SAVING JENNY: MAKING CHOICES ABOUT ANIMAL WELFARE
TEACHING NOTE

Critical Incident Overview
Jenny, a young, vibrant Labrador retriever, has a serious health issue: splenic lymphoma, or cancer of the spleen. The Jones’ family must decide whether to treat the dog or to euthanize it. This critical incident is intended as an introductory discussion in applied ethics, with a particular focus on examining personal ethics in regards to pet-keeping. Learners are challenged to apply ethical theories to a fairly common household situation: the severe illness of a family pet.

It can be useful to have students identify their personal ethics before tackling business issues related to ethics (Jennings, 2006). In particular, learners should be asked to balance ethical dilemmas where there are no right or wrong answers, just dilemmas to be resolved (Jennings, 2006). This critical incident examines the question of whether to euthanize an animal or to address a disease that could cost a significant amount of money to treat. Learners disagree on which course of action is the “best” one to take; thus, the critical incident serves as a forum for discussing a variety of ethical theories that can be used as lenses to solve the dilemma.

This critical incident is intended for introductory courses focusing on applied ethics and can be used in nearly any course such as courses in business, health care, veterinary studies, agribusiness, and, to a lesser extent, philosophy and sociology. It is easy for learners to relate to, yet provides an in-depth view into a dilemma many students are familiar with. It takes approximately 60 to 70 minutes of class time to complete.

Learning Objectives
As a result of taking part in this critical incident, learners will:

- Discuss the ethical considerations involved in euthanizing a family pet.
- Apply ethical theories to debate the extent to which humans are responsible for animal welfare.
- Examine their personal values regarding pet ownership.
- Evaluate the ethical decision of euthanizing an animal from a veterinarian’s point of view.

Research Methods
Upon reading “Saving Jenny,” students make decisions about animal welfare: whether to treat or euthanize a family pet that is gravely ill. The critical incident was developed in close contact with Warrentsburg Veterinary Hospital where the author's wife works. After hearing "Jenny's story," the author chose to interview J. Greg Houtsma, DVM, to further understand the ethical implications of pet euthanasia. These field notes served as the basis to collecting information about animal euthanasia that was publically available on the internet. The name of the family in the critical incident has been disguised.

Questions
The first three discussion questions aim at what students feel is the ethical line between responsible pet-parenting and making an economic decision about a household. The goal of these
three questions is to determine to what extent humans are responsible for their animal’s welfare. As an introductory discussion in applied ethics, the goal for instructors is to discuss a variety of ethical theories, from a student perspective. Students should describe what they would do given the dilemma and make suggestions from their own perspective (given the parameters of the critical incident). There are two optional discussion questions and an ethics “twist” listed at the back of this Teaching Note for those instructors interested in further discussion of ethical theories.

1. Apply the Utilitarian Theory to this animal welfare dilemma. What is the utility in treating or euthanizing the dog?

2. Apply the Theory of Social Justice to this animal welfare problem. How would you develop a social contract for this ethical dilemma?

3. Apply Rights Theory to this animal welfare dilemma. What rights does Jenny have?

4. What are Dr Houtsma’s obligations to the dog and to the Jones family?

5. How would cost play into a similar decision regarding your own pet? At what dollar amount would you decide to euthanize?

6. What would you do if you were the Jones family? Be sure to list reasons for your choice.

Answers to Questions

1. Apply the Utilitarian Theory to this animal welfare dilemma. What is the utility in treating or euthanizing the dog?

As proponents of the Utilitarian Theory, Philosophers Jeremy Bentham and John Stuart Mill argue that resolution of ethical dilemmas requires the decision-maker(s) to balance the harm of a decision with the potential benefit (Frey 2000). “Utilitarianism is the moral theory that holds that the rightness or wrongness of an action is determined by the balance of good over evil that is produced by that action. Philosophers have argued over exactly how the resulting good and evil may be identified and to whom the greatest good should belong (Murtagh, 2008).” Utilitarians would thus state that ethical choices should be based on their consequences. Choices are made on either on a specific case or on what is generally best in most contexts. Learners will argue that it is not fair to put the mother through the dog’s suffering since she has seen this happen to a previous pet. Others will argue that it would be even more unfair for the children to lose their beloved pet without trying to help Jenny. Some will argue that it is good for the children to see how the medical system works for a dog. Others will argue that it would be good for the children to be present when the dog is euthanized since this will teach them about life and death (circle of life). The key for instructors is to keep asking learners for the consequences that euthanizing or treating the dog would generate. So, the choice is going to come down to whether treating Jenny provides greater utility than euthanizing her. The answer is highly personal and leads to an in-depth discussion on the consequences of either action.
2. Apply the Theory of Social Justice to this animal welfare problem. How would you develop a social contract for this ethical dilemma?

John Locke (1689, 1690) and John Rawls (1971), Theory of Social Justice, argue that it is impossible to have a meeting of the minds when it comes to determining what is good for society (Fieser & Dowden, 2008). A social contract needs to be created between the members of a group, or society as a whole, that is reflective of what rational people think is important to their own self-interests and the self-interests of others. Those members in the midst of an ethical dilemma should work together as if no rules yet existed on the topic at hand and that they should behave as if they do not know the outcome of the decision. Thus, an equitable and fair solution can only be achieved by stepping back from the emotion of the moment and having the people most affected develop universal principles that will survive the test of time (for at least the group affected, if not society as a whole). They might argue that the Jones family should sit down together and discuss what needs to be done, then draw in Dr. Houtsma to share his point of view, and create a social contract (written, if need be) to make sure that all affected members are in agreement with the decision. It is important that learners recognize the decision should take every affected member’s opinion into account in order to achieve a group understanding for what needs to be done with Jenny. Many learners will express that this exactly what their family did when they had to euthanize their ailing pets.

3. Apply Rights Theory to this animal welfare dilemma. What rights does Jenny have?

“What about the rights of the dog?” is often brought up during some aspect of our previous discussion. When introducing Rights Theory, we suggest showing learners the mission statement from the Society for Prevention of Cruelty to Animals (2007):

“The mission of SPCA International is to raise awareness of the abuse of animals to a global level, to teach and foster good pet parenting policies, and to promote spay and neuter programs around the world with the goal of eradicating the need to euthanize healthy and adoptable companion animals of all ages.”

Clearly, a set of rights has already been identified for decision-making in this critical incident. Many students will point out that the SPCA is an animal rights group which would want the dog kept alive at all costs. Actually, we argue further analysis shows that the United States Chapter of the SPCA, the American Society for the Prevention of Cruelty to Animals, sees the need for humane euthanasia and we like to refer to two specific line items of the ASPCA Pet-keeping Policies (American Society for the Prevention of Cruelty to Animals, 2008).

“ASPCA Pet-keeping Policies

2.9 Life-long Care
Responsible care requires that pet guardians arrange for appropriate care for their animal companions if they work or must travel; include their pets in disaster readiness planning; judiciously rehome animals whose welfare can no longer be assured due, for instance, to unforeseen hardship within the family; authorize euthanasia to avoid prolonged suffering in pets who cannot recover from illness or
injury; and set up “pet trusts,” in states where they are available, to provide for the ongoing care of any pets who outlive them.

2.19 Euthanasia
The ASPCA does not support euthanasia as the predominant means of managing the pet overpopulation problem. Every effort should be made to place appropriate animals in safe, responsible homes. Euthanasia should be resorted to only when necessary to spare animals further hardship and suffering.”

As a pet, Jenny actually has very few legal rights, and instructors will need to point out this fact as learners tend to confuse legal rights with moral rights. Rights Theory is a duty-based approach to ethics and posits that each of us has rights, or justified claims against another person who, in turn, has a duty to fulfill that right (Fieser, 2008). Philosophers commonly see four features in rights: natural, universal, equal, and inalienable. Learners may argue that Jenny has a natural right to be treated for her disease and that the Jones’, in turn, have a duty to fulfill this obligation. They may also claim that this right is universal in all countries and situations, equal for all pet-owners, and inalienable for each pet. Of course the counter argument to this line of logic is that dogs are not people and such have no rights. The evidence to support this argument is twofold: there are huge variances in pet-ownership from country to country and livestock are not pets (tell that to horse owners). Instructors should foster the arguments of both sides and ensure that learners are discussing the dilemma in terms of the four features of a right.

4. What are Dr. Houtsma’s obligations to the dog and to the Jones family?

This discussion question begins to explore to what extent veterinarians are ethically and/or morally responsible for animal welfare and, as such, provides for additional opportunity to apply ethical theories. It speaks directly to learners who argue that it is actually the veterinarian’s duty to keep the family from making a poor ethical choice (Arkow, 1998). Often we hear that learners feel veterinarians should live by the Hippocratic Oath: Primum non nocere (Above all, not knowingly do harm). On the surface, the American Veterinary Medical Association (AVMA) seems to support this claim clearly stating that “veterinarians are deeply committed to supporting and protecting animal welfare.” Indeed, most veterinarians in the United States, Dr Houtsma included, belong to the AVMA and take The Veterinarians Oath (American Veterinary Medical Association, 2004):

"Being admitted to the profession of veterinary medicine, I solemnly swear to use my scientific knowledge and skills for the benefit of society through the protection of animal health, the relief of animal suffering, the conservation of animal resources, the promotion of public health, and the advancement of medical knowledge.

"I will practice my profession conscientiously, with dignity, and in keeping with the principles of veterinary medical ethics.

"I accept as a lifelong obligation the continual improvement of my professional knowledge and competence."
This oath should be displayed to foster the point of view that most veterinarians enter the profession because they want to help animals. For veterinarians, euthanizing an animal is not solely a matter of being humane; it is a matter of balancing customer service with the animal’s welfare. The AVMA tries to provide veterinarians with a set of principles to help define animal welfare and we display this set of guidelines (American Veterinary Medical Association, 2008).

“AVMA Animal Welfare Principles
The AVMA, as a medical authority for the health and welfare of animals, offers the following eight integrated principles for developing and evaluating animal welfare policies, resolutions, and actions.

1. The responsible use of animals for human purposes, such as companionship, food, fiber, recreation, work, education, exhibition, and research conducted for the benefit of both humans and animals, is consistent with the Veterinarian’s Oath.
2. Decisions regarding animal care, use, and welfare shall be made by balancing scientific knowledge and professional judgment with consideration of ethical and societal values.
3. Animals must be provided water, food, proper handling, health care, and an environment appropriate to their care and use, with thoughtful consideration for their species-typical biology and behavior.
4. Animals should be cared for in ways that minimize fear, pain, stress, and suffering.
5. Procedures related to animal housing, management, care, and use should be continuously evaluated, and when indicated, refined or replaced.
6. Conservation and management of animal populations should be humane, socially responsible, and scientifically prudent.
7. Animals shall be treated with respect and dignity throughout their lives and, when necessary, provided a humane death.
8. The veterinary profession shall continually strive to improve animal health and welfare through scientific research, education, collaboration, advocacy, and the development of legislation and regulations.”

When looking at AVMA Animal Welfare Principle #2, we discuss if the balance of scientific knowledge (knowing what it will take to save Jenny) and professional judgment is consistent with ethical and social values (Is it right to save Jenny? Or is it right to provide for a humane death, Principle #4?) From Principle #7, we discuss what a “humane death” is. The ASPCA and the AVMA provide clear guidelines, but there is usually a heated discussion. It usually surprises students to learn that the ASPCA supports euthanasia when we show the ASPCA Position Statement on Euthanasia near the end of discussion (American Society for the Prevention of Cruelty to Animals, 2008).

“ASPCA Position Statement on Euthanasia
While it cannot be said that the ASPCA is “for” euthanasia, it recognizes the inevitable necessity for euthanasia in certain circumstances. In many areas of the
country there are more pets than there are appropriate homes. The ASPCA believes that unwanted pets deserve a dignified, painless death rather than suffer from such cruelties as malnutrition, disease or trauma, outcomes commonly associated with an unwanted and/or uncared-for existence. Similarly, long-term housing of individual dogs and cats in cages without access to exercise or social activities is not an acceptable alternative. Euthanasia must be understood for what it is: a last-step, end-of-the-road option to spare animals further hardship and suffering.

The ASPCA supports the recommendations of the American Veterinary Medical Association Panel on Euthanasia as the very minimum standard to be followed for domestic animals and wildlife.”

To further examine Dr. Houtsma’s position, we ask learners how he can avoid this ethical dilemma altogether. Many learners feel that Dr. Houtsma simply needs to follow the Jones’ directions and that it is not the veterinarian’s choice to make. “Good veterinary practice is good customer service and the veterinarian is doing nothing that is illegal,” they argue. We usually counter this logic with Jeffrey Seglin’s notion of “Just because it’s legal, is it ethical? (2000).” In essence, such learners are providing excuses to avoid the ethical dilemma. Marianne Moody Jennings, (2006, pgs. 13-16) examines a number of different approaches to rationalizing dilemmas away: 1) “Everybody else does it,” 2) “If we don’t do it, someone else will,” 3) “That’s the way it has always been done,” 4) “We’ll wait until the lawyers tell us it’s wrong,” 5) “It doesn’t really hurt anyone,” 6) “The system is unfair,” and 7) “I was just following orders.” Any one of these seven arguments would serve to explain away or avoid the ethical dilemma that Dr. Houtsma is facing: take matters into his own hands and save the dog. The problem Dr. Houtsma faces is determining what to do with the dog once it has been saved. Jenny may be a very sweet and caring family dog, but Dr. Houtsma cannot take every animal he saves home to his farm (Note: He has about 25 “saved” pets already!). Conducting the surgery, then giving Jenny to the Humane Society does not recover Dr. Houtsma’s costs and provides no guarantee that she will be adopted; she may simply be euthanized at a later date. Instructors should use this discussion question to build on the ethical theories presented in the previous discussion questions.

5. How would cost play into a similar decision regarding your own pet? At what dollar amount would you decide to euthanize?

This discussion question initiates a debate on whether there is a price to being ethical. It also encourages learners to gain skill in personal reflection. In today’s world there are many examples of executives and politicians being caught up in unethical behavior. Indeed, we often have to ask ourselves if the profit-motive and ethical behavior are consistent with each other (Dempsey, 2002). Most unethical behavior concerning money usually begins with “harmless” amounts of money: a few dollars hidden on an expense report, a small bribe to get through customs in a third world country, a few pens or pencils taken home. This “nickel and dime” approach to ethics is a slippery slope since it may lead toward making greater and greater “monetary” choices. Peter Drucker (1974) reminds us that everyday honesty should keep most people making socially acceptable ethical choices. But what is ethical and honest in the case of Jenny? Some learners argue that no amount of money can replace a dog’s love and that part of a pet owner’s
responsibility is to cover the financial aspects of its life. Yet, we live in a society of monetary constraints which dictates that most of us need to put a dollar amount on the life of a pet. The discussion question is designed to allow students to begin to think about their own relationship to money, ethics, and responsibility toward others (a dog). During the class period, students can become quite vocal as to their opinions about what the Jones family or Dr. Houtsma should do. This question slows things down a bit and allows for personal introspection. We frequently ask “what if there was a 100% cure, but it cost $10,000 or more, would that change your answer?” Indeed, is it human hubris to keep a pet at all (Steussy)? And if we chose to keep at pet, what are our financial obligations toward it? Are we being loving, or are we playing God (Steussy)? Instructors in business will find it easy to refer back to this question in future sessions on workplace ethics. Any course examining contemporary issues in ethics will find this question beneficial since the discussion provides a very personal example of how money can impact decision-making.

6. What would you do if you were the Jones family? Be sure to list reasons for your choice.

We generally use this question as an introduction on our discussion of ethics; however, it has equal value as a summative experience for learners to reflect on the previous discussion to determine what they would do with the dog. This question is not intended to take a great deal of class time. We ask learners to work in small groups of three to five persons to make a list of what the Jones’s could do and why they should do it. It is essential that each group list at least five potential decisions and reasons. When we use this question as an introduction, we generally keep learners listing alternatives until we have at least seven to ten different items listed in a public, easily viewable place as learners will use this expanded list to answer the ethical theory discussion questions. Answers include, but are not limited to, the following:

- It is the best thing for the dog not to suffer
- It is our religious duty to try to save the dog
- It is our religious duty to euthanize the dog
- It is not our place to tell the Jones’ what to do, it is a private choice
- Get family input and vote on it
- Euthanize the dog to spare Stacy the pain of watching the dog suffer
- Euthanize the dog to spare the children the pain of watching the dog suffer
- Euthanize the dog and get another one, there are plenty of needy dogs in the world
- The dog has a legal right to be seen by a veterinarian and get treatment
- The veterinarian should save the dog because it is the right thing to do
- The kids could learn about life and death by being there when the dog is euthanized
- The kids could learn about medicine by taking part in the cancer treatment process

**General Discussion**

In today’s fluidly changing social morality each individual must be asked to develop their own set of ethics, their own set of virtues. As educators, we have a tremendous responsibility to help build virtue in our learners at any stage in their life cycle (Parks, 1993). Education seems a logical place to influence the mores of future generations and we should not shirk from this duty. Ethics is an uncomfortable and “messy” topic and does not lend itself well to absolutes, which provides educators with an ideal opportunity to role model virtuous behavior. “For Aristotle,
good or virtuous people do not simply emerge or develop on their own. Children must be raised and taught what virtue is from virtuous people. They are taught by example, by stories, by moral models; they need a society in which virtues are held in high esteem, and in which virtuous persons are respected and looked up to (De George, 2006, p. 108).” This critical incident can be used as a starting point to open up a Socratic dialogue (elenchus) on virtue (ethos) between “the teacher” and “the pupil.”

“The moral virtues, then, are produced in us neither by nature nor against nature. Nature, indeed, prepares in us the ground for their reception, but their complete formation is the product of habit.” - Aristotle

Additional Pedagogical Materials
1. Apply the Divine Command Theory to the notion of animal welfare. What do you believe God would want the Jones’s to do?

When resolution of ethical dilemmas is based upon religious beliefs, The Divine Command Theory applies to the situation (Quinn, 2000). The divine command theory (DCT) of ethics holds that an act is either moral or immoral solely because God either commands us to do it or prohibits us from doing it, respectively. “Roughly, Divine Command Theory is the view that morality is somehow dependent upon God, and that moral obligation consists in obedience to God’s commands. Divine Command Theory includes the claim that morality is ultimately based on the commands or character of God, and that the morally right action is the one that God commands or requires. The specific content of these divine commands varies according to the particular religion and the particular views of the individual divine command theorist, but all versions of the theory hold in common the claim that morality and moral obligations ultimately depend on God. Divine Command Theory has been and continues to be highly controversial (Austin, 2008).” At times, we have learners that will argue it is our God-given duty to do the best that we can for our pets. These learners often argue that since the Jones’ can economically afford the surgery, it is in fact their religious duty to care of the dog. In stark contrast, we sometimes have the exact opposite argument, that the dog should be euthanized because God does not want his creatures to suffer. Although both of these lines of reasoning can lead to an uncomfortable discussion for some instructors, we recommend allowing learners to make this argument because it enables instructors to point out that Divine Command Theory could very well drive the decision-making in this ethical dilemma, especially if the Jones family is strongly religious.

2. Apply Moral Relativism to the notion of animal welfare. Is it the lesser evil to euthanize or sustain this dog’s life?

Moral Relativism is the theory of “lesser evils” (Blackburn, 2000). It puts forth that the proper resolution to ethical dilemmas occurs when the competing factors at the moment are weighed, and the resolution is based on taking the path of lesser evil. For Jenny, is it a lesser evil to euthanize her, or is it a lesser evil to attempt to save her knowing that there are no guarantees for survival. According to moral relativists, the pressure of the moment will decide the ethical course of action. This time-and-place approach to ethics is often criticized by learners as being too flexible, we often hear the counterargument “what if this was a person?” Moral relativism argues that Jenny is not a person, thus the current facts need to be evaluated for a dog. Needless to say, many learners see their pets as people, and the ensuing discussion can become quite heated as
two “camps” form: “Save the dog at all costs,” and “Let her go, it is best for her not to suffer.” Instructors should ensure that learners understand that moral relativism has two “drivers” in this specific dilemma: the notion of “lesser evils” and the pressure of the moment.

Note to Instructors: The Ethical Egoism Twist - Optional
Ethical Egoism (Sober, 2000) puts forth the idea that people act in their own self-interest to resolve ethical dilemmas. It is a normative theory which posits that the promotion of one’s own good is in accordance with what is considered moral behavior. Many learners will feel that the decision to euthanize or save Jenny is highly personal and should not be judged by others. They will often state that they feel uncomfortable giving the Jones’s advice because it is not their dog and not their place to make this decision. This logic represents an excellent opportunity to discuss ethical egoism in practice. When learners choose not to make a decision, they are practicing their own form of ethical egoism by putting their “head in the sand” and leaving the decision up to the Jones’ family. Such learners are basically saying the dilemma is not ours to solve, it is solely the Jones’ problem to solve. In our modern society, ethical egoism is likely to be the framework to make this decision, we are a self-absorbed nation and the Jones’ are likely to euthanize the dog given this ethical approach to the dilemma. They would argue that the cost is high, the dog could suffer, and Stacey (and the children) could struggle watching this suffering. However, when discussing this theory, instructors could point-out that people are often judged by others when making ethical choices about pets and that this judgment represents a not-so-subtle peer pressure to conform to some social norm.
References


Locke, J. (1690) *Second Treatise on Government*. Copyright free.


