacity, or she was adequately informed and did not embrace the systems that are believed to have been causally implicated in her contracting the disease voluntarily. In reverse, someone with sufficient mental capacity who did support the farm animal sector in the totality of its present form could not make a justified claim that they had been wronged by contracting swine flu, at least not unless it could be argued that someone ought to have provided them with relevant information that might have altered their view. This conclusion is sound if the more general libertarian idea is accepted that moral agents cannot be held culpable for exposing others with sufficient mental capacity to harm if they chose to subject themselves to that harm voluntarily and whilst they were informed adequately about the risks involved.

It must also be recognised that Gemma might claim not only that she had been wronged by contracting swine flu, but also by the fact that she might have been and continue to be more vulnerable compared to other people. If Gemma has moral concerns about the farm animal industry, she might also have concerns with some of the ways in which the pharmaceutical industry develops flu vaccines and drugs. Many vaccines are developed by growing viruses inside developing chicken embryos, who are killed in the process (the prima facie wrongness of which has been argued elsewhere),[16] and many drugs are developed by experimenting on animals. Should Gemma's commitment to protect animal rights imply that she opposes using such vaccines and drugs and if no suitable vaccines or drugs would be available that had been developed by alternative means, Gemma might argue that she is being wronged. If Gemma did not have access to what she considered to be an ethical alternative before she contracted the disease, for example a vaccine that was developed through cell culture, she might argue that she had been exposed to a disease for which an ethical vaccine ought to have been more widely available. For example, she might argue that her government had failed to protect her right to adequate health protection by failing to invest in the development or distribution of ethical vaccines. Similarly, should no therapeutic drugs be available that she considered to be ethical, she might argue that it was unfair for her to potentially suffer longer

compared to others affected by the disease on the basis of the claim that someone ought to have developed or provided drugs that she considered to be derived in an ethical fashion. Many delegates at the conference, however, expressed views in support of animal experimentation and the claim that the moral significance that chicken embryos might have was outweighed by the benefits that could be reaped from destroying them and was not significant enough to demand the use of alternative methods, and that Gemma could therefore not be wronged on this basis. In addition, some delegates at the conference expressed the view that Gemma had been immoral through her failure to take a vaccine prophylactically. The rationale provided in support of this claim was that, by refraining from doing so, she exposed her patients, as well as others, to an increased risk of contracting swine flu. If it had been relatively easy for Gemma to obtain a vaccine that had not been derived through methods that involved the killing of animals, the author of this paper would agree with this claim. If otherwise, this author would disagree, unless her refusal increased the risks to her patients so significantly that it ought to override the negative value this author associates with killing young chickens.

## **CONCLUSION**

The case identifies a clash of values that must be addressed in a discussion of the ethical issues associated with swine flu, and with zoonoses in general. Gemma objects to some aspects of the farm animal sector and might think that she has been wronged by others who support the farm animal sector in its present forms. Others might think that the farm animal sector is just fine – at least in the sense that those who support the sector did not fail in their duty to protect Gemma against the health problems that she now experiences – and that Gemma should have done more to protect others as well as herself against some of the risks that are associated with it. An alternative interpretation is that many people might actually agree that Gemma had been wronged, but that – for some reason or other – they fail to own up to this. In this vein, the novelist Jonathan Safran Foer has claimed – in the different context of discussing the ethical issues associated with the consumption of farmed animal products – that it is ‘odd’ that, while the values that underlie the views of those who refrain from eating animal products may be relatively ‘uncontroversial’, those who act in accordance with them are often held to be ‘marginal’.[17] If a similar interpretation can be adopted in relation to this case, the view that Gemma has been wronged might, after all, not be all that controversial. If this is correct, more work is needed to examine the gap between people’s theoretical concerns about the farm animal sector and the shape of that sector in reality. In earlier work I argued that the negative

‘GHIs’ (‘Global Health Impacts’) associated with the farm animal sector must be curtailed for a wide range of reasons apart from its contribution to the emergence and spread of zoonoses, and discussed a range of policies that could be developed.[6, 18] If the fact that Gemma has contracted swine flu is not just sad, but also bad, the case illustrates the imperative for the introduction of appropriate policies to transform the farm animal sector.

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### **Ethics committee approval**

Not required.

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