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Re-defending Feline Liberty: a Response to Fischer

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Abstract
In response to my (2019) defense of house-based, free-roaming cats, Bob Fischer (*Acta Analytica* 35 (3): 463–468, 2020) argues that cat guardians have a duty to permanently confine their felines to the indoors. His main argument is that house-based cats cause an all-things-considered harm to the animals they kill and that this harm is not outweighed by the harm cats endure as a consequence of feline imprisonment. He moreover claims that while we can justify the restriction of feline liberty because cats are not "full agents" and are under our care, we cannot justify restricting the liberty of "full agents" who are not under our care. Against Fischer, I argue that even if cats cause an all-things-considered harm to wildlife, the harm of permanent confinement is a greater harm. Moreover, I challenge Fischer's claim that cats are not full agents and his claim that we can justify permanently confining creatures under our care. Thus, as I previously argued, cat guardians have a duty to, under certain conditions, provide outdoor access to their felines.

1 Introduction

In response to my defense of house-based, free-roaming cats (Abbate 2019), Bob Fischer (2020) argues that cat guardians have a duty to permanently confine their felines to the indoors. His main argument is that house-based cats cause an all-things-considered harm to the animals they kill and that this harm is not outweighed by the harm cats endure as a consequence of feline imprisonment. He moreover claims that while we can justify the restriction of feline liberty because cats are not "full agents" and are under our care, we cannot justify restricting the liberty of "full agents" who are not under our care. Against Fischer, I argue that even if cats cause an all-things-considered harm to wildlife, the harm of permanent confinement is a greater harm. Moreover, I challenge Fischer's claim that cats are not full agents and his claim that we can justify permanently confining creatures under our care. Thus, as I (Abbate 2019)

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previously argued, cat guardians have a duty to, under certain conditions, provide outdoor access to their felines.

2 The Quality of Prey Life

Many cats kill wildlife. That is not up for debate. What is up for debate is whether killer cats cause an all-things-considered harm to the animals they kill. Yet, in their rush to demonize felines for killing birds, cat critics fail to acknowledge the scientifically supported claim that cats who hunt normally prey on *substandard prey*—animals who are sick, weak, or injured (Baker et al. 2008; Dierschke 2003; Liberg 1984; Møller and Erritzøe 2000; Royal Society for the Protection of Birds 2016; Tantillo 2006). As Cuddington (2019) puts it, successfully hunting cats usually kill animals who "were likely to experience considerable suffering, and then death in the near term anyway." Let us refer to this as the: Feline Predation of Substandard Prey thesis (FPSP).

There are two possible implications of the FPSP, which we can discuss in terms of well-being.[1] First, the FPSP might imply that cats kill animals who have *low levels* of well-being. For instance, perhaps it is the case that the experiences of substandard prey are, on average, 51% pleasant and 49% unpleasant. These animals would have lives that just barely have well-being. Call this the "low well-being interpretation of the FPSP."

Second, the FPSP may imply that cats kill animals who, on average, have more negative than positive experiences in their lives. Perhaps, for instance, cats kill birds who derive some small amount of pleasure from, say, eating, but the remainder of their experiences are miserable. Perhaps the experiences of substandard birds are 20% positive and 80% negative, in which case, substandard birds would have ill-being. Or perhaps the FPSP implies that all the experiences of substandard prey are painful. Just think about the mouse with a broken leg who is unable to move and, as a consequence, lives his final days not only in physical agony, but also in agony from hunger and thirst, without the relief of even the tiniest of pleasures. Call this the "ill-being interpretation of the FPSP."

Arguably, the FPSP implies that the animals killed by cats usually do not have positive well-being. We should thus endorse some version of the "ill-being interpretation." For one, it is not the case that substandard prey have "just a few bad days," and it is not the case that substandard prey have slightly more positive than negative experiences in their lives. After all, *substandard prey* refers specifically to animals who endure significant and unrelenting suffering, insofar as their condition is so serious that it inevitably results in death. Unfortunately for wildlife, when they are sickened by disease or seriously injured, Dr. Dolittle will not be coming to their rescue anytime soon. Instead, they are left to suffer until they die.

Fischer does not deny that cats prey on substandard prey. However, he assumes that substandard prey have some level of well-being, however low it might be. He thus endorses the low well-being interpretation of the FPSP. Moreover, he claims that it is not clear that "the amount of wellbeing lost by an individual cat who's kept indoors is greater than the

[1] The level of well-being of a creature is determined by subtracting the total amount of negative experiences from the total number of pleasant experiences in that creature's life.

aggregate wellbeing that's lost by the wild animals whose lives are shortened by that cat" (Fischer 2020, 465). As he argues:

> Suppose that not being allowed to free-roam reduces a cat's wellbeing significantly: say, by 20 units on a 100-unit scale of daily wellbeing. By contrast, being killed robs an animal of all its wellbeing. We might stipulate that, on average, the animals that cats kill would have lived a week longer had free-roaming cats not found them. Even if, as Abbate argues, their base level of wellbeing is relatively low—say, 50/100, due to the burdens of disease, injury, and other stressors—that means a loss of 350 units of wellbeing per animal. So, one kill is equivalent to 17.5 days of lowered feline wellbeing. If, on average, free-roaming cats kill one wild animal every two weeks, then cats ought to be kept indoors. (Fischer 2020, 465–466)

Fischer, like many other cat-critics, assumes that wildlife who are killed by cats are "robbed" of well-being.

If house-based cats normally prey on healthy wildlife, this claim certainly would be compelling. But there is no peer-reviewed data that supports the view that house-based cats normally prey on healthy animals. And, as I argue (Abbate 2019), there are compelling reasons, supported by peer-reviewed research, to think that house-based cats normally prey on substandard wildlife. And to claim that hunting cats typically kill substandard prey is not simply to claim that the animals killed by cats had low well-being; rather, it is to claim that the lives of the animals killed by cats had no well-being and no realistic opportunities for well-being, either because their lives were filled with suffering, or because their lives contained more suffering than pleasant experiences. Arguably, the animals killed by cats benefit from feline predation, insofar as feline predation hastens the end of their miserable lives.[2]

But let us grant Fischer's claim that substandard prey have *some* low level of well-being and thus are all-things-considered harmed by feline predation. Even so, we should not permanently confine felines. This is because, contra Fischer, the alleged harm done to wildlife through feline predation is less morally significant than the harm felines endure from permanent confinement.

3 Against Aggregative Moral Judgments

Recall that, for the sake of argument, Fischer posits three things. First, on any given day, permanent confinement causes feline well-being to be reduced by 20 units.

[2] It is not an all-things-considered harm to kill a creature who does not have, and will never have, well-being. Although prey animals might have the desire for continued existence, we are not always obligated to respect this interest, as sometimes respecting an animal's desires would harm that animal's subject welfare. For instance, my cat might have a desire to pounce on a rattlesnake, but I still should not let her do this, since doing so is a serious threat to her subject welfare. The only interests we are required to respect are those that promote the welfare of individuals. Since promoting an animal's desire to go on living when she does not have, and will never have, well-being would not promote, and may even harm, her subject welfare, we are not obligated to respect an animal's desire to go on living when she does not have, and will never have, well-being.

Second, on any given day, substandard prey enjoy 50 units of well-being. Third, when cats kill prey, they "rob" each prey animal of one week of life, insofar as the prey would have gone on to live for seven more days, were they not killed by cats. Consequently, each prey animal killed by cats is "robbed" of 350 units of well-being.

Using Fischer's numbers, if a cat kills two animals every 30 days, the cat "robs" two prey animals of 350 units of well-being each, and thus, in total, removes 700 units of well-being from the world each month. Meanwhile, if a cat is confined for 30 days, the cat is robbed of only 600 units of well-being. Fischer thus concludes that since fewer units of well-being are "removed" from the world by permanently confining cats, relative to the amount of well-being that would be "removed" from the world if cats were to roam freely, we ought to permanently confine cats.

> To make Fischer's position clearer, consider the following:
> Sophie is a house-based cat, with a lifespan of ten years. If Sophie is permitted to roam outdoors, she will kill two prey animals every month.

If we use Fischer's numbers, we will find that, if Sophie is permanently confined, she will be "robbed" of a lifetime total of 73,000 units of well-being. Yet, if Sophie is permitted to roam outdoors, she will "rob" the universe of 84,000 units of well-being, insofar as she will kill 240 animals, who each will be "robbed" of 350 units of well-being. So, Fischer would say that we ought to permanently confine Sophie.

Fischer evidently endorses an aggregative approach to ethics—an approach that is antithetical to rights theory. Elsewhere, I argue extensively against aggregation ethics (Abbate 2020), so, in this paper, I will just briefly explain why I think that aggregation ethics is so problematic.

First, consider that when an animal is deprived of well-being, she suffers a harm of deprivation. She is harmed insofar she is deprived of opportunities for satisfaction. So, Sophie is harmed if she is kept in permanent confinement, insofar as she will miss out on 20 units of well-being each day she is in confinement (and, over her lifespan, she will miss out on 73,000 units of well-being). And substandard prey are harmed when they are killed by cats, insofar as each prey animal misses out on 350 units of well-being. So, according to Fischer, when it comes to the feline-wildlife predicament, someone is going to be harmed: either Sophie or the substandard prey she would kill if she were let outdoors.

Aggregation ethics informs us that, in determining what we ought to do, we should choose the option that produces the least total sum of harm. So, in this case, aggregation ethics tells us that the harm done to Sophie when she is permanently confined is allegedly compensated for by the avoidance of the sum of the harms done to each of the 240 animals who would be killed by a free-roaming Sophie. But, as Tom Regan would put it, this is unfair (Regan 1983, 302). The quality of Sophie's life would be in "shambles" if we permanently confine her, while the welfare of the 240 prey animals would only be modestly diminished if we liberated Sophie.

Drawing on the compelling words of Regan, there is not some other individual, the composite of the "sum" of the 240 prey animals, who endures the sum of the small harms of premature death. That is, there is no individual animal who endures 84,000 units of harm; rather, there is only the harm done to Sophie when she is

permanently confined, compared with the harm of premature death for each of the 240 prey animals (Regan 1983, 306). None of the 240 prey animals would be harmed (by premature death) as seriously as Sophie would be harmed (from permanent confinement), as the harm of lifelong confinement is greater than the harm of being deprived of seven days of "substandard" living (i.e., the harm of being deprived of 350 units of well-being). As Regan would advise, what we ought to do is spare Sophie the serious harm of lifelong confinement and allow 240 prey animals to each suffer the comparably small harm of premature death.

As I argue, "[a]ggregation ethics essentially treats morality like a mathematical equation—a mathematical equation that prioritizes "the aggregate" over individual welfare" (Abbate 2020, 14). Surely, we should prioritize the individual over the "aggregate" simply because "the aggregate" is not a sentient creature, and thus "the aggregate" cannot be harmed or benefited. Consequently, even if cats kill many animals with low positive well-being, this does not justify permanently confining felines. After all, it is immoral to make ethical decisions on the basis of aggregative judgments about harm.

Perhaps, though, Fischer might say that if I reject aggregation ethics, then I ought to reject aggregation when it comes to discussions about the ill effects of feline confinement. The worry here is that the harm of feline confinement is really just an aggregate of a bunch of small confinement "harms." And since I say that it is impermissible to aggregate harms, I should not be willing to aggregate Sophie's confinement "harms." Thus, Fischer might say that instead of comparing the "aggregate" harm of permanent feline confinement to the harm of a premature wildlife death due to feline predation, we should instead compare the impact of feline predation on a wild animal to the impact of confining Sophie for a two-week period.[3] And if we do this, we might find that a wild animal has more to lose by feline predation than Sophie has to lose from two weeks of confinement, so long as the wild animal has a life worth living.

But if it is inconsistent of me to talk in terms of the "aggregate harm" of permanent confinement, it would be inconsistent of me to talk in terms of the "aggregate harm" of two weeks of confinement. If the harm of permanent confinement amounts to an aggregate of confinement "harms," then so, too, does the "harm" of two weeks of confinement. In fact, so does the "harm" of one hour of confinement, and even one minute of confinement. Indeed, if the harm of permanent confinement amounts to the wrongful aggregation of "harms," then it seems like anti-aggregation ethicists should only talk about the confinement "harm" Sophie endures at S1, the confinement "harm" she endures at S2, and so forth, where S stands for different seconds.

Relatedly, if the harm of permanent confinement is just an aggregate of a bunch of confinement "harms," the harm of death for wildlife must be an aggregate of a bunch of deprivation "harms." So, there might be the "harm" of being deprived of well-being at S1, the "harm" of being deprived of well-being at S2, and so forth. So, perhaps anti-aggregation ethics requires that, in discussions about feline confinement, we compare the "harm" of being confined for one second to the "harm" of being denied one second of existence. But I am not sure what such a comparison would even look like.

[3] Thank you to an anonymous *Acta Analytica* reviewer for encouraging me to consider and address this objection.

Clearly, though, anti-aggregation ethics does not commit us to making such comparisons. To see why this is, consider what is typically meant by the term 'harm.' When we say some individual X is harmed by some activity A, we refer to the total ill effects X experiences as a consequence of A, where A might be a very short-lived act or extended activity. For instance, when a torture victim discusses the harm she endured as a consequence of being tortured by someone for three days, she refers to the total pain and suffering she endured as a result of the torture (and the total loss of well-being she suffered), which was essentially a three-day activity. So, the harm she endured from the torture just is the total of the pain and suffering she endured (and the total loss of well-being she suffers) at S1, S2, S3, and so forth. Likewise, when I talk about the harm Sophie would endure as a consequence of permanent confinement, I refer to the total suffering she would endure (and the total loss of well-being she suffers) as a result of the time she would spend in life-long captivity (and keeping cats in life-long captivity is an extended activity). So, the confinement harm an indoor-only cat suffers just is the aggregate of the suffering she endures (and the total loss of well-being she suffers) at S1, S2, S3, and so forth.

None of this is a problem for anti-aggregation ethics. For one, the pain, suffering, and loss of well-being Sophie suffers at S1, S2, and so forth, as a consequence of permanent confinement are really just harm-components, which make up one (total) harm. And it is fine to aggregate harm-components. For one, when it comes to aggregating Sophie's confinement harm-components, there is an individual who endures the sum of the many harm-components—that individual is Sophie. This, then, explains why aggregation ethics does not forbid aggregating harm-components.Indeed, the problem with aggregation ethics is that it permits us to treat a more serious (total) harm to one as equal to or less than a less serious (total) harm of another. But this is not what happens when we compare Sophie's (total) harm of life-long confinement to the (total) harm that would result from a mouse being deprived of well-being due to feline predation. That is, by aggregating Sophie's many confinement harm-components and claiming that this total is worse than the aggregate of the harm-components a prey animal might suffer as a consequence of feline predation, we do not treat a more serious (total) harm to Sophie as equal to or less than a less serious (total) harm of a wild animal. Essentially, my view is that aggregating (total) harms is problematic because it results in us treating a more serious (total) harm to one as equal to or less than a less serious (total) harm of another. Since aggregating Sophie's confinement harm-components does not result in us treating a more serious (total) harm to one as equal to or less than a less serious (total) harm of another, aggregating Sophie's confinement harm-components is not problematic.

4 Failing to Consider the Alternatives

The options available to cat guardians are not as black-and-white as Fischer makes them seem. Essentially, Fischer suggests that a cat guardian has one of the following two options:

1 The guardian can confine her cat for 30 days and cause 600 units of harm (i.e., deprive her cat of 600 units of well-being). Or,

2 The guardian can let her feline roam outdoors for 30 days and cause 700 units of harm (i.e., deprive two prey animals of 350 units of well-being each).

Here's a third option, which I recommend (Abbate 2019):

3)The guardian can let her feline roam outdoors for 30 days and (1) reduce the chance that her cat will cause 700 units of harm, such as by equipping the cat with an anti-predation collar, as anti-predation collars significantly reduce feline predation (Calver et al. (2013); Hall et al. (2015); Ruxton et al. (2002); Willson et al. (2015); Woods et al. (2003)), and (2) offset the harm she cannot prevent by carcass provisioning.

Of course, Fischer might claim that most cat guardians will not put anti-predation collars on their free-roaming felines. But even if this is true, this does not mean that we are obligated to permanently confine our felines. After all, if it turns out that there is no (or little) harm done to wildlife by letting cats who sport anti-predation collars roam outdoors and cats are all-things-considered benefited by free-roaming, then it would turn out that cat guardians do something wrong by permanently confining their cats. After all, cat guardians would be obligated to equip their felines with anti-predation collars and then release them to the wild. Cat guardians would not be absolved from this moral obligation simply because they, or others, fail to equip their cats with anti-predation collars.

5 A Problematic Analogy

I will conclude by commenting on Fischer's thought-experiment, which involves a severely cognitively disabled teenager who sometimes acts violently and self-destructively when venturing outdoors. Let us call this teenager "Stan."

Fischer suggests that Stan's behavior is comparable to the behavior of outdoor roaming cats, and since most of us likely agree that Stan should not be permitted to roam about outdoors, we should question our readiness to permit felines to free roam in the outdoors. But there are morally relevant differences between cats and Stan, which makes Fischer's analogy fall apart.

5.1 Why Stan and Cats Are Not Comparable

Fischer (2020) stipulates that Stan "doesn't grasp the significance of hazards" (463). Stan, for instance, is known to walk into the street "without regard for passing cars" (Fischer 2020, 463). Fischer's analogy thus suggests that outdoor roaming cats are bound to act in self-destructive ways, such as by running into the middle of on-coming traffic. But it is a misconception that cats frequently act in self-destructive ways when roaming outdoors. Many cats are terrified of moving vehicles and immediately move away from the road when they hear a vehicle approach. This is something they can easily do, given their acute sense of hearing and quick reflexes.

Moreover, cats can be trained not to cross busy roads. For instance, when my colleague and his wife moved to a new home, they successfully trained their free-roaming cat not to cross a nearby busy street. They did this by sitting near the street with a water-gun, spraying the cat every time she approached the street. After a couple

of weeks, the cat learned to avoid this busy street. Is this training time-consuming? Perhaps for two weeks. But, surely, we ought to sacrifice a few hours of our lives if doing so is necessary for significantly improving the well-being of the ones we profess to love.[4]

More importantly, Fischer's analogy suggests that the pleasures Stan enjoys from roaming outdoors are just as important to him as the pleasures felines enjoy from outdoor-roaming are to cats. What Fischer fails to acknowledge is that Stan likely can derive comparable pleasures from engaging in indoor activities. Cats cannot. This is, in part, because the pleasures Stan enjoys in the outdoors are not flow pleasures, while the pleasures cats enjoy in the outdoors are flow pleasures.

To be clear, I do not argue that some cats just-so-happen to derive pleasure from roaming outdoors, therefore they ought to be let to roam outdoors. Rather, I argue that there is a compelling evolutionary reason to believe that felines, by nature, derive especially pleasurable pleasures from outdoor roaming. And because of this, it is not the case that some cats "just so happen" to derive pleasures from outdoor roaming; rather, it is an evolutionary requirement that they derive especially pleasurable pleasures from outdoor roaming.

Consider that, as Fischer himself acknowledges, cats enjoy *flow* pleasures when they roam outdoors. Flow pleasures are especially pleasurable pleasures that creatures enjoy as a result of "achieving certain ends (physiological needs) by using cognitive skill and control to meet a challenge. This pleasure involves challenges met with equal skill" (Abbate 2019, 15). The activities and tasks that are central to feline life are hunting and patrolling their territories, and these are tasks cats cannot accomplish indoors. Consequently, cats can enjoy feline-specific flow pleasures, which are produced through the accomplishment of hunting and territory-maintenance tasks, only when roaming outdoors.

My claim is not just that cats often enjoy flow pleasures when roaming outdoors. Rather, my claim is that cats can enjoy flow pleasures only when they roam outdoors. Here is the basic logic of my argument:

1. Flow pleasures are especially pleasurable pleasures a creature experiences when she completes a challenging activity or task by using cognitive skill and control.
2. The only tasks and activities that are truly challenging (and can be accomplished with cognitive skill and control) for felines are hunting and territory maintenance.
3. Hunting and territory maintenance tasks can be accomplished *only* in the outdoors.

Therefore, Felines can enjoy flow pleasures only in the outdoors.

While Stan might enjoy pleasures from roaming outdoors, he arguably does not derive *flow* pleasures from being outdoors. After all, Stan does not seem to be accomplishing many tasks or engaging in challenging activities in the outdoors, and

[4] While it is true that millions of cats are killed by road traffic accidents each year, we must be mindful that we cannot move from the claim that "millions of cats are killed by road traffic accidents each year" to the claim that "all cats with outdoor access face a high risk of being killed from a road traffic accident." After all, there are certain factors that make cats highly vulnerable to road traffic accidents, such as being young, roaming outdoors at night, crossing busy roads, and a lack of safety-training, and many of these risk factors can be mitigated by cat guardians. For instance, cat guardians can keep their very young cats indoors; they can keep their cats indoors at night; and they can train their cats to avoid dangerous roads.

he does not seem to be exercising any cognitive control or skill. Rather, he seems to act randomly and impulsively, without attempting to obtain an end goal he set out to achieve. Perhaps this is because it is not the essential nature of humans, rational or not, to assault others while running about aimlessly in the outdoors. After all, evolutionarily speaking, acting in such a way does not promote human fitness. While hunting and maintaining a territory are essential for the survival of felines and thus are part of the essential nature of cats, randomly assaulting other creatures is not essential for human survival. And as I argue (Abbate 2019), we have reason to think that activities that are crucial for an animal's (human or nonhuman) fitness are especially pleasurable for that animal. We can thus expect that felines derive a special kind of satisfaction from hunting and maintain territories—a satisfaction humans do not experience when they assault others while running about aimlessly in the outdoors.

Moreover, even if we grant that Stan can enjoy flow pleasures when given unsupervised outdoor access, it is not the case that this is the *only* way he can enjoy flow pleasures. Surely, Stan could derive comparable pleasures from accomplishing other tasks or activities during supervised park visits or by playing computer games that make use of his limited cognitive capacities. But, as I argue (Abbate 2019), cats derive flow pleasures *only* when they engage in territorial and hunting activities, which are uniquely outdoor activities.

By comparing free-roaming felines to destructive severely disabled teenagers, Fischer suggests that free-roaming cats wander aimlessly in the outdoors, wreaking havoc on their environments at random, overlooking the fact that cats have specific *goals* they set out to achieve when they roam outdoors. Essentially, Fischer considers the notion of flow pleasures, without appreciating what is involved in the enjoyment of such pleasures.

But what if Fischer were to stipulate that Stan could not enjoy comparable pleasures in the indoors and/or that Stan can enjoy flow pleasures only in the outdoors?[5] To this, I say that such a stipulation is not available to Fischer. To begin with, this stipulation would require Fischer to significantly revise his thought experiment. For instance, the example would need to involve a severely cognitively impaired human who engages in problem-solving activity while exercising various skills in the outdoors. And were Stan to act in this manner, he likely would neither be highly vulnerable to serious harm nor a serious threat to others. After all, it is because Stan acts so erratically, unskillfully, and aimlessly that he is a serious threat to both himself and others.

My view is that, for most creatures, one enjoys flow pleasures through the skillful performance of ethological behavior. As mentioned, flow pleasures are pleasures one enjoys as a consequence of completing a mentally-absorbing, challenging activity by using cognitive skill and control. And the performance of ethological behavior involves the use of cognitive skill and control to complete mentally absorbing, challenging activities. In fact, one usually engages in fitness-reducing behavior (which, by definition, is non-ethological behavior), as a consequence of failing to use cognitive control and skill when acting. For instance, cats who roam aimlessly outdoors without any awareness of their surroundings and cats who roll in catnip in the outdoors all day engage in fitness-reducing behavior, in part, because they fail to exercise cognitive

[5] Thank you to an anonymous *Acta Analytica* reviewer for encouraging me to consider and respond to this objection.

control and skill. Had these cats exercised cognitive control and skill, they would engage in ethological behavior (fitness-enhancing behavior), i.e., they would hunt and patrol their territories instead of rolling in catnip or wandering about aimlessly all day.

The point here is that when animals (human and nonhuman) participate in mentally absorbing, challenging activities by using cognitive skill and control, they normally are engaged in ethological behavior.[6] For instance, when cats hunt, pigs root, chickens build nests, and foraging animals forage, they participate in mentally-absorbing, challenging activities by using cognitive skill and control. Indeed, they would not be able to perform these ethological activities without at least trying to exercise cognitive skill and control. These animals, however, rarely, if ever, participate in mentally absorbing and challenging non-ethological activities. Moreover, these animals rarely, if ever, use cognitive skill and control when engaging in non-ethological activities. This leads me to argue that cats can enjoy flow pleasures only in the outdoors because (1) for cats, only skillfully performed ethological behavior can produce flow pleasures, and (2) the performance of feline ethological behavior requires outdoor access.

The performance of human ethological behavior, however, does not require outdoor access. After all, human ethological behavior refers to fitness-enhancing activities that involve the exercise of human-normal skills, such as intellectual and social skills, which can be done in the indoors. Examples include forming meaningful relationships with others and engaging in various intellectual activities, such as reading, playing intellectually stimulating games, and having intellectually stimulating conversations. Moreover, as mentioned, Stan's fitness-reducing human behavior (which, by definition, is non-ethological), such as randomly assaulting others and running about outdoors in an unreflective, random, and chaotic fashion, is a consequence of his failure to exercise cognitive control and skill.[7] And if one does not exercise cognitive control and skill when performing some activity, one cannot enjoy flow pleasures as a consequence of that activity.

For the Stan analogy to help Fischer's argument, Fischer would need to either (1) challenge (convincingly) my claim that flow pleasures are intimately connected to ethological behavior, or (2) argue (compellingly) that performing human ethological behavior requires *unrestricted* outdoor access (and that Stan can in fact engage in human ethological behavior). But by simply stipulating the Stan can enjoy flow pleasures only in the outdoors, Fischer would do neither.

5.2 Against Fischer's Argument from Care

Fischer (2020) claims that while it is often permissible to restrict the freedom of creatures who are under our care, it is usually wrong to "restrict the freedom of full agents who are not under our care, even when they're acting wrongly" (467). Yet, he does not explain what it means to be a full agent. Perhaps felines qualify as full agents, given that they do not need to be under our care.

[6] Although perhaps a "skilled" serial killer, when stalking, kidnapping, and killing his victims, could be said to participate in a *non-ethological*, mentally-absorbing, and challenging activity while using cognitive skill and control. But given that such serial killers are not, while Stan is, cognitively impaired, this point is irrelevant.

[7] Moreover, because of Stan's severe cognitive impairments, he probably lacks the capacity to enjoy human ethological behavior at all. So, it is likely that the only pleasures available to him are bodily pleasures, which he certainly can enjoy in the indoors.

Some creatures are under our care because they could not survive without it. Take Stan, for example. Stan's parents are responsible for his behavior because they are responsible for the fact that he poses a threat to others. After all, because Stan is truly dependent on his parents, he would not survive without their guardianship and care. Consequently, if Stan's parents did not provide for him, Stan would not be around to pose a threat to others in the first place. Because Stan's parents continue to provide for him, Stan remains alive and thus a threat to others.

Arguably, it is permissible to restrict the behavior of those who are truly dependent on us for their survival because we are ultimately responsible for the fact that they exist and thus pose a threat to others. Moreover, it is often permissible to restrict the behavior of those who are truly dependent on us because doing so usually benefits them. After all, fully dependent creatures are under our care because they are unable to survive without it. This suggests that the creatures under our (full) care are likely to make self-harming decisions when their movement and behavior is not restricted. For instance, if Stan runs about assaulting others, he is likely to be harmed by those who might use aggressive means to defend themselves against him. It is thus to the benefit of Stan that his parents deny him the opportunity to roam about unsupervised in the outdoors.

But cats are not under our care because they need our care in order to survive. In fact, cats are independent, self-sufficient, and solitary predators who do quite well when left to their own devices. As John Bradshaw (2013) puts it, "[t]en thousand years of natural selection has provided the cat with enough flexibility to fend for itself when…its compact with man breaks down" (xxvii). So, when we permanently confine cats who desire to go outdoors, we essentially take capable agents out of nature and, against their wills, infantilize them by depriving them of their most important liberties.

Rather than think of felines as being analogous to completely dependent, severely mentally disabled humans, we should think of felines as being analogous to semi-dependent, grown children. Occasionally, grown children might seek some form of assistance from their parents. Perhaps this is because they are temporarily unemployed, so they need a place to sleep at night. Or perhaps things are financially tight for some adults, so they take their parents up on their offer for a home-cooked meal. Or, perhaps some adults accept the financial assistance of their parents simply because doing so is convenient and makes their lives easier. Whether these adults accept parental assistance out of temporary need or convenience, their parents are not justified in permanently confining them on the grounds that their children are "dependent" on them.

Cats are more like semi-dependent, grown adults than they are completely dependent, mentally disabled teens. At times, felines might seek our assistance because they need a meal, perhaps because they are not always able to successfully hunt. Other times, they might take advantage of our assistance simply because doing so is convenient. But the fact that cats sometimes take advantage of our assistance does not justify us in permanently confining them any more than the fact that adult children sometimes take advantage of their parents' assistance justifies parents in permanently confirming their "semi-dependent" adult children.

Perhaps, though, Fischer might say that what matters in the debate about permanent confinement is not a creature's level of dependency; rather, as Fischer might say, what matters is whether a creature is a full moral agent.[8] But why would this be relevant? Many

[8] Thank you to an anonymous *Acta Analytica* reviewer for encouraging me to consider and respond to this objection.

full moral agents knowingly and recklessly cause serious harm when exercising their liberties outside of their homes. Why are people, who often cause harm when they freely go about their daily lives, entitled to the same basic freedoms that we deny to cats simply because people, but not cats, fully understand the moral significance of the harm they cause? Why can only "knowing" bad-doers, but not "ignorant" bad-doers, enjoy "maximal autonomy"?

If it were the case that moral agents are less likely than non-moral agents (such as cats) to do bad things when they exercise their autonomy, we might be able to justify granting special autonomy protections to moral agents, while denying the same protections to non-moral agents, such as cats. But, arguably, it is not the case that moral agents are less likely than non-moral agents (such as cats) to do bad things when they exercise their autonomy.

Maybe, though, the thought is that we should respect creatures as the kind of creatures they are. Rational humans are the kind of creatures who are full, autonomous moral agents, so they should be treated as such and not have their autonomy restricted. But cats are the kind of creatures who hunt and protect territories, so, according to this line of reasoning, they should be treated as such and not permanently confined to the indoors.

6 Conclusion

Those who argue in favor of the permanent imprisonment of felines fail to acknowledge how important it is that felines access the outdoors, in part, because they fail to acknowledge the competency and cognitive complexity of felines, which cats fully exercise only when they hunt and maintain their territories in the outdoors. Instead of demanding that the most basic liberties of felines be restricted, we ought to spend more time deliberating about how we can allow our felines to access the outdoors both safely and with a decreased chance of harming others. Morality demands that cat guardians enable their felines to enjoy the same basic liberties we ourselves value and enjoy so much.

Compliance with Ethical Standards

Conflict of Interest The author declares that he has no conflict of interest.

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