



**Animals Liberation**  
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## Animal Liberation Philosophy and Policy Journal

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## **Lev Tolstoy and the Freedom to Choose One's Own Path**

Andrea Rossing McDowell, PhD

It is difficult to be sat on all day, every day, by some other creature, without forming an opinion about them. On the other hand, it is perfectly possible to sit all day every day, on top of another creature and not have the slightest thought about them whatsoever.

-- Douglas Adams, *Dirk Gently's Holistic Detective Agency* (1988)

Committed to the idea that the lives of humans and animals are inextricably linked, Lev Nikolayevich Tolstoy (1828–1910) promoted—through literature, essays, and letters—the animal world as another venue in which to practice concern and kindness, consequently leading to more peaceful, consonant human relations. The focal point of Tolstoy's philosophy of human-animal relations, however, is susceptible to distortion or misinterpretation. On the one hand, some scholars minimize or dismiss as extremist Tolstoy's renunciation of hunting, his vegetarian lifestyle, and his rejection of animal subjects for medical or scientific purposes. On the other, some vegetarians and animal rights scholars focus exclusively on the author's later stance on antiviolence as concrete evidence of Tolstoy's progressive outlook toward non-human animals. While Tolstoy voiced more modern concepts of animal rights and welfare than his contemporaries typically espoused, an argument preferencing any single component of Tolstoy's philosophy misrepresents its inherent complexity. Although Tolstoy employs the animal theme as a literary device to reflect the external devaluation of humans, he also denounces human domination over living animals (in reducing them to “pets” or “beasts of burden”) as well as human abuse and destruction of living animals (through hunting or the slaughterhouse). These beliefs resonate with his larger social concerns, such as his opposition to serfdom, the role of

women in society, the devolution of sexual mores, and the destruction of rural life through modernization. At the core of *all* of these issues lies his intrinsic concern: the impact of socio-historical factors on the morality, autonomy, and valuation of the individual being. Numerous scholars have studied the themes of individuation and ethics in his works, and many have written on his vegetarian and pacifist principles. But none has devoted sufficient attention to Tolstoy's articulation of these concerns together in relation to the animal realm.

Tolstoy's eschewal of meat, alcohol, tobacco, and sexual relations is reflected in his biography and discussed in his later philosophical writings. In his afterword to *The Kreutzer Sonata* (1889), Tolstoy encourages people to oppose debauchery and baseness by living a "natural life," requiring a vegetarian lifestyle. A year later, he explicates these beliefs further in "The First Step" (1891), an introduction to a vegetarian cookbook. His adoption of an ascetic lifestyle does not represent a particular "conversion" experience, though, because his earlier writings espouse these same values and principles. Thus, his philosophy of human-animal relations develops from intrinsic connections between his personal beliefs and his literary creations, which feature non-human animals, located repeatedly alongside a series of objectified and subordinated "others," devoid of or stripped of place and people to call one's own, and frequently the power to execute decisions governing the self. In *War and Peace* (1869) and *Anna Karenina* (1877), Tolstoy creates a metaphorical link between animals and estranged or subjugated characters, particularly women. In "Kholstomer"<sup>1</sup> (1885), similar themes of suppression and ostracization come literally from the horse's mouth, as Tolstoy shifts into a convincing, albeit moralizing, animal narration. Foregrounding the animal realm throughout his *oeuvre*,<sup>2</sup> Tolstoy underscores a recurring theme of social justice and admiration for individuals—literary or otherwise—who nourish an indomitable will against the crushing pressure of

dehumanizing socio-historical forces, and who refrain from allowing governing circumstances to vanquish their individual psyche or moral judgment.

### **CHRISTIANITY, MORALITY, AND BEEFSTEAKS**

In the 1880s, Tolstoy became a vegetarian and renounced hunting because it reflected an “evil pastime ‘in which our killing habit and, consequently, our meat-eating habit merge together’” (LeBlanc 84). Tolstoy’s status within Russia and his international fame dynamically advanced the vegetarian cause, but he did not found the movement in Russia.<sup>3</sup> Moreover, his vegetarianism relates to general Orthodox principles and to folk and sectarian beliefs. The Orthodox Church designated the flesh of several animals (beaver, squirrel, and horse, among others) as unfit for human consumption. As late as the seventeenth century, animals that were strangled and not bled (geese, ducks, grouse, and hares) were considered improper comestibles for Orthodox Christians (Smith 13). The greater dietary influence of the Orthodox Church required Russian believers to fast nearly two hundred days annually. During fasts, believers could not consume meat or dairy products such as milk, cheese, and eggs (Toomre 13). Additionally, many sectarians expanded the interpretation of Christian conduct to renounce all meat-eating (along with alcohol and tobacco use, profanity, and sexual activity) (Engelstein 14).

In “The First Step” (1891), Tolstoy likewise aligns the consumption of meat with moral vices, and warns of the “excitation of the passions caused by such food” (123). In this preface to a new Russian translation of *The Ethics of Diet: A Catena of Authorities Deprecatory of the Practice of Flesh-Eating* (1883) by British vegetarian Howard Williams, Tolstoy contends that self-control provides liberation from fundamental lusts such as gluttony, idleness, and sexual love; and he maintains that the *first* effort must include fasting, if one hopes to conquer the latter

two desires (“First” 113). But his warnings do not concern bodily defilement alone. Tolstoy maintains that the use of animal flesh is “simply immoral, as it involves the performance of an act which is contrary to moral feeling—killing” (123).<sup>4</sup> He relates an encounter with a clergyman who, in criticizing religious asceticism, boasted of a Christianity not “of fasting and privations, but of beefsteaks” (117). He then provides a grisly account of a visit to a slaughter-house; and he censures the hypocrisy of those who eat meat yet claim to oppose suffering.

Despite Tolstoy’s passionate arguments in “The First Step,” many scholars minimize the connection between his vegetarianism and his compassion for the animal world. According to Darra Goldstein, ethical considerations did not initially motivate Tolstoy’s meat avoidance: “Tolstoy struggled against carnal and gustatory temptation alike, the renunciation of meat and sex being equally important for attaining moral purity” (103). Daniel Rancour-Laferrier and Ronald D. LeBlanc maintain that Tolstoy’s vegetarianism related primarily to issues of moral and physical discipline. LeBlanc notes:

Present day historians of the vegetarian movement in Russia tend to ignore the close association between abstinence from meat and abstinence from sex posited by Tolstoy. Instead they emphasize the progressive, humanitarian aspects of Tolstoy’s vegetarianism: how his refusal to eat meat stems from his ethical refusal to commit violence upon any of God’s living creatures .... (95)

He further argues that humanitarian claims sever Tolstoy’s vegetarianism “from two of its most defining philosophical bases: abstinence theory and Christian physiology” (97).

If one examines the fundamental reasoning behind Tolstoy’s abstinence argument, however, the core principle deals with the domination and destruction of others. In his “Afterword to *The Kreutzer Sonata*” (1889), Tolstoy discusses the trend toward using

prostitution to derive supposed health benefits from sexual relations when marriage may not be possible. He argues that institutionalized prostitution requires an entire class of women “to perish bodily and spiritually for the satisfaction of the passing demands of men” (“Afterword” 111). In clarifying his point, he further underscores the link between human and animal victims:

And what I wanted to say here was that [debauchery] is bad because it cannot be that it is necessary for the sake of the health of some people to destroy the body and soul of other people, in the same way that it cannot be necessary for the sake of the health of some people to drink the blood of others. (95)

Based on other essays from this same period, his reference to “drink[ing] the blood of others” logically extends to the act of killing animals, draining blood, and partaking of meat. Here and elsewhere Tolstoy includes animals among those downtrodden, dominated beings whose own needs and protection are discounted for the “benefits” of those in control. Thus mindful of the subjugated Other, Tolstoy realizes he must “turn his back completely on the system of values accepted by the comfortable elite to which he belonged” (Walicki 326). Only in this way can a person freely live an ethical and humane existence: by disavowing *society’s* system of values—including the devaluation of non-human animals. These ultimate realizations and convictions at which Tolstoy arrived provides a valuable framework for recontextualizing earlier literary works, in that the animal realm aided his efforts to discern what it means to be human and humane, and to live by deed rather than words.

### ***War and Peace***

#### *External Devaluation and Intrinsic Valuation: The Case of the Rostov’s “Kitten”*

In *War and Peace* (*Voyna i mir* 1869), the animal world serves as an extension of what Ginzburg

calls Tolstoy's "analytical, *explanatory* psychologism." That is, a character is enriched by adding *personality*—"a dynamic, multidimensional system in which derived features emerged in complex fashion from initial social, biological, and psychological premises" (221–22). In this process, Tolstoy often associates a particular character with an animal, as in the case of Sonya, a poor relation living in Count Ilya Rostov's household. Superficially addressed in Tolstoy studies,<sup>5</sup> Sonya belongs to those characters whose lives—most often for reasons beyond their control—are governed for them, yet whose limited choices reflect moral strength and psychological independence. Tolstoy describes Sonya's behavior and standing in terms of a housecat, thereby emphasizing her orphaned status and role of subservience. Her introduction in the novel concurrently highlights her feline attributes and her independence of spirit:

The smooth grace of her movements, the soft elasticity of her small limbs and a certain wary artfulness in her manner suggested a beautiful, half-grown kitten which promises to develop into a lovely cat. ... in spite of herself her eyes under their long thick lashes watched her cousin [Nikolay] ... with such passionate girlish adoration that her smile could not for a single instant deceive anyone, and it was plain to see that the kitten had only crouched down the more energetically to spring up and play with her cousin the moment they ... could escape from the drawing room.

The little kitten, feasting her eyes on [Nikolay], seemed ready at a moment's notice to start her gambolling and display her kittenish nature. (*War and Peace* 45–46)

These passages provide a description in miniature of Sonya's role: her grace and elasticity develop into charitable kindness and pliability of will, and she forgoes her desires to accommodate others' wishes. A penniless orphan, Sonya is an unsuitable match for Nikolay Rostov, despite their mutual affection. Yet her love cannot be vanquished. The "kitten" remains

at arm's length, "feasting her eyes" on her beloved, and perpetually waiting for that which cannot occur. In the epilogue, after Nikolay has married Princess Maria Bolkonskaya, Sonya lives with the couple (a common arrangement for single females at the time). Maria admits feeling resentment toward Sonya, but her sister-in-law Natasha responds, "Sometimes I am sorry for her and sometimes I think that she doesn't feel it as you or I would" (*W&P* 1363).

Those in positions of superiority frequently assume that "lesser" beings are less sensitive or perceptive, and therefore suffer less. But despite Sonya's circumstances, Tolstoy does not present her as a victim, as John Bayley stresses (116). (In fact, Bayley notes that Sonya's role is based on Tolstoy's own Aunt Tatiana, whom he esteemed highly.) Sonya makes certain key decisions about her fate within the margin of her ability to do so. She refuses a socially advantageous marriage proposal from Dolokhov, and she releases Nikolay from his childhood promise by telling him: "I love you as a brother, and I shall always love you, and that's all I want" (*W&P* 389). Her strength and courage render Sonya as one of Tolstoy's "'best' women"—those who are "bodiless, deprived of all passions save those directed toward family, chastity, or the Christian ideals of self-effacement and asceticism" (Benson 11). Indeed, her position renders her irreproachable vis-à-vis Tolstoy's later judgments in the "*Kreutzer Sonata*" afterword:

Carnal love and marriage are forms of service to oneself, and that is why in every case these are a hindrance to the service of God and to people; this is why, from the Christian point of view, carnal love and marriage are a degradation and a sin. ("Afterword" 117)

Never fully considered an equal by those around her, Sonya occupies a lower/dependent position within the Rostov family. Yet whatever her own desires may have been, her position as a pet (a housecat<sup>6</sup>) "exempts" her from marriage and accompanying sexual expectations. Thus, her

animal status at the beginning of the novel paradoxically results in a higher moral (independent) status, freed from “animal” desires of the flesh and the “degradation” of marriage.

*Hunting and the Price of “Peace” and “Harmony*

Linked to the topic of dependence–independence is the theme of belonging, a life-long and largely unfulfilled need on the part of Tolstoy. The author develops this topic in particular through the motif of the hunt, in which he juxtaposes the harmony of belonging with dissonant loneliness. He also depicts the simultaneous connection and separation of human and animal in detailing the brutality of the hunt; namely, his description illuminates the paradox of the hunter’s heightened participation in nature at the instant of killing. But instead of extolling some universal, idealized image of nature in this moment, Tolstoy stresses the cruelty of the hunting act by unexpectedly entering the targeted animal’s mind, thereby individualizing the victim of violence.

The narrator lightly mocks young Nikolay Rostov, who fervently asks God to send the wolf toward him: “He prayed with that sense of passionate anxiety with which men pray at moments of great excitement arising from trivial causes” (*W&P* 588). When the wolf crosses Nikolay’s path, Tolstoy deliberately shifts the narrative perspective:

Suddenly the wolf’s whole appearance changed: she shuddered, seeing what she had probably never seen before—human eyes fixed on her, and turning her head a little towards Rostov, she paused, in doubt whether to go back or forward. “Oh, no matter—forward ...” the wolf seemed to say to herself, and she continued on, not looking round, with a quiet, long, easy yet resolute lope. (589)

With this brief paragraph, Tolstoy forces the reader to acknowledge the *individuality* of the animal. She is not “a” wolf, but a *specific* female wolf with a past (no experience with humans)

and a consciousness (absence of fear). Consequently, he intensifies the violence of the animal's capture and renders Nikolay's cruel rapture more reprehensible:

That instant when Nikolai saw the wolf struggling in the gully with the dogs, saw the wolf's grey coat under them, her outstretched hind leg, her panting, terrified head with ears laid back (Karay was pinning her by the throat), was the happiest moment of his life. (591)

Richard F. Gustafson suggests that the hunt here “imitates the action and embodies the meaning of [the novel]” (42). While he and other scholars rightly underscore the significance of this sequence, their explications remain incomplete due to the exclusive focus on *human* perspectives. Acknowledging the individuality of the wolf and the barbarity of her fate further expands the implications of the hunt for the entire text. Cycles of aspiration, disappointment, achievement, and accord always exact a great price; and for each victor, a victim will suffer in agonizing defeat. Thus, when Gustafson concludes that the hunt “moves toward the paradigmatic restoration of that peace which is the harmony of all together and at one” (43), he ignores the sacrifice made by the animal (like the sacrifice made by myriad dehumanized soldiers in the war sequences) in order to achieve that “peace” and “harmony.”

### ***Anna Karenina***

#### *Instinct and Understanding: Lessons from a Canine*

In bestowing consciousness upon non-human characters, Tolstoy contributes to the developing portrayal of animal perception in literary history. *Anna Karenina* (1877) provides a more extended demonstration of this animal narration. In the hunting episode with Konstantin Levin

and his dog, Laska, Tolstoy highlights the hunter's reliance on his dog's keen sense of smell. But in describing the scene from the dog's perspective, he also demonstrates Laska's ability to rationalize. José Ortega y Gasset suggests that the domesticated animal, such as the dog, represents an "*intermediate reality between the pure animal and man,*" in that human training partly subsumes natural instincts, thereby partially de-animalizing and humanizing the animal. Accordingly, domesticated animals possess "*something like reason*" (92).<sup>7</sup> This combination of instinct and rudimentary reason renders Laska superior to Levin in what Ortega y Gasset describes as the *venatic act*. Here, one sees the folly of human efforts to override instinctual canine superiority. The second time Levin misdirects his companion, she knows she will lose the scent:

Well, if that's what he wants I'll do it, but I no longer accept any responsibility for it now, she thought .... She was no longer on the scent, but simply used her eyes and ears *without understanding anything* (AK 635; italics mine).

Laska obeys the master's commands, but sets aside her instinct and her key to understanding, thereby replaying an earlier scenario in which Levin experienced a similar disconnect between instinct and reason.

Just as Levin required Laska to chase after a non-existent snipe, Levin's fiancée requires him to attend confession, a process meaningless to him because of unresolved theological questions. "I don't understand anything," Levin tells the priest, who nonetheless pronounces the absolution. Levin later describes feeling like a dog

being taught to jump through a hoop, and, that once it's finally

realized and accomplished what is being required of it, barks, and wagging its tail, jumps for joy onto the tables and window sills. (472)

Once again, a link between animal and human critically underscores aspects of a human character's psyche. Like his dog, Levin does as instructed; yet his doubts mark him as an outsider—one who fails to meet others' expectations. In contrast to the hunting sequence in *War and Peace*, the alienation experienced by Levin sets the tone for the hunt in *Anna Karenina*. Gustafson notes that the high expectations for a "common fulfilling experience" result instead in rivalry and estrangement; and the "distance separating individuals expands throughout the scene, and in the end the moment of triumph is achieved only in isolation from others" (47–48). But this reading neglects the fact that Levin does not consider the event entirely unsuccessful because he *did* share a "common fulfilling experience"—with his dog.

*Mares and Mistresses: the Dangers of Being Possessed*

Not unlike Levin, Tolstoy himself endured perpetual conflict between longing for inclusion and self-inflicted, egotistical estrangement:

Although he ... had a special capacity for a penetrating understanding of others, even of animals, Tolstoy the Stranger spent most of his time alone. Furthermore, throughout his life, he not only destroyed the relationships he established, he also self-righteously and even self-pityingly blamed his resultant isolation on others. (Gustafson 15–16)

Tolstoy bequeaths this same tormenting isolation on his heroine Anna Karenina for yielding to self-indulgence in a society where certain expectations must be met and tacit

agreements cannot be broken, especially not by women. According to Ruth Crego Benson, Anna's separation from "her 'own kind' [family, society] is perhaps the greatest deprivation Tolstoy can imagine for her." Benson continues:

One by one, as all other relations are stripped from her, Anna loses her private identity and her individual character. For Tolstoy, the loss of her 'sociological' identity amounts to the loss of her personal identity as well. (98)

Despite her independent spirit, Anna experiences a strong need to belong. Instead, she is primarily *possessed*, which ultimately destroys her individual identity. Her status as Karenin's wife secures her place in society, but the absence of marital affection fetters her passionate nature. As Vronsky's mistress, she forfeits her societal standing and her maternal role in exchange for Vronsky's (tenuous) attention. In both scenarios, Anna is a commodity for the men who govern her life. For Karenin, she supplies youth, beauty, and social grace. For Vronsky, she is an exciting and ardent conquest. Tolstoy emphasizes this latter position through the parallels with Vronsky's horse and the events of the steeplechase.

Of the many critical interpretations of the Frou-Frou/Anna correlation,<sup>8</sup> only a few scholars have considered the historical context of the horse in literature. David M. Bethea suggests that the equestrian motif in Russian literature has become almost an "Ursymbol," and identifies Anna as the "embodiment of Russia ... at a crossroads of history" (78). Amy Mandelker, who maintains Vronsky's guilt in destroying both Anna and Frou-Frou, notes that the "comparison of a woman to a horse and man's command over woman to his horsemanship is

a commonplace in literature” (155). With regard to Russian literature specifically, Mandelker points out that brutality toward horses

has traditionally been used as a metaphor for the abuse of women, from the exchange of a woman for a horse in Lermontov’s ‘Bela’ [in *Hero of our Time*] to the implicit connection between Raskolnikov’s dream vision of a horse flogged to death and his murder of Lizaveta and the pawnbroker [in Dostoevsky’s *Crime and Punishment*]. (156)

In Mandelker’s examples, a horse provides either a physical or psychological substitute for a woman. *Anna Karenina* follows the same paradigm.<sup>9</sup> Anna and horses encompass Vronsky’s two passions—that do not “interfere with each other” (*AK* 184). Both horse and heroine, responding to the excitement and desire of the moment, seal their fates in trying to please the master. In describing the symbolic importance of horses, Sarah Wintle points to the significance that “their use by humans is predicated on close physical contact.” Therefore, “a good rider is at one with his horse .... Riding well is thus to be in harmony with, and yet controlling and guiding powerful physical energies” (17). Vronsky, in attempting to command the energies of his horse and his lover, is neither in harmony nor in control. Thus, in both the seduction of Anna and the race, he errs grievously. He breaks Frou-Frou’s back, and the beautiful, championship mare must be shot. By “riding” Anna, he unhorses his opponent Karenin, but in so doing, he symbolically breaks Anna’s back, and destroys her as well. And although Vronsky accepts responsibility for his mistakes, he nonetheless continues to lash out brutally at his victims.

If Anna indeed represents the embodiment of Russia at a crossroads, as Bethea suggests, then Vronsky becomes a dark knight whose forces assemble chaos, suffering, and death—a

knight whose actions breach numerous chivalric codes: upholding honor and virtue, defending Christian teachings and morals, and championing the Good. Perhaps his most egregious violation, however, lies in failing to respect and defend one who is weaker. Prior to their sexual relations, Anna's infatuation with Vronsky leaves her possessed by a "spirit of evil and deceit" (156). Blithely ignoring the consequences of his pursuits (another Tolstoyan theme), Vronsky believes that those around him, human and nonhuman, exist solely for his personal use. Hence, when he and Anna consummate their affair, he appears as a dissolute conqueror, who has achieved the "sole and exclusive desire of [his] life for almost a whole year, taking the place of all previous desires" (156). Scholars often point to the description of Vronsky as a murderer after this first sexual encounter with Anna:

As she looked at him, she felt her own humiliation physically, and could say nothing further. But what he felt was what a murderer must feel looking at the body he has deprived of life. (*AK* 156)

But the oft-neglected conclusion of that same paragraph, provides the key to Vronsky's real transgression—arrogantly continuing along a disastrous course instead of redressing his crime: "in spite of all the murderer's horror in the face of the murdered body, that body had to be cut in pieces and hidden away; the murderer had to *make use of what he had gained* by the murder" (157; italics mine).

After succumbing to Vronsky, Anna tells him: "Everything is finished. [...] I have nothing but you now. Remember that." (157) But Tolstoy demonstrates that Vronsky cannot benefit from such a murderous "gain." His conquest becomes "no more than an exhibition, a thrilling contest set in a closed, and ultimately deadly circle with no other goal in sight save an arbitrary finish line" (Bethea 79). Those close to him, who objectify Anna as a means (or

hindrance) to an end, become disappointed with Vronsky's conduct. His mother is displeased that instead of a "brilliant, elegant, worldly" affair, he engages in a "desperate Werther-like passion" (*AK* 184). His brother (who "kept a ballet girl" himself) cares not for the nature of the affair but disapproves that Vronsky's actions displease Important Personages. No one demonstrates concern for Anna the *individual*, who turns to morphine and opium for relief before finally committing suicide. Like the mare, the mistress is ultimately destroyed by the misuse of those in control. Yet Tolstoy does not sanction his heroine's actions: although her decision-making ability is compromised by the unethical acts of others, she must accept responsibility for her choices.<sup>10</sup> For the author, this mandate of conscientious choice applies both on a narrow, individual scale and at the larger, societal level.

### **To Belong to Oneself: the Rights of a Piebald Gelding**

Toward the end of *Anna Karenina*, Levin continues to ask: "What am I? Where am I? And what am I here for?" (842). As Levin ponders such existential questions, Tolstoy produces another intentional woman-horse parallel. Levin watches two peasant women working and muses that they will eventually be dead and buried with nothing remaining of them. His thoughts move to a piebald gelding: "a horse breathing heavily, its nostrils distended, and its belly heaving as it trod the slanting wheel round under it. That'll be buried, too ..." (842). During a visit with fellow author Ivan Turgenev, Tolstoy saw a decrepit gelding in the pasture and speculated on the horse's thoughts and emotions. A "spellbound" Turgenev remarked, "Listen, Lev Nikolaevich, you must have been a horse once yourself" (Eikhenbaum 101). Undoubtedly, these moments provide the first glimpses of the animal narrator in Tolstoy's "Kholstomer" (1885). The animal voice and the high moral tone often lead to the dismissal of the novella as a didactic animal

fable; but through simulating an animal point of view and drawing on the centuries-old tradition of equine symbolism, Tolstoy expresses his metaphysical concerns in a unique, intensified manner.

Whereas in the 1860s Tolstoy merely tried to render animal consciousness, the story published in 1885 “bears the stamp of [his] spiritual transformation and reflects his new attitude toward material possessions” (Ryan-Hayes 231–32). In discussing the beast-narrator in “Kholstomer,” Karen Ryan-Hayes suggests that non-human characters in satire help to “palliate didacticism,” and that even though “animals, as caricatural extensions of humans, accentuate human weaknesses and vices, it is easier to accept a satirist’s criticism when a fixed distance is established between ‘us’ and ‘them’” (226). In contrast, Mikhail Bakhtin and Pavel Medvedev assert that the device of *ostranenie* (i.e., making something strange, defamiliarization) serves a highly ideological function: “It is not the thing that Tolstoy wants to deautomatize by means of the device, but this moral meaning [that the object screens and automatizes]” (60–61). Indeed, rather than softening the critical tone, the voice of Kholstomer as his own being accentuates Tolstoy’s *weltanschauung*. But the horse does not serve merely as a mouthpiece for a human author; rather, the animal, the conveyor of the message, demands fresh scrutiny as well.

Analyzing the Houyhnhnms of Jonathan Swift’s *Gulliver’s Travels* (1726), Wintle explains that “horses, because of their ubiquity and their glamour, were used as symbols and metaphors for the articulation of ideas and feelings about such central human concerns as status and class, sexuality, and the body” (4). “Kholstomer” addresses these issues, but with the twist that the horse-hero is dispossessed of glamour, status, sexuality,<sup>11</sup> and even his body.<sup>12</sup> Furthermore, Kholstomer suffers further alienation and prejudice due to his piebald hide and gelding status. This extreme *personalization* of the animal tragedy makes Tolstoy’s tale doubly

successful as an allegory of human society and a literal injunction to treat non-human species with greater consideration.

The structure of “Kholstomer” predicts the hero’s fate. Through the beginning of the fifth chapter, an omniscient, human narrator describes the persecution—by human and horse—of a broken-down piebald gelding. Over the next five nights/chapters, Scheherazade-style, the horse relates his own story. But throughout the tale of abuse and decline, the horse’s moral certitude solidifies, and he develops the conviction that no creature should possess another. Viktor Shklovsky quotes the passage where Kholstomer observes: “I was threefold unhappy: I was piebald: I was a gelding; and men imagined that I did not belong to God and myself, as is the prerogative of every living thing ...” (“Kholstomer” 242). He then connects this fate to Anna Karenina’s:

Tolstoy wanted for each individual to be his/her own person.

Anna was not her own.

She was Karenin’s.

Then Anna was Vronskii’s.

If everything were arranged so that she would be Anna Vronskaia, she would still be surrounded by the same people, who themselves are not their own. (551–52)

The quest to be one’s own person must not be confused with egotistic self-centeredness. Rather, escaping the restrictive expectations of others leaves one free to live a selfless, righteous life. For some Tolstoyan heroes (as in *The Death of Ivan Ilych*), this realization arrives as mortal life expires. Similarly, Kholstomer realizes the false nature of humankind as his physical self

disintegrates. Like Anna, he struggles to achieve spiritual freedom as his physical and social autonomy are compromised. But unlike Ivan Ilych or Anna, Kholstomer provides a non-human perspective of the materialistic, spiritually infirm human realm. Moreover, Kholstomer remains blameless. His suffering occurs not due to his own choices, but because of his natural appearance. Hence, Ryan-Hayes views Tolstoy's underlying goal as an attack on "racial and social bias" (231).<sup>13</sup>

In 1889, Tolstoy's *Kreutzer Sonata* provoked great controversy, as people accused him of advocating a "celibacy so complete that it would, if practiced, result in the extinction of the human race" (Terras 479). Tolstoy later rebuts this opposition in the "Afterword," in which he claims that chastity is "neither rule nor injunction, but an ideal" (115). Tolstoy believes that the desire for both spiritual and physical unions cannot coexist, and to achieve satisfaction in either realm weakens or destroys the other. He concludes that marriage, therefore, may be a "natural and desirable condition" for mature adults, and abstinence may not be possible, but that the most satisfying relationships will be those in which the spiritual union prevails ("On the Relations" 155). Four years earlier, Tolstoy already explored the spirit versus body dilemma by imposing extreme, "ideal" celibacy on the horse Kholstomer through castration, which operates paradoxically.<sup>14</sup> The initial trauma represents an act of power and abomination that ravages the victim's sense of self and precludes immortality through progeny; conversely, it frees the sufferer from "animal" desires of the flesh, thereby encouraging more virtuous contemplations.

The topic of castration in the domain of horse breeding allows Tolstoy to extend the metaphor of discrimination and deprivation to extreme injustice. Based on lineage alone, Kholstomer deserves breeding rights because he descends from the exceptional Orlov stud farm and has demonstrated exceptional skill in distance racing. But as a piebald, he fails to meet the

second requirement for breeding: suitable appearance. On this point, Tolstoy highlights the difference in prejudices between human and equine society in the narrative. Other horses are *attracted* by Kholstomer's variegated coat. Breeders' standards, however, reject his differences; therefore, they forcibly terminate his reproductive power: "On the next day I had ceased forever to whinny; I became what I am now. All the light of my eyes was quenched .... Suddenly I comprehended it all, comprehended how I was forever sundered from [other horses], every one" (238). Fellow horses react with contemptuous pity, as his altered state reduces him to less than a horse. The terror of emasculation, and by implication, loss of identity, is also a key motif in Book IV of *Gulliver's Travels*:

[Castration] ... is what the master Houyhnhnm finds most horrific and most memorable in Gulliver's account of the human treatment of horses, and, once he has come to terms with the right kind of species definitions and reversals, this is the final insult he can offer to the Yahoos .... (Wintle 19)

Tolstoy deliberately uses the horse and the castration motif to argue for the *spiritual* castration of human lust and passion, thereby inverting traditional equine symbolism of the horse/steed as a sexually powerful creature. Instead of the virile, masculine heroes of *War and Peace*, a meditative, celibate male—albeit one of noble ancestry—occupies the foreground. Disdained by horse and human, Kholstomer spends time contemplating the nature of the world, such as the falsity of "maternal and female affection." But chiefly, he notes the weaknesses of human beings. He discerns in them a "low and animal, a human instinct, which they call the sentiment or right of property," and he observes that "men struggle in life not to do what they consider good, but to call as many things as possible their own" ("Kholstomer" 241). He

concludes that the lives of men are guided by words (specifically: *my, mine, ours*), while the “superior” horse lives a life of deeds. (Kholstomer inadvertently continues to serve through deed even post-mortem, when his corpse feeds a wolf family, and a peasant finds use for his bones.)

### **The Next Step**

Undeniably, part of Tolstoy’s liberation philosophy includes an awareness of the sanctity of *all* life, which echoes Victorian humanitarian attitudes:

The treatment of animals could be seen as an index of the extent to which an individual had managed to control his or her lower urges. If animal suffering was caused by people in need of moral uplift, then to work for the protection of the brute creation was simultaneously to promote the salvation of human souls and the maintenance of social order. (Ritvo 132)

This connection between protecting the animal and promoting human salvation is expressed directly in “Kholstomer” by the animal himself.<sup>15</sup> Tolstoy creates in the novella what Wintle calls (in regard to Swift) a “sense of species kinship” and “moral responsibility” (13). Even if one cannot escape the domination of others, change one’s social status or skin color, or alter one’s destiny, an individual *can* live in such a manner as to guide the inner, spiritual self by ethical choices and behavior. R.F. Christian concludes that Tolstoy tries to show the

small area of individual freedom of choice within the broader framework of necessity and inevitability which encompasses life on earth. Everyone is condemned to death when he is born, but he must act as though he is free, however limited his power really is to guide and control important events involving people other than himself. (287)

Tolstoy dogmatically demands this and other actions in addressing the problems he explores in his fiction and non-fiction, leading George Orwell, among others, to question whether Tolstoy's expectations and the practices of his disciples merely exchange one form of egoism for another. In his essay on Tolstoy and Shakespeare, Orwell includes the former among

people who are convinced of the wickedness both of armies and of police forces, but who are nevertheless much more intolerant and inquisitorial in outlook than the normal person who believes that it is necessary to use violence in certain circumstances. They will not say to somebody else, 'Do this, that and the other or you will go to prison,' but they will, if they can, get inside his brain and dictate his thoughts for him in the minutest particulars. (1941)

Perhaps Orwell's quote sheds light on the tendency to stress certain Tolstoyan beliefs above others. Tolstoy does not so much muse as pontificate. He doesn't speculate, he sermonizes.<sup>16</sup> Scholars who focus on Tolstoy the Intellectual may deem his animal focus as lacking substance and gravitas, a bias often encountered in academia. Those who champion Tolstoy the Vegetarian and Animal Advocate may be less comfortable with—or in truth may not know of—his pious antipathy toward marriage and sexuality.<sup>17</sup> Feminist readings of Tolstoy highlight his advocacy for women's education and liberation from domestic slavery, antiquated childbirth practices, and so forth; yet the same author cynically casts woman in the role of sexual temptress who promotes evil sensuality. In actuality, Tolstoy seems to show more understanding and compassion toward non-human animals than toward women.

Although he wears his birthright uncomfortably, Count Tolstoy fails to make a clean break from his aristocratic heritage and liberate himself from a stratified worldview. Furthermore, his Christianity is an egocentric faith that concentrates foremost on an individual's

moral core and relationship with God *from which follows* compassion toward others (quite the opposite of Fyodor Dostoevsky's primary emphasis on charity and pity). In the role of exemplar, then, Tolstoy concerns himself with the tutelage and trusteeship of the Other (human and animal), occupying a secondary status to the Self. Some may well question whether such "flaws," which preclude venerating Tolstoy as a total liberationist, geld—like poor Kholstomer—the potency of the author's philosophical positions. A holistic consideration of his life and work, however, allows one to recognize and appreciate the pioneering strengths of his legacy with regard to non-human animals while acknowledging the limitations of his historical time. Nowhere does Tolstoy advocate freeing animals from their cages (nor women from their corsets). His hierarchical Christianity prevents him from placing humans and animals on the same metaphysical plane. Yet his emphasis on making responsible, conscientious choices in consideration of *all* living things surely is an important first step toward a modern view of animal relations, especially in the nineteenth century. Also, his attempts to portray animal consciousness as accurately as possible represent an innovation within Russian literature. These contributions therefore provide a foundation for foregrounding the animal perspective in later works such as Mikhail Bulgakov's Soviet satire, *Heart of a Dog* (1925), and Georgii Vladimov's Gulag novel, *Faithful Ruslan* (1975). These authors engage the animal world partly in an allegorical manner, but like Tolstoy, they also uphold the interconnectedness of all species, the importance of making ethical decisions, and the right of all creatures to experience freedom from cruelty and oppression—to live a life of one's own.

## ENDNOTES

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<sup>1</sup> Also translated as “Strider,” “The Yardstick,” and “The Bachelor.” A *kholstomer* is a device for measuring cloth (*kholst* = canvas), thus “suggesting the greatest distance from finger to finger of the outstretched arms, and rapidity in accomplishing the motion” (“Kholstomer” 259).

<sup>2</sup> The works discussed in this essay reflect Tolstoy’s use of the animal world in a *significant* and illuminating way, one through which a deeper understanding of a text and/or his philosophy emerges. The mere presence of animals in a work does not necessarily merit discussion. Tolstoy composed more than fifty animal stories and fables as educational materials for his estate serf schools, but these reflect fabular animals in one-dimensional roles. Similarly, certain characters may espouse values congruent with the author’s own, such as in *Resurrection* (1899), where Simonson believes in the interconnectedness of life, opposes war and slaughter, refuses to eat meat or wear the skin of animals, and practices celibacy. But the character’s views have little bearing on the novel *in toto* nor do they offer greater insights into Tolstoy’s philosophy. In fact, scholars point to various historical personages on whom Simonson might be based. For example, Aldanov (1944) suggests that Tolstoy’s model was Nikolai Konstantinovich Geins (a.k.a. “William Frey”), an acquaintance who espoused positivist ideals and helped to establish a Russian (vegetarian) commune near Wichita, Kansas, in the early twentieth century.

<sup>3</sup> In 1878, a German pamphlet on vegetarianism created burgeoning interest in vegetarianism in Russia. In the early 1890s, more pamphlets and Tolstoy’s “First Step” further reinforced a movement, reported in widespread publications, including Konstantin Nikolayevich’s vegetarian journal *The First Step*, to which Tolstoy contributed. In St. Petersburg and Moscow, advocates began to assemble and vegetarian restaurants opened. (Russian authorities opposed the movement and the term “vegetarian” as radical, resulting in close supervision and interference of organizing bodies.) But by 1895, vegetarians numbered more than ten thousand (including religious sects and Tolstoyans) (“Russian Vegetarian Societies”). The first formal society was the St. Petersburg Vegetarian Society, founded in 1902, which “ushered in an era of intense activity and interest in vegetarianism in Russia” (Goldstein 106). One of the most notable Russian vegetarians, Natalia Borisovna Nordman-Severova, advocated eating hay and grass because “Russia would never again have to suffer from hunger, since hay was not only abundant, but free” (114).

<sup>4</sup> Tolstoy also rejected killing animals for medical or scientific purposes. When asked for his opinion on vivisection by an American writer, Tolstoy responded: “Dear Sir, What I think about vivisection is that if people admit that they have the right to take or to endanger the life of living beings for the benefit of many, there will be no limit for their cruelty” (80: 24).

<sup>5</sup> Surprisingly, in *Women in Tolstoy: The Ideal and the Erotic* (1973), Benson omits any discussion of Sonia.

<sup>6</sup> Tolstoy apparently cared little for cats and preferred other rodent-catchers at his country estate:

Curled, or rather, coiled in the sunny patches in the Tolstoy house, protecting it from pestilential infestations, instead of the expected feline emblems of domesticity, there are now, and were in Tolstoy's time, snakes: large garter snakes that rub their scales against the ankles of readers in Tolstoy's library and usurp the warm windowsills and sunny spots usually occupied in country houses by somnolent, contented cats. (Mandelker 1)

<sup>7</sup> Moreover, Ortega y Gasset points to the ability of dogs to communicate with humans through variations in their barking, and suggests that “through domestication, therefore, the dog has acquired in his bark a quasi-language, and this implies that a quasi-reason has begun to germinate in him” (94).

<sup>8</sup> In early drafts of the novel, the heroine was named Tatiana, sharing the diminutive form—Tania—with the horse. The final version minimizes such an obvious equivalence, leading scholars to disagree on the significance of any remaining correlation. For a listing of key criticism related to this topic, see Mandelker p. 208, fn. 30.

<sup>9</sup> Benson observes that in *The Kreutzer Sonata*, the character Poznyshev never refers to his wife by name but describes her as a “fresh, well-fed harness horse, whose bridle has been removed” (120).

<sup>10</sup> On the other hand, Tolstoy does not idealize the institution of marriage. Through the character Dolly (Anna's sister-in-law), he “exposes the cult of domesticity for what it often becomes in a bad marriage: an oppression of woman and a denial of her selfhood perpetuated by the myth of the glories of maternity and housekeeping” (Mandelker 53).

<sup>11</sup> The story's focus on sexuality/castration aroused critical disapproval; V. Sollogub, for example, encouraged Tolstoy to avoid the word ‘gelding’, a too blatant reference to sexual organs (Eikhenbaum 101–02).

<sup>12</sup> The passage where Gulliver tells his Houyhnhnm master about the treatment of horses in England purportedly represents the first literary life history of a horse, and provides a near synopsis of Tolstoy's “Kholstomer”:

I owned that the *Houyhnhnms* among us, whom we call *Horses*, were the most generous and comely Animal we had; that they excelled in Strength and Swiftnes; and when they belonged to Persons of Quality, employed in Travelling, Racing, and drawing Chariots, they were treated with much Kindness and Care, till they fell into Diseases, or became foundered in the Feet; but then they were sold, and used to all kind of Drudgery till they died, after which their Skins were stripped and sold for what they were worth, and their Bodies left to be devoured by Dogs and Birds of Prey. (Swift 243)

<sup>13</sup> This line of inquiry, concerning interrelated forms of oppression, lies beyond the scope of the present essay but undoubtedly deserves further critical attention.

<sup>14</sup> Tolstoy knew about castration not only from rural farm practices but also through acquaintance with the local Skoptsy. Discovered in the late eighteenth century, the Skoptsy (literally, “self-

castrators”) sect extended fleshly renunciation to physical dismemberment. They founded their beliefs on Matthew 19:12, where Christ speaks of becoming eunuchs “for the kingdom of heaven’s sake.” Tolstoy’s condemned such practices on religious and psychological grounds.

<sup>15</sup> Accused at times of excessive anthropomorphism, Tolstoy would likely have appreciated the modern development of cognitive ethology, which “explicitly licenses hypotheses about the internal states of animals” (Bekoff 40).

<sup>16</sup> Tolstoy never suggests such tasks will be simple. Just as anguish and estrangement guided Kholstomer toward sagacity, the author himself experienced extreme psychological distress in the course of his philosophical journey. After the success of *War and Peace* and *Anna Karenina*, Tolstoy suffered severe depression and contemplated suicide.

<sup>17</sup> Nevertheless, his argument against procreation seems compatible with certain contemporary societal trends:

Getting married cannot promote the service of God, even in the case of marriage for the purpose of continuing the human race. It would be infinitely simpler if these people, rather than getting married to produce children’s lives, would support and save those millions of children who are perishing around us from a lack of material (to say nothing of spiritual) sustenance. (Tolstoy “Afterward” 117)

This passage articulates one of the key reasons given by participants and proponents of today’s “childfree” movement: that millions of existing children remain in need of services and support. Judging by other writings, Tolstoy would likely agree with other “childfree” incentives as well, such as overpopulation, negative environmental impact, and harmful effects of children born to those lacking maternal/paternal tendencies, among others (“Selfish”).

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## **Jewish Ethics and Nonhuman Animals**

Lisa Kemmerer

*“Man has no superiority over beast.” (Ecclesiastes 3:19)*

Westerners have long admired the nature-friendly qualities of Eastern spiritual traditions, such as *ahimsa* and *reincarnation*, which tie human beings to the circle of life that reaches across species and which requires a compassionate approach to all living beings. Yet we have often failed to acknowledge this same beauty—teachings of compassion toward all living beings—in Western traditions.

This article examines Jewish morality with regard to nature, specifically to human relations with nonhumans. The article focuses on creation accounts in Genesis 1 and 2, and on fundamental moral teachings such as compassion and peace. The point of the article is not so much to be critical of Judaism, but rather to reveal how much we might learn from the spiritual and moral teachings of the Jewish tradition about our place in the larger universe. Moreover, as Jewish morality from the Hebrew Bible (Old Testament) remains important to Christians, this article reveals the ethical standards to which others might hold both Jews and Christians accountable in their relations to animals and the world as a whole.

### **The Lost Ethics of the Tanakh<sup>1</sup>**

Genesis 1 and 2 the Tanakh, the sacred book of the Jews, provide the Hebrew account of creation. Only these two chapters reveal the world as God *preferred* and *intended* it to be. There is much to be learned about the Jewish vision of God, humanity, and animals in these two chapters. After the fall, which occurs in Genesis 3, God’s perfect creation has been changed, and Jews are to strive to recreate the lost universe of the original creation.

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<sup>1</sup> All scriptural passages are from the Tanakh (published by The Jewish Publication Society). The Tanakh became the Old Testament for those of Christian faith. There are differences in these two texts, but no relevant differences in the portions of the Tanakh explored here. Information in this article, based on the Tanakh, is therefore relevant to both Judaism and Christianity..

Genesis 1 records how the Hebrew deity created the universe in six days, creating light, sky, water, land, vegetation, heavenly bodies, and living creatures. On the sixth day land animals (including human beings) were created. The Tanakh reveals what science has made clear: we are land mammals, primates, Great Apes, created with all other land-animals.

Six times before humans are created, God declares creation to be good, revealing the “intrinsic worth of species... ‘*kol tov*—and it was good.’” The Hebrew deity created a good earth, with many good creatures. The Tanakh celebrates the power and glory of God, who “fashions the hearts” “of all the inhabitants of the earth” and brings forth a multitude of living beings with the breath of life (Ps. 33:14-19). “How many are the things You have made, O LORD; / You have made them all with wisdom; / the earth is full of Your creations” (Ps. 104:24). In the original Hebrew ‘good’ is singular showing us that God views life in all its diversity as a fundamental unity” (Saperstein 14).

Nothing is separate, nothing is found wanting. Not one feather or toe is apart from the fundamental unity of God’s creation, and this creation was good in God’s estimation before humankind was created.

Living beings can “find God in and through” creation (Cobb 506-7). God is manifest in burning bushes and whirlwinds, and speaks through a laboring burro, because all are of God, all are God’s handiwork. The creatures of the earth are God’s, they are good, and they are due our respect. “For Mine is every animal of the forest, the beasts on a thousand mountains, I know every bird of the mountains, the creatures of the field are subject to Me” (Ps. 50:10-11). When all of God’s creatures are floating on the ark, it is not just humans that God remembers, but “every living thing.” In the story of the great flood (Genesis), we find that God preserves all species. The earth was created for *all* creatures, perhaps more accurately, for *each* creature, for God caused it to “rain down on uninhabited land, / on the wilderness where no man is, / To saturate the desolate wasteland, / And make the crop of grass sprout forth” (Job 38:26-27). The wild doe of the lonely prairie also has her grass, by the hand of the divine.

The independent, wild creatures are created splendid in both form and function, perfect in their own right, happy about their existence, and not to be controlled or used by human beings. The Hebrew deity speaks of the Hippopotamus (Eiselen 507):

Take now behemoth, whom I made as I made you;  
He eats grass, like the cattle.  
His strength is in his loins,  
His might in the muscles of his belly. . .  
His bones are like tubes of bronze,  
His limbs like iron rods.  
He is the first of God's works;  
Only his Maker can draw the sword against him.  
The mountains yield him produce,  
Where all the beasts of the field play.  
He lies down beneath the lotuses,  
In the cover of the swamp reeds. . . .  
Can his nose be pierced by hooks?  
Can you draw out Leviathan by a fishhook?  
Can you press down his tongue by a rope?  
Can you put a ring through his nose,  
Or pierce his jaw with a barb? (Job 40: 15-24)

The hippopotamus was made just as people were made, fleshy creations of God. All of creation is magnificent, and some creatures so fantastically powerful and huge as to dwarf humans; their lives can only be controlled by God. Yet these great beasts do not consume flesh, but dine on grass, and only God can smite them; in fact, the deity is not their killer, but their provider. God created them to enjoy the produce, which pours down from the playground of the mountain animals, and to lie among the lotuses and swamp reeds. Animals are not here for human purposes, but for God's. Our purposes are not their purposes, and *visa versa*. The Tanakh even celebrates the ferocity of animals who strike out against humans; the she-bear is admired for her fierceness in protecting her young (2 Sam. 17:8, Prov. 17:12, and Hos. 13:8).

The Tanakh teaches readers that animals are independent of human beings *and wish to remain independent*. God reminds humans that "certain areas of God's creation are outside human control," *beyond* acceptable and proper realms of human influence (Vischer 9). The creator asks the human animal,

Do you know the season when the mountain goats give birth?  
Can you mark the time when the hinds calve? . . .

Who sets the wild ass free?  
Who loosens the bonds of the onager,  
Whose home I have made the wilderness,  
The salt land his dwelling-place?  
He scoffs at the tumult of the city,  
Does not hear the shouts of the driver.  
He roams the hills for his pasture; . . .

Would the wild ox agree to serve you?  
Would he spend the night at your crib?  
Can you hold the wild ox by ropes to the furrow?  
Would he plow up the valleys behind you? (Job 39:5-9)

God has given wild creatures their own homes in the steppes and salt land so that they are able to live free from domineering drivers that shout at laboring burros, free from exploitation as people endlessly strive after profit and material gain. Wild asses and oxen would scorn to bear human burdens or feed at the human manger because “the great creatures of land and sea were not made to serve as our pets or playthings” (Goodman 11). Nor were wild creatures intended as a cheap source of human labor, for profit, let alone as food. God asks the presumptuous and exploitative human: “Where were you when I laid the earth’s foundations? Speak if you have understanding” (Job 38:4). God *purposefully* created nature outside the domain of human beings—even beyond our comprehension. We have no power or place in these wild lands, and no right to destroy the mighty beasts that run free in such places.

The Tanakh speaks against human-centered utilitarian assessments of creation, and explicitly humbles humanity. Humans are but another earthly creature, not very capable, not particularly bright, and often exceptionally trying to the deity. Ecclesiastes reminds that we are but animals, created on the sixth day as were moles and muskrats,

given the same life breath, insignificant but for God, from the same hand and destined to the same end:

So I decided, as regards men, to dissociate them [from] the divine beings and to face the fact that they are beasts. For in respect of the fate of man and the fate of beast, they have one and the same fate: as the one dies so dies the other, and both have the same lifebreath; man has no superiority over beast, since both amount to nothing. Both go to the same place; both came from dust and both return to dust. Who knows if a man's lifebreath does rise upward and if a beast's breath does sink down into the earth? (3:18-21)

Biblically we are “not distinguished from other forms of life but identified with them” (Hiebert 139). Consequently, we have every reason to suppose that wherever we go after death, they also go (Phelps, *Dominion* 57). If life per se is precious, then all life is precious. For Jews, any assumption that human beings are more important than other species, or creation itself, is nothing more than human arrogance (and spiritual ignorance), *contrary* to the divine plan.

The Tanakh uses the term *nefesh chaya* (or *nephesh chayah*), which means “living soul” (Genesis 1:21, 24). When the breath of life is put into creatures, this *nefesh chaya* is applied to animals as well as to people (Schwartz 15).

According to Genesis, *the life force, the divine breath that brings will and consciousness, is the same in animals as it is in human beings*. Tragically, our English Bibles hide his fundamental truth by translating *nephesh* one way when it refers to animals and another when it refers to humans.

The King James Version translates *nephesh chayah* in Genesis 1:21 and 24 as ‘living creature.’ Then in 2:7, where it refers to a human being, the KJV translates *nephesh chayah* as ‘living soul’ [or ‘living being’]. But in 2:19, where it again refers to animals, *nephesh chayah* reverts to ‘living creature,’ obscuring the fact that the Bible makes no distinction between the nature of the living spirit with which God endowed humanity and that with which God endowed the animals.

Unfortunately, most modern translators have followed suit. (Phelps, *Dominion* 58)

In the Hebrew text, human beings and animals are *equally* “living beings” (Hiebert 139). The deity does not grant human beings a soul or spiritual character different from that of animals. Jewish and Christian texts written in English erroneously translate these

passages to create a distinction where there is none. The breath of life given by God is the physical breath of *all* animate life.

In the Tanakh, animals are portrayed as having spiritual understanding, sometimes greater spiritual understanding than people: “But ask the beasts, and they will teach you; / The birds of the sky, they will tell you, / Or speak to the earth, it will teach you; / The fish of the sea, they will inform you. / Who among all these does not know / the hand of the LORD has done this? ” (Job 12:7-9). Animals better discern who is in charge than do humans. “An ox knows its owner, / An ass its master’s crib: / Israel does not know, My people takes no thought” (Is. 1:3). Proverbs advises people to look to ants to learn how to accomplish much: “Lazybones, go to the ant; / Study its ways and learn. / Without leaders, officers, or rulers, / It lays up its stores during the summer, / Gathers in its food at the harvest.” (6:6-11). The regular, dependable actions of migrating flocks are compared with the irregular, uncertain behavior of humans. Turtledove, swift, and crane “keep the time of their coming; / But My people pay no heed / To the law of the LORD” (Jer. 8:7). Proverbs praises the smallest of creatures for wisdom:

Four are among the tiniest on earth,  
Yet they are the wisest of the wise:  
Ants are a folk without power,  
Yet they prepare food for themselves in summer;  
The badger is a folk without strength,  
It makes its home in the rock;  
The locusts have no king,  
Yet they all march forth in formation;  
You can catch the lizard in your hand,  
Yet it is found in royal palaces. (30: 24-28)

The Tanakh provides a rich understanding of the deity’s relationship with animals. Animals are dependant on the creator for their life and sustenance, and turn to God in times of need, as do people, crying with hunger or thirst (Joel 1:20).

There is the sea, vast and wide,

with its creatures beyond number,  
living things, small and great. . . .  
All of them look to You  
to give them their food when it is due.  
Give it to them, they gather it up;  
open your hand, they are well satisfied;  
hide Your face, they are terrified;  
take away their breath, they perish  
and turn again into dust;  
send back Your breath, they are created,  
and You renew the face of the earth. (Ps. 104: 25-30)

The relationship between God and animals is intimate, caring, compassionate, sustaining, and personal. “The eyes of all look to You expectantly, / and You give them their food when it is due. You give it openhandedly, / feeding every creature to its heart’s content” (Ps. 145:15-16).

Hebrew scriptures allow that humans and animals are created on the same day, that they are all good and cared for by the deity, and that they are equally given the breath of life. But this equality is often challenged by human beings based on scriptural passages, also from Genesis 1, stating that humans are created differently in two significant ways: they are created in “the image of God” and given “dominion” over a vegan world (Gen 1:26-27). While these passages have justified much human arrogance, exploitation, and general indifference toward the rest of creation, such an interpretation is not justified. This is clear when one understand the qualifications placed on our dominion, and when one looks more closely at what it might mean to be made “in the image” of God.

As God tends a creation, so ought humankind, made to rule in the image of God:

God said, “Let the earth bring forth every kind of living creature: cattle, creeping thing, and wild beasts of every kind.” And it was so. God made wild beasts of every kind and cattle of every kind, and all kinds of creeping things of the earth. And God saw that this was good. And God said, “Let us make man in our image, after our likeness. They shall rule the fish of the sea, the birds of the sky, the cattle, the whole earth, and all the creeping things that creep on the earth.” And God created man in His

image, in the image of God He created him; male and female He created them. (Gen. 1:24-27)

In Egypt and Mesopotamia, kings were regarded as in “the image or likeness of the deity” in both “function and position”; the king was viewed as “the representative of the deity, with a divine mandate to rule” (Hiebert 138).

“Rule” means to “have dominion,” “govern,” or “have authority” and is generally used in scripture to indicate the authority of governments over citizens. Ideally, governments “use their authority for the benefit of the people” (Phelps, *Dominion* 51). Rulers that oppress the weak for the benefit of the powerful are “always considered unjust. There is no reason why humanity’s dominion. . . should be judged by any other standard.” (Phelps, *Dominion* 52). We are charged with ruling in God’s stead, we have “special responsibilities” (Cobb 506-7). Hebrew scripture requires humans to rule, and if we use this rule in an exploitative or domineering way, we live contrary to divine intent.

In this light, to be made in the ‘image of God’ grants humans “a unique function... as God’s representative in creation” (Hiebert 138). To “image God is to image God’s love and law... to be endowed with dignified responsibility to reflect God’s goodness, righteousness, and holiness... to reflect the wisdom, love, and justice of God” (DeWitt, “Three” 354). As the Bible indicates: Wisdom is precious, and “all her paths, peaceful” (Prov. 3:17). We rule as God would have us rule, not for our own benefit. “[I]maging god, we must love the world and take care of it” (DeWitt, “Behemoth” 306). If we have a unique place in creation, it “is to be understood primarily in terms of special responsibility” (Kinsley, *Ecology* 172). Fellow creatures are “to be respected, loved, and helped to attain their purpose according to God’s will” (Hirsch, “Letters”).

“[T]o be created in the Divine Image, state the sages, means that people have the power to emulate the Divine compassion to all creatures” (Schwartz 16). “The LORD is gracious and compassionate, slow to anger and abounding in kindness. The Lord is good to all, and His mercy is on all His works” (Ps. 145:8-9). Spiritual leaders teach: “As God is compassionate . . . so you should be compassionate” (Schwartz 16).

Hebrew Scriptures qualify human rule, as if suspecting that people might lose sight of spiritual responsibilities. Immediately after the passage in which human rule is granted, it is written:

God said, “See, I give you every seed-bearing plant that is upon all the earth, and every tree that has seed-bearing fruit; they shall be yours for food. And to all the animals on land, to all the birds of the sky, and to everything that creeps on the earth, in which there is the breath of life, [I give] all the green plants for food.” And it was so. And God saw all that He had made, and found it very good. (Gen. 1: 29-31)

God offered humans an overlordship that “does not include the right to kill animals for food” (Allen 1: 132).

With the diet announced, after the deity explains what we are to eat, that we are to be vegans, creation is completed, and becomes “very good.” Preying on one another is contrary to the deity’s preference for how we *ought* to live. The vegan world is “as God wanted it, in complete harmony, with nothing superfluous or lacking” (Schwartz 2). Humans are to rule, but we are given a vegan dominion enacted in the image of and for God, which does not permit of tyranny or exploitation. In this passage we hear “the pleasure and the delight of the divine viewer” in all that has been created (Allen 1: 132). Genesis 1 reveals the divine preference for a world without bloodshed, without fear and suffering, without predators and prey.

The original creation, in both accounts, was one of pervasive peace, and “Judaism has invariably held vegetarianism to be the ideal God-given diet” (Linzey, *After* 57). In the Jewish tradition, a vegan diet, represents “the high ideal of God. . . stands supreme in the Torah for Jews and the whole world to see—an ultimate goal toward which all people should strive (Schwartz 13). Rav Kook, the first Ashkenazi Chief Rabbi of pre-state Israel, a highly respected Torah scholar, and influential and beloved Jewish spiritual leader, taught that a merciful God could not prefer that humans continue to eat flesh indefinitely; Kook advocated a vegetarian diet, as have generations of Rabbis (Schwartz 3, 175, Cohen xix).

Compassion is obligatory for those of the Jewish faith; “God condemns and harshly punishes cruelty to animals” (Regenstein 21). Proverbs 12:10 states, “The righteous man knows the needs of his beast, but the compassion of the wicked is cruel.” The righteous will care for animals, the wicked will not. Rabbinical law ordains that “A good man does not sell his beast to a cruel person” (Regenstein 183). A good human

considers the needs of animals above personal profit. The Tanakh records “six things the LORD hates; Seven are an abomination to Him” and the third among them is “Hands that shed innocent blood” (Prov. 6:16-17).

Compassion is at the core of the “Hebrew phrase *tsa’ar ba’alei chayim*, the biblical mandate not to cause ‘pain to any living creature’” (Schwartz 15). The *Shulchan Aruch* (Code of Jewish Law) is explicit about this obligation: “It is forbidden, according to the law of the Torah, to inflict pain upon any living creature. On the contrary, it is our duty to relieve the pain of any creature” (Ganzfried 84, Schwartz 19).

As God is merciful, so you also be merciful. As He loves and cares for all His creatures because they are His creatures and His children and are related to Him, because He is their Father, so you also love all His creatures as your brethren. Let their joys be your joys, and their sorrows yours. Love them and with every power which God gives you, work for their welfare and benefit, because they are the children of your God, because they are your brothers and sisters. (Hirsch, *Horeb* 72:482, Schwartz 24-25)

Rabbi Hirsch, a highly regarded German neo-Orthodox Torah commentator, teaches that this mandate should cause our “heartstrings [to] vibrate sympathetically with any cry of distress sounding anywhere in creation, and with any glad sound uttered by a joyful creature” (Hirsch, “Letters,” Schwartz 17).

Even causing frustration or disappointment to an animal is disallowed in the Tanakh. A paragraph, completed by one sentence in the Tanakh, commands: “You shall not muzzle an ox while it is threshing” (Deut. 25:4). This passage demonstrates remarkable sensitivity to the ox’s appetite while laboring, and to her taste for grains. “At the time of threshing, when the ox is surrounded by the food that [she] enjoys so much, [she] should not be prevented from satisfying [her] appetite” (Schwartz 9). Such ancient Jewish regulations “bespeak an eloquent awareness of the status of animals as ends in themselves” (Rollin 52). According to Regenstein,

Mosaic law laid down in the Books of Exodus and Deuteronomy clearly teaches compassion and kindness toward animals. Numerous passages forbid the overworking of animals and require that stray and lost creatures be helped. The law handed down by God makes it clear that these injunctions to help animals were intended for the sake of these creatures, and not that of the

owner. One was required to help animals that belonged to enemies to whom no obligation was owed, as well as those of friends; one could not ‘pass by’ an animal in distress.

Even the most holy of the laws—the Ten Commandments—specifically mentioned that livestock must not be worked on the Sabbath. (21)

The Ten Commandments include this requirement: “the seventh day is a Sabbath of the LORD your God; you shall not do any work—you, your son or your daughter, your male or female slave, your ox or your ass, or any of your cattle” (Deut. 5:14, Exodus 20:10 and 23:12). Animals are entitled to a day of rest along with human creatures; this requirement is not only repeated several times in the Tanakh, but listed among the most basic of Jewish laws, the Ten Commandments.

It is not enough to say that kindness to animals is mentioned in the Hebrew Bible. The fact that the welfare of animals is mentioned in the Ten Commandments and that compassion toward animals is the topic of passages in a number of books of the Bible, justifies the statement that compassion toward animals is an important theme of the Hebrew Bible” (Berman 3).

How much more surely today’s factory farmed animals deserve a break from their agony.

Not surprisingly, compassionate characters in the Tanakh are rewarded while cruel individuals are punished. Moses was rewarded with a spouse for watering a flock of sheep (Ex. 2:16-21), as was Rebekah (Gen. 24:15-19). Rebekah’s watering of camels is “evidence of a tender heart. . . a virtue upon which Judaism lays stress” (Hertz 83).

When Rebekah’s people prepare for guests—people and camels—the camels are unburdened, bedded down, and fed before humans eat (Gen. 24:32). A “kind man first feeds his beasts before sitting down to the table” (Regenstein 183).

Maimonides (1135-1204), one of the most influential Jewish theologians, interpreted the repeated biblical injunction not to “boil a kid in its mother’s milk” (Ex. 23:19 and 34:26, Deut. 14:21) as protection against acts that harden the human heart (Linzey, *After* 47). Deuteronomy 22:6-7 reads: “[Y]ou shall not take the mother with the young. Let the mother go.” Maimonides taught that this injunction is a *minimum* requirement, and that we ought to leave *both* the young *and* the mother, so that the mother will “not be pained by seeing that the young are taken” (Linzey, *After* 46-47).

The disruption humans may cause to other creatures is limited by the Tanakh: Prohibitions such as this reminds people that we “need to respect and reserve the manifold species which God created” (Schwartz 23).

Hunting is discouraged in the Jewish tradition. Cruel characters, those who enjoy hunting, are denounced in the Tanakh. When Rabbi Yechezkel Landau was asked about hunting, he responded: “In the Torah the sport of hunting is imputed only to fierce characters like Nimrod and Esau, never to any of the patriarchs and their descendants (Schwartz 25). The Rabbi concludes, “I cannot comprehend how a Jew could even dream of killing animals merely for the pleasure of hunting”; such trivialization of life is “downright cruelty” (Schwartz 25). Such passages remind readers of God’s preference for a vegan world.

Genesis 2, the second creation story, explains the proper role for humans amid God’s fresh creation. God “took the man and placed him in the Garden of Eden, to till it and tend it,” telling the man that he might eat of every tree (a vegan diet) but one (Gen. 2:15-16). Here we find the most explicit account of what human beings—or at least men—are to *do*. But our role is unnecessarily complicated by poor English translations.

The Hebrew word translated in Genesis 2 as “tend” also appears in Numbers 6:24, often translated as protect: “The Lord bless you and protect you” (DeWitt, “Three” 353). “Tend” implies a vitality, a nurturance for “life-sustaining and life-fulfilling relationships.... [It indicates] a deeply penetrating meaning that evokes a loving, caring, sustaining” approach (DeWitt, “Three” 353). As God tends human beings, so should we tend God’s creation.

The Hebrew word for “tend” is often translated as “till” in Genesis 2 (*’abad*), and is translated as “serve” in other portions of the Bible, such as Joshua 24:15: “choose this day which ones you are going to serve—the Gods that your forefathers served. . . or those of the Amorites” (DeWitt, “Behemoth” 204). Rabbi Hirsch remarks that Genesis 2 demonstrates that humans were created to “serve (work) and safeguard the Earth” (Hirsch, “Letters,” Schwartz 5, 16). Genesis 2 reveals man “as the servant, not the master, of the land. It emphasizes human dependence on, rather than dominion over, the earth” (Hiebert 140). Man was placed on the earth to serve and lovingly tend creation. Indeed, the lowly place of humans amid creation causes the Psalmist to ask, “what is

man, that You have taken note of him?" (8:5).

Genesis teaches that animals are all created from the same soil, given the same breath of life, and perhaps most remarkably, are all intended as companions and helpers in the task of tending creation:

The LORD God said, "It is not good for man to be alone; I will make a fitting helper for him." And the LORD God formed out of the earth all the wild beasts and all the birds of the sky, and brought them to the man to see what he would call them. . . . [B]ut for Adam no fitting helper was found. So . . . the Lord God fashioned the rib that He had taken from the man into a woman; and He brought her to the man. (Gen. 2:18-22)

Animals did not prove to be "fitting helpers," so woman was then created *for the same purpose as animals*. God intended that creatures all work together to serve and tend creation, anteaters and hyenas, males and females. This purpose is never revoked, denounced, or regretted. Animals and women are fellow-servants, helpmates with Adam in tending what God has made. Here we have no hierarchy, only working together for God.

Jewish stories do not provide an abundance of animal voices, but the Jewish tradition is not without talking animals. In Genesis 3 of the Tanakh, a snake emerges as a creature like humans in many ways: independent, willful, intelligent. The serpent communicates with human beings in the story of the temptation, and is critical to the human decision to eat of the fruit of the tree of knowledge. The serpent interacts with Eve and Adam as a fellow creature, created by God, cohabitating on earth, a creature who is capable of making her or his own decisions. Those of faith cannot suppose that God put the snake up to the task of causing the Fall. Genesis offers a vision of the snake as a neighbor, who pauses to chat in the garden, a neighbor powerful in her own right, created with a high degree of independence and self-direction.

In Numbers 22 of the Tanakh, Balak, king of Moab, commissions a professional seer named Balaam to curse the Israelites. En-route to Moab, Balaam beats his donkey three times for reacting to an angel which Balaam cannot see. "Then the LORD opened the ass's mouth, and she said to Balaam, 'What have I done to you, that you have beaten me these three times?'" (Num. 22:28).

This passage reveals a tender connection between ape and ass in which the faithful beast asks her rider why he has treated her harshly. The abuser offers an ugly, threatening, small-minded, selfish response rooted in pride, which fails to honor the inherent value of the ass. "Because you have made a mockery of me! If I had a sword with me, I'd kill you!" (Num. 22:29). The beast of burden reminds Balaam of their history, their mutual responsibility, and the relationship they have shared for many years. She challenges his cruel and exploitative rulership, "Look, I am the ass that you have been riding all along until this day! Have I been in the habit of doing thus to you?" (Num. 22:30). Balaam backs down, simply replying, "No."

In this story "the Lord opened the ass's mouth." The ass's comment is really that of God. God denounces the abuse of the little burro who labors under human rulership. This passage "contains a moving and eloquent plea on behalf of beasts of burden everywhere who are abused by their owners" (Regenstein 24). The plea comes from one no less than God, how much more surely would God object to factory farms and animal labs?

Species boundaries that separate humans from all other creatures are challenged in the Tanakh. At one point in the Book of Job, an arrogant and disappointed human laments, "I have become a brother of jackals, a companion to ostriches" (Job 30:29). Ultimately, the human is humbled, and learns that he is not above the rest of creation, but is indeed brother of jackal and companion to ostrich. Through visions of nature provided by God, the arrogant human comes to a new understanding of the magnificence of creation, and of the creator, and he says, "I recant and relent, / Being but dust and ashes." (Job 42:5-6). Through nature, one haughty man sees the fullness of God and comes to understand his smallness, his flesh and blood body, his primate existence, and repents of his arrogance; he lets go of his assumption that he is somehow more like a deity than a dog or donkey.

The covenant of Genesis 9 also lumps all creatures together. "God's covenant is with all of us—human and nonhuman without distinction—all are recognized as being equally objects of God's concern and participants in God's covenant" (Phelps, *Dominion* 62). Scripture regarding this divine covenant is no less than redundant in emphasizing that God's agreement is with *all* flesh—and the earth itself:

And God said to Noah and to his sons with him, “I now establish My covenant with you and your offspring to come, and with every living thing that is with you—birds, cattle, and every wild beast as well—all that have come out of the ark, every living thing on earth. I will maintain My covenant with you: never again shall all flesh be cut off by the waters of a flood, and never again shall there be a flood to destroy the earth.”

God further said, “This is the sign that I set for the covenant between Me and you, and every living creature with you, for all ages to come. I have set My bow in the clouds, and it shall serve as a sign of the covenant between Me and the earth. When I bring clouds over the earth, and the bow appears in the clouds, I will remember My covenant between Me and you and every living creature among all flesh, so that the waters shall never again become a flood to destroy all flesh. When the bow is in the clouds, I will see it and remember the everlasting covenant between God and all living creatures, all flesh that is on earth. That,” God said to Noah, “shall be the sign of the covenant that I have established between Me and all flesh that is on earth.” (Gen. 9:8-17)

Five times this biblical passage asserts that God’s covenant includes “every living creature,” and humans are included with “all flesh,” suggesting that this equality before God is of particular importance. God’s covenant prevents any separation of humans and animals (Linzey, *After* 22).

Hebrew Scripture is centrally concerned with “life on earth” (Berman 43). The Tanakh does not focus on paradise, but on how to live in this world: do “what is good, / And what the LORD requires of you: / Only do to justice / And to love goodness, / And to walk modestly with your God” (Mic. 6:8). Justice does not admit of exploitation, goodness does not admit of cruelty, and walking modestly with God does not allow humans to elevate themselves above other species.

The faithful are also to live in a way that furthers God’s ends, and the “whole Torah was given for the sake of peace” (Schwartz 95). The Tanakh teaches that we have come from a world of perfect peace, and are headed into yet another (Berman 8); violence is not chronic, so there will be “reconciliation, concord, and trust” (Guthrie 598). The prophet Isaiah promises that God’s peaceable kingdom will eventually *return* to earth, transforming life as we know it, bringing a time of “perfect peace among people as well as between human beings and the animal kingdom” (Cohen xix). Those of faith

are not just to “look” to this day, but actively work to bring about the Peaceable Kingdom. Psalm 34:17 instructs, “seek amity, and pursue it.”

Hebrew scripture notes that we will not be the only species present in this peaceful future world. In fact, this future “state of peace and well-being” is “symbolized by the idyllic picture of powerful animals and poisonous reptiles in harmonious companionship with domesticated animals and truly spiritual human children” (Buttrick 5: 249):

The wolf shall dwell with the lamb,  
The leopard lie down with the kid;  
The calf, the beast of prey, and the fatling together,  
With a little boy to herd them.  
The cow and the bear shall graze,  
Their young shall lie down together;  
And the lion, like the ox, shall eat straw.  
A babe shall play  
Over the viper’s hole,  
And an infant pass his hand  
Over the adder’s den.  
In all of My sacred mount,  
Nothing evil or vile shall be done;  
For the land shall be filled with devotion to the LORD  
As water covers the sea. (Isa. 11:6-9)

Animals, and our relations with animals, are an important part of human submission to God’s will, of human service to God’s ends, the perfect, peaceful world. Rabbi Cohen, Ashkenazi Chief Rabbi writes, “we look at the vegetarian way of life as a special path of worship and as a step forward toward the ‘Great Day,’ i.e., the coming of the Messiah, the day where ‘Nation shall not lift up sword against nation, neither shall they learn war any more.’ (Isa. 2:4) Bloodshed will cease” (Cohen xix).

The vision of a Peaceful Kingdom appears more than once in the Tanakh, not just in Isaiah, but also in Hosea and Job. Hosea prophecies a future covenant “with the beasts of the field, the birds of the air, and the creeping things of the ground,” a time when God “will also banish bow, sword, and war from the land. Thus [God] will let them lie down

in safety” (2:20). The Book of Job anticipates a time when people will neither kill nor fear beasts, but “the beasts of the field will be your allies” (5:23). Hebrew spirituality begins and ends with a peaceful world, a world where people and animals live together harmoniously, without exploitation and bloodshed.

Leviticus states simply: “Love your fellow as yourself” (19:18 ). “Fellow” or “neighbor” has been an expanding term, from fellow/neighbor Jew, to fellow/neighbor race or nation, to fellow/neighbor human beings. The Tanakh reminds that we are animals; all creatures are part of God’s peaceful original world, and animals are critical to the Peaceful Kingdom yet to come. Many people have birds, dogs, cats, squirrels, and cattle nearby, as our neighbors and household members.

There is much to be admired in Jewish teachings concerning nature and animals, and these teachings are also holy scripture for Christians. The Tanakh teaches that all creatures are good in and of themselves, and that the creator remains personally invested in creation. People are created “in the image of God” to serve and lovingly tend creation; animals and woman are created to participate in this divine duty. The Tanakh boldly challenges any assumption that human beings are separate and distinct from other creatures. God enters into a covenant with *all* creatures. Animals in the Tanakh are credited with special abilities, some of which scriptures reveal as a notch above the abilities of humans. Humans are given a mandate not to cause pain; cruelty to animals is denounced and compassion expected. God created a vegan world, peaceful and without bloodshed, to which we will return. Those of faith are to work toward this end, to clear a path back to the Peaceable Kingdom.

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## **Deliberative Democracy, Direct Action, and Animal Advocacy**

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### **Introduction**

Democratic theory has been transformed, over the past ten or fifteen years, by what has come to be called the “deliberative turn” (Dryzek 2000, p. 1).<sup>1</sup> At the heart of this development is the rise of a particular view about the nature and sources of legitimacy in democratic decision-making. The deliberative theory claims, in essence, that collective decisions are legitimate to the extent that they emerge from dialogical and reason-guided processes of public discussion among citizens (cf. Benhabib 1994, Cohen 1997, Dryzek 2000, Freeman 2000). Such public deliberation may take place in formal, highly structured settings established for just that purpose (Fishkin 1991), or it may unfold in informal, diffuse settings spread out across the countless associations of civil society (Habermas 1996). Either way, citizens figure in this account of democracy not so much as bearers of preferences which are expressed and aggregated by means of voting, but rather as co-participants in a process of reciprocal justification and persuasion who seek, ideally, to converge toward a rationally motivated consensus. This deliberative view has been well-described as a “talk-centric” conception of democracy (Kymlicka 2002, p. 290), a term which points to its distance not only from “vote-centric” conceptions, but also from conceptions which see social conflict, strategic interaction, the mobilization of pressure, and other such factors as centrally important in democratic politics (Shapiro 1999; Walzer 1999). But as soon as we note that many animal advocacy activists draw extensively on conflict, strategy, and pressure to advance their aims, the question immediately arises: what are the implications of the deliberative conception of democracy for understanding the place of animal advocacy activism within democratic politics?

The individuals and organizations that make up the animal advocacy movement are extraordinarily diverse in their philosophical assumptions and tactical orientations, so one rightly hesitates before attempting to generalize about the movement. Yet, it is surely true that many participants within the movement, notably those who engage in the kind of activities that I group together in this paper under the label, “direct action” animal advocacy, act and write as if they have a conception of democratic politics that is rather different from that of most deliberative democrats. In particular, direct action animal advocates are, in general, far less confident than many deliberative democrats that reasoning in the context of public discussion can be a *sufficient* vehicle for advancing social justice and the common good. To be sure, many direct action activists are deeply committed to participation in public debates about the moral status of animals and the moral permissibility of the ways in which contemporary capitalism uses and abuses them. At the same time, however, these activists also take the further step of deploying

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<sup>1</sup> The notion of “deliberative democracy” was introduced into democratic theory in 1980 (Bessette 1980). But it did not emerge as the leading normative theory of democracy in English-language political philosophy until sometime in the 1990s. Arguably, the “deliberative turn” dates from around 1996, the year in which the two most influential statements of the theory were published in English, *viz.* Habermas (1996) and Gutmann and Thompson (1996), along with an anthology edited by Benhabib (1996), followed by further anthologies in 1997 (Bohman and Rehg, eds.), 1998 (Elster, ed.), and 1999 (Macedo, ed.)

confrontational and adversarial (as distinct from communicative and dialogical) methods, ranging along a continuum from such legally permitted and even “mainstream” practices as organizing consumer boycotts to more controversial measures like sabotage, economic disruption and even (in the atypical case of a group like Stop Huntingdon Animal Cruelty, or SHAC) campaigns of personal harassment and intimidation.

In this paper, I take up the two-sided question of how to think about direct action animal advocacy in light of the deliberative turn, and how to think about the deliberative turn in light of direct action animal advocacy. Each of these enterprises offers important insights – and poses significant challenges – for the other, and I intend this paper in part as a contribution to a potentially fruitful dialogue between them.

It is important, though, to be clear from the start about how I use this expression, “direct action.” Its use invites confusion if it is not carefully defined. Some people use the expression as a synonym for “militancy”; others use it to distinguish the “direct” approach of grassroots action from the “indirect” approach of reliance on elected officials or judges to drive social change. However, in the context of contemporary democratic theory, where so much attention is paid to the relationship between attempts to *convince one’s audience with arguments* (i.e., “deliberation”) and attempts to *exert pressure on adversaries* that are unresponsive to even the best arguments, it makes more sense to use the expression “direct action” to help mark the distinction between two modes of social activism to be found within the animal advocacy movement. On the one hand, we find a range of activities best understood as attempts at *consciousness-raising*. On the other hand, however, we find the kinds of activities that I call *direct action*.

In the first mode of activism (consciousness-raising), one aims to win people over to the cause of animal advocacy by appealing to them to reconsider their convictions about the relevant issues in light of powerful arguments that could well be convincing to them. Thus, a campaign to educate the public about the abuse of animals in zoos will utilize such measures as advertising, public interest research, teach-ins, press conferences, petition-drives, and so on. No doubt, these activities are informed by all kinds of strategic thinking about how best to have an impact on public policy. But their aim is primarily to effect change by changing people’s minds or “raising awareness.”

In the second mode of activism (direct action, in my sense), one starts from a different set of assumptions about whom one’s activities should be “targeting.” Rather than addressing a broad public assumed to be susceptible in principle (and within limits) to reason-guided persuasion, direct action activities are aimed at largely intransigent adversaries, who are thought to be unresponsive to arguments and reason-giving: powerful agribusiness interests, responsive only to the corporate bottom line, political elites more interested in maintaining “law and order” and fostering “economic growth” than in entertaining critical objections to present social practices, or a “techno-scientific” establishment so deeply committed to certain “humanistic” ideologies and research practices that it has generated a pool of implacable opponents of the animal advocacy cause. In the face of these forces, “consciousness-raising” activities are evidently bound to be fruitless. When one concludes from considerations of this sort that *these* people and institutions can only be moved by means of the mobilization of *pressure*, one typically shifts out of the “consciousness-raising” mode, and into the “direct action” mode of activism. In direct action campaigns, one draws on an array of tactics quite different from the broadly educative methods of consciousness-raising activism. Direct action

campaigns might involve attempts to disrupt traffic, to sabotage research facilities, to use negative publicity campaigns in order cost businesses money, and so on. Argumentation and reason-giving appear here, too, but they are not addressed to the target of one's activities. Instead, one uses arguments to win over allies to join in the struggle, thereby further intensifying the pressure brought to bear on one's opponents.

The distinction between consciousness-raising and direct action is not as clear-cut as my remarks might seem to suggest. Certainly, there is overlap and interaction between these two modes of activism. Moreover, not only most organizations, but also most individuals engage in *both* kinds of activity, often in the course of a single campaign or event. It is easy to imagine a group of activists attempting to obstruct the entry of shoppers into a retail store, as a direct action tactic, and attempting at the very same time to distribute leaflets to those shoppers, as a consciousness-raising tactic. So, the contrast between consciousness-raising and direct action cannot be used to classify activists or organizations into two camps, as if one could say, "People for the Ethical Treatment of Animals (PETA) is a consciousness-raising organization, whereas the Animal Liberation Front (ALF) is a direct action group." At best, one could say that the emphasis of PETA members tends to be on consciousness-raising, while that of ALF participants is on direct action. But, precisely because saying that would be accurate, and would help to illuminate some of the political and tactical diversity among animal advocacy activists, we ought to embrace the conceptual distinction, even while we acknowledge that the distinction cannot always be sharply drawn. Accordingly, I rely on the distinction, especially the notion of "direct action," quite heavily in what follows.

In the first part (I) of this paper, I review the main ideas of the deliberative theory of democratic legitimacy. In the second part (II), I analyze the apparent tension between the primarily dialogical and communicative character of public deliberation and the primarily adversarial and strategic character of direct action animal advocacy. In the third part (III), finally, I respond in detail to the arguments of Mathew Humphrey and Marc Stears (2006) that purport to show the irreconcilability of deliberative democracy and what they call "animal rights activism." My thesis will be that – on the best interpretation of the deliberative conception and contrary to the interpretation that Humphrey and Stears put forward ostensibly on behalf of direct action animal advocacy – the deliberative theory of democracy (properly understood) does *not* imply anything which would discourage or prohibit direct action on behalf of animals, but on the contrary offers us a sophisticated justification for it.

## **I. The "Deliberative Turn" in Democratic Theory**

Deliberative democracy, as understood within contemporary political theory, suggests a particular way of thinking about politics in a democratic society. Specifically, it implies a break with one very popular perspective among political scientists concerning the nature of political disputes and the contribution that democratic politics can make to their effective resolution. This competing view of politics, classically formulated (although in different ways) by both Machiavelli and Hobbes, is characterized by a kind of single-minded attentiveness to the strategic rationality of conflict. The same narrow focus on strategic interaction persists in some varieties of recent political theory, notably in the form of reliance on game theory as a framework for analyzing political life. One of the

effects of the popularity of this emphasis on strategic rationality has been the displacement from the center of political thought of an important counter-tradition, which constitutes a leading source of inspiration for deliberative democrats, but tends to be dismissed as naïve and moralistic by neo-Hobbesian theorists. This other tradition received its classical statements in the late 18<sup>th</sup> century, in the ideal notions of moral reasonableness and impartial universalism elaborated in the ethical and political theories of Kant and Rousseau.

Deliberative democrats tend to draw much more on the Kant/Rousseau conception of politics than the Machiavelli/Hobbes tradition. But it is important to see that what deliberative democrats really reject is only the one-sidedness of the latter perspective, that is, they deny that politics is *only* or *above all else* a matter of strategic conflict. They don't deny that it is a matter of strategy, *among other things*. To put the point more bluntly, deliberative democrats view the political process as having a kind of dual character: on the one hand, there are conflicts of interest, differences of power, political alliances that vie with one another for influence, and so on. On the other hand, there are arguments, reasons, attempts to persuade one's fellow citizens of the rational superiority of certain public policies, by appealing to nothing but (what deliberative democrats call) the "unforced force of the better argument."<sup>2</sup> In short, politics has an adversarial and strategic aspect, but also a dialogical and deliberative aspect (Young 2003, p. 119; cf. Estlund 1993; Elster 1986). This, however, is not the controversial part of the deliberative conception. What *is* controversial is the deliberative democrat's further claim that it is only the second, dialogical and deliberative, aspect of the political process that confers legitimacy on public decisions. In Seyla Benhabib's formulation, "legitimacy in complex modern democratic societies must be thought to result from the free and unconstrained public deliberation of all about matters of common concern" (1994, p. 26). This, surely, is a thought that should raise serious concerns among those who rightly see direct action as central to what is *most* democratic in contemporary politics. (I address these concerns in part III, below.)

Another feature of the deliberative conception, related to those already discussed, is its shift of democratic theory's focus from voting and preference aggregation to reason-guided discussion in advance of decision-making as such. The received view of democracy assumes that voting is a crucial moment in the political process, during which the voice of the people is finally heard. This view finds its most sophisticated academic expression in the discourse of "social choice theory," which is concerned with (among other things) the rational aggregation of public preferences. By contrast, the deliberative conception of legitimacy views democracy not as a vehicle for revealing public preferences, but as a mode of *inquiry*, a collaborative search for rational insight into the common good. Voting, distorted as it may often be (Ackerman and Fishkin 2003, pp. 7-8; cf. Bohman 1996) by self-interest or by strategic calculations about how to promote a private agenda, may have *some* role to play in a democratic political process, according to many deliberative democrats (see, for example, Habermas 1996, p. 442). But its role

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<sup>2</sup> The phrase, "unforced force of the better argument" (Habermas 1998, p. 37), was introduced into deliberative-democratic theory via Habermas's discourse ethics, a crucial reference point for many deliberative democrats. For a detailed elaboration of the idea, see the "excursus on the theory of argumentation" in Habermas 1984, pp. 22-42. Habermas's version of deliberative democracy is elucidated in systematic detail in Habermas 1996.

cannot be central to the legitimation of public policies. After all, the fact that most people endorse a policy proposal is only morally interesting if the basis upon which they formed this conviction was itself informed by rational deliberation and accurate information. The fact that the public reached a decision founded upon misinformation, deception, or the “manufacturing of consent” (Chomsky and Herman 1988) hardly offers a sound reason to accept the authoritativeness of the majority’s will. From this, deliberative democrats conclude that the only direct source of legitimacy in a democratic polity is discussion, argumentation, dialogue – in short, public deliberation (Cohen 1997, pp. 72-73).

This deliberative theory of democratic legitimacy has become, very quickly, enormously influential (Chambers 2003, p. 307). Appalled by the vacuous and cynical character of (elite) public policy discussion in the present age, many defenders of democracy (including conservatives like Bessette 1980, liberals like Gutman and Thompson 1996, and radicals like Young 2003) are drawn to deliberative democracy as a means to rescue democracy as a source of legitimacy from the discredit that threatens it by association with the cynical manipulation of public opinion by elites and the undue influence of money over public policy-making (Simon 2002, pp. 8-10). There *must* be more to democracy, one is inclined to say, than the cynical deployment, by public relations firms, of focus groups and public opinion research to help power-hungry politicians and elite interest groups manipulate the public with advertising campaigns that are effective at molding and manufacturing consent, but contribute nothing in the way of insight into the common good or the requirements of social justice (Ackerman and Fishkin 2003, p. 10). Identifying discussion, argumentation and collaborative inquiry into the public interest as the moral core of democracy as a normative ideal allows theorists to do two things at once that might otherwise seem incompatible. On the one hand, one can condemn the cynicism and manipulation that pervade society’s public debates about political issues. And on the other hand, one can simultaneously uphold the idea that the laws and policies by which we are governed owe whatever legitimacy these might have to their origins in ongoing public discussion. The key to this possibility is the distinction made in the deliberative theory between the *strategic* and the *deliberative* elements of the political process (Estlund 1993): when the communicative, dialogical dimension of democratic debate is infiltrated and colonized by the strategic rationality of adversarial manipulation and elite stratagems for the exercise of power, majoritarian decision procedures cease to function fully as vehicles for reason-guided deliberation. To that extent, they cease also to confer legitimacy on the laws and policies that issue from the political process.

## **II. The Animal Advocacy Movement and Deliberative Democracy**

Although the deliberative theory is appealing for supporters of democracy, it does raise some difficult questions that need to be addressed. One of these is an issue first explored in a paper published by the late Iris Marion Young, called “Activist Challenges to Deliberative Democracy” (Young 2003). The paper is written as a kind of dialogue between two, seemingly incompatible positions: that of a deliberative-democratic theorist, advocating that rational discussion rather than pressure or bargaining be made the key factor in political decision-making, and a that of a social activist, suspicious of a political system stacked against the disadvantaged or those advocating structural social

change. In the past few years, Young's paper has generated a significant amount of debate among democratic theorists (cf. Smith 2004, Medearis 2005, Talisse 2005, Fung 2005). And the concern that she raised has considerable significance for the question of the relationship between democratic deliberation and animal advocacy (see Humphrey and Stears 2006). In particular, it is easy to see that Young's "activist" is committed to what I've been calling "direct action." And, while Young unfortunately ignores the case of animal advocacy activism, we can use her work as a point of departure for looking at direct action animal advocacy as it relates to deliberative democracy.

What Young noticed, in effect, was a tension between the understanding of democratic politics *implicit* in much of the political behavior of social activists committed to direct action and the understanding of democratic politics *explicit* in the deliberative theory of legitimacy. Whereas the deliberative theory tends to discourage confrontation, in favor of dialogue, the direct action activist tends to despair of dialogue and, facing the intransigence of powerful adversaries, resorts – out of an apparent necessity – to intentionally cultivated confrontation, as a routine and normal form of political activity (Young 2003, p. 104), as illustrated by the activities of a group like the A.L.F. And whereas the deliberative theory regards reasons and arguments as the proper vehicle for securing political influence, the direct action activist looks instead to the mobilization of pressure, which is to say a force that owes little to argumentation, and a great deal to the capacity to disrupt current practices and/or penalize in various ways those who uphold the status quo. In short, Young saw that the deliberative theory seemed to discount the "democratic" credentials of direct action, at least in many of its typical forms (Young 2003, pp. 105-06). Thus, the deliberative theory of democracy can easily explain what is democratic about the *arguments* offered by animal advocates; but it is not at all clear that the theory can explain what is democratic about the boycotts, sit-ins, disruptions, or property damage organized by those same advocates.

In the present context, the details of Young's paper, and most of the responses and interventions in the debate it spawned, are less important than one particular contribution: a paper from August 2006 which takes up Young's line of questions with specific reference to the modes of activism typical of the animal advocacy movement. The paper, called, "Animal Rights Protest and the Challenge to Deliberative Democracy," is written by Mathew Humphrey and Marc Stears (2006). In it they pursue Young's general line of inquiry, concerning the role of direct action in a deliberative democracy. In the course of their discussion, moreover, they endorse – as do I – one of Young's key assumptions, namely that a democratic theory which cannot account for the contribution to democratic politics made by egalitarian direct action in general, and direct action animal advocacy in particular, is *by that very fact*, unacceptable. On this view, the democratic character of justice-seeking grassroots social movements is one of the *facts* that a democratic theory must account for. So the question isn't, *are social movements democratic?* It is, rather: *given* that egalitarian social movements generally *are* democratic, *in what does their democratic character consist?* There are certainly arguments to be made by way of elaborating and justifying this assumption, and Humphrey and Stears offer a few of them (e.g., on p. 419; cf. Young 2003, p. 107). Perhaps the most compelling argument, though, is historical: one need only point to the profoundly democratic character of the impact of, say, the labor movement, the women's movement, the U.S. Civil Rights Movement, and so on. The effect of such movements has been consistently to challenge the hegemony of

economic and political elites and to open up spaces in public life for elements of grassroots participation and political contestation. To depict these egalitarian social movements as undemocratic is simply not credible. In any case, since whatever controversy there might be (if any) about the claim that egalitarian social movements, including ones relying in substantial ways on direct action, it is a shared and uncontroversial premise among myself, Young, and Humphrey and Stears. So, within the present discussion, the assumption can be taken as a given.

The important implication of this assumption is that: (1) *if* the animal advocacy movement relies crucially on adversarial and strategic modes of civic engagement (direct action), and (2) *if* it is true that the deliberative theory of democracy urges citizens to forgo those forms of direct action and denies legitimacy to any outcome produced by them, *then it follows* that (3) the deliberative theory suffers from a sort of Achilles heel, that is, a fatal defect that decisively undermines its viability. This is just the kind of argument that Humphrey and Stears try to make. They try to show, in short, that there must be something wrong with the deliberative theory, because it denies the democratic credentials of any civic engagement relying crucially on adversarial and strategically oriented behavior, and it thereby – implausibly – denies democratic credentials to animal advocacy activism. Indeed, as Humphrey and Stears see it, the deliberative theory implies a rejection of not only the most controversial forms of animal liberation militancy (SHAC, ALF, etc.), but virtually *all* animal advocacy that makes use of direct action (in the relevant sense). If true, this would clearly be a major failing for a theory of democratic politics (Humphrey and Stears 2006, p. 417).

To make plausible this analysis of the implications of deliberative democracy for direct action animal advocacy, Humphrey and Stears need to show three things: first, that the animal advocacy movement is crucially reliant on adversarial and strategic methods, rather than confining itself strictly to dialogical and deliberative methods; second, that this recourse to non-deliberative (direct action) methods is quite justifiable, in the contexts in which it occurs; and third, that the deliberative theory denies the permissibility of this reliance on non-deliberative means. I will try to give a clear account of the case they make for each of these claims.

### III. The Three Claims

First, in what sense is the animal advocacy movement crucially reliant on non-deliberative modes of political action? Note that Humphrey and Stears are not suggesting that the movement is devoid of deliberative activity, or reason-giving more generally. That would be false about all sectors of the animal advocacy movement, even those associated mainly with confrontational, militant forms of direct action. The claim that is being made is just that many of the movement's organizations and individual activists do not confine themselves to consciousness-raising, mediated by argumentation. Rather, say Humphrey and Stears, animal advocacy activists engage routinely in attempts to mobilize pressure in order to influence people deemed by them to be unresponsive to mere argumentation.

Humphrey and Stears analyze the activities of the animal advocacy movement in terms of two "tactics" which, though they do not exhaust the tactical repertoire of the movement, figure centrally in that repertoire. The first is a family of measures which they

bring together under the heading, “cost-levying” (Humphrey and Stears 2006, p. 405). Cost-levying is a form of political action which, starting from the observation that the conduct of political actors is responsive to incentives, that is, to cost/benefit analysis, undertakes to *increase the costs* and/or to *decrease the benefits* associated with conduct opposed by the activists. As Humphrey and Stears (2006, p. 405) put it, “cost-levying is a relatively simple political device, one premised on the assumption that the incentive structures for particular courses of action can be directly altered by a politically engaged group of citizens if those citizens target their behaviors in the right sort of way.” To see that cost-levying is relied upon by animal advocacy activists, one need only list a few of its most characteristic forms: consumer boycotts, negative publicity campaigns, property damage, disruption of business activities, sit-ins and occupations, and so on. Clearly, to repeat, such direct action tactics do not exhaust the repertoire of methods deployed by the diverse strands of the animal advocacy movement, since we know that consciousness-raising also plays a central role. But this does nothing to change the fact that direct action methods do undoubtedly figure prominently within the movement – so much so, in fact, that in the absence of such tactics, we would be dealing with a movement of a very different, perhaps unrecognizably different kind. So far, so good. Later, I take up the question of whether such activity is antithetical to deliberative democracy. But there can be no doubt that it is *non-deliberative* activity, since its aim is not to persuade with arguments, but to pressure forces that are unresponsive to arguments. That is to say, when one engages in cost-levying, one is exerting pressure, hence (in a broad sense) coercion. One is relying, in that sense, on forces other than the force of the better argument, and though one does make use of arguments, these are largely aimed at winning over third parties, *not* at the people or institutions targeted by the actions. One appeals, not to the deliberative capacities of one’s fellow citizens, that is, their responsiveness to reasons and arguments, but to the susceptibility of powerful persons and organizations to certain kinds of pressure. In the jargon of contemporary political philosophy, one appeals to their (instrumental) *rationality*, not to their (moral) *reasonableness* (Rawls 2000, pp. 6-7).

But there is more. Not only is cost-levying typical of animal advocacy activism. So, too, is another ostensibly non-deliberative tactic, which Humphrey and Stears label, “exaggeration of moral disagreement” (Humphrey and Stears 2006, p. 404). By this they mean, in simpler terms, *polarizing rhetoric*. Though, in the course of their paper, Humphrey and Stears seem unable to decide whether polarizing speech is an expression of earnest sensitivity to the moral urgency of considerations of animal welfare and/or liberation, or a strategically motivated rhetorical device. However, it is not important to resolve this ambiguity, since there is no reason to assume that all animal advocates use such formulations for the same reasons. Here, I’ll assume, as Humphrey and Stears usually do, that it is *at least* a tactical device, albeit a morally motivated one.

What is crucial to see is this: one characteristic of the animal advocacy movement has been the recurrent deployment, in public debate, of polarizing rhetoric. For instance, to use the main example discussed by Humphrey and Stears, many animal advocates have publicly compared the systematic mistreatment and wrongful killing of animals in contemporary capitalism to *genocide* in general, or even to the Holocaust in particular (Humphrey and Stears 2006, p. 411). To be sure, say Humphrey and Stears, this is a controversial claim. But that is precisely the *point* of making the claim, they suggest: it is

intended to wake people up, they say, to disrupt their habitual ways of thinking, which tend to normalize practices that ought to shock us.

Once again, this characterization seems plausible. Certainly, not all animal advocacy activists would endorse this comparison, either as a description, as an evaluation, or as a rhetorical device. But there is little doubt that many would, and that many in fact *do*. Humphrey and Stears mention Charles Patterson's book, *Eternal Treblinka: Our Treatment of Animals and the Holocaust* (2002), as an example. It is, however, only one instance of a recurring, though not universal, tendency: to make use of rhetoric that *polarizes* the discussion, notably by *vilifying* opponents.<sup>3</sup> As Humphrey and Stears point out, moreover, such polarization works against deliberative efforts to foster value convergence and consensual conflict resolution, in the short term. The latter process generally proceeds, at least according to some deliberative democrats (Gutmann and Thompson 1996, p. 377, n.43), in accordance with something akin to the "universal norm of rational dialogue" proposed by Charles Larmore. According to this norm:

When two people disagree about some specific point, but wish to continue talking about the more general problem they wish to solve, each should prescind from the beliefs that the other rejects, (1) in order to construct an argument on the basis of his other beliefs that will convince the other of the truth of the disputed belief, or (2) in order to shift to another aspect of the problem, where the possibilities of agreement seem greater. In the face of disagreement, those who wish to continue the conversation should retreat to *neutral ground*, with the hope either of resolving the dispute or of bypassing it (Larmore 1987, p. 53).

Gutmann and Thompson formulate the point somewhat differently, by saying that effective deliberation requires that co-deliberators "economize" on moral disagreement by arguing as much as possible from premises that could be endorsed by their adversaries (Gutmann and Thompson 1996, pp. 84-85). Clearly, the introduction of analogies between meat and fur production industries and the Holocaust will tend to move things in the opposite direction, i.e., *toward* conflict and controversy (Humphrey and Stears 2006, p. 411).

So, Humphrey and Stears make this first case (*viz.*, that animal advocacy activists rely on non-deliberative methods) quite convincingly. The second claim they try to defend is that the animal advocacy movement's reliance on non-deliberative methods is quite justifiable, in the relevant contexts. This, too, is easy for them to demonstrate. Cost-levying is justified, not only on pragmatic grounds, as an effective strategy, although it is often that. More importantly, it is justifiable, in a moral sense, by reference to one of the crucial values to which the deliberative theory of legitimacy also appeals: the value of inclusiveness, and the related principle of political equality. Cost-levying, Humphrey and Stears point out, is often the only way for relatively marginal political forces, above all persistent minorities like animal advocates, to insert their concerns into the public debate. They write: "small, or relatively unpopular, groups of political activists must find ways of placing their issues on the political agenda; they must somehow find leverage out of their otherwise uninfluential political position. . . . It is in this regard that a particular set of cost-

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<sup>3</sup> By "vilifying," I mean depicting opponents as engaged in morally repugnant behavior. Vilifying depictions of people, in this sense, may be perfectly accurate and reasonable. But there can be no doubt, it seems to me, that equating a person's conduct with the conduct of Holocaust perpetrators counts as vilification.

levying strategies have become the hallmark of an enormous number of relatively poorly situated political groups” (pp. 406-407). About this they are no doubt quite correct.

As for polarizing rhetoric, this too is justifiable by reference to leading deliberative-democratic values. Specifically, the background condition that necessitates such rhetorical strategies is what Humphrey and Stears call “the ‘stickiness’ of cognitive frames” (2006, p. 416), by which they mean the recalcitrance of conventional modes of thought in the face of evidently reason-guided criticism. In a cultural context in which, say, the eating of animals is taken for granted as reasonable and just, or rather as so unproblematic that the very question as to its justness does not even arise, the position that killing animals and eating them is morally impermissible cannot be expected to find a large, receptive audience, open to the force of the better argument. Rather, such unconventional critical perspectives are likely to meet considerable psychological resistance, for the simple reason that such views defy the “frames” that constrain conventional thinking, which frames tend to invalidate non-conforming points of view.

The deliberative value that justifies the use of shocking rhetoric, in order to provoke and polarize, is the value of reason-guided discussion. The deliberative theory suggests that a legitimate decision will be taken after, and be informed by, an inclusive public discussion, and that the discussion in question will be reason-guided, in the sense that the convictions of participants will tend to track the quality of arguments offered on behalf of proposed positions. In short, opinions formed by the discussion will be guided by the force of the better argument. But this idealizing assumption implies a critical stance toward forces *other* than that of the better argument: not only physical coercion, but also manipulation, deceit, threats, ignorance or prejudice. The recalcitrant cognitive frames, to which Humphrey and Stears rightly point, belong on this list as well. Indeed, they are no doubt covered already by the term, “prejudice.” If, as Humphrey and Stears suggest (2006, p. 415-16), and which there is no good reason to doubt, the shock value of polarizing rhetoric can have the “perlocutionary”<sup>4</sup> effect of provoking an audience into entertaining alternative “cognitive frames,” i.e., unconventional modes of thought and evaluation, then this looks like the basis for a *prima facie* justification for engaging in such modes of civic engagement, just as animal advocates currently do.

Thus, Humphrey and Stears are able to show, not only that some forms of animal advocacy activism relies crucially on adversarial and strategic methods (notably, cost-levying and polarizing rhetoric), but that such reliance is, on its face, justifiable. The third point they need to establish is that such reliance is ruled out by a consistent adherence to the moral and political principles of deliberative democracy.

It is at this point, I want to argue, that Humphrey and Stears go astray.

The argument they try to make hinges on an assumed link between two distinct elements of a comprehensive theory of democracy, namely, between, first, a theory of democratic legitimacy, and second, a theory of civic virtue in a democratic polity. I have described in some detail the core ideas of the deliberative-democratic theory of legitimacy. I take myself, however, to have said nothing in particular about the deliberative-democratic theory of civic virtue. What Humphrey and Stears believe,

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<sup>4</sup> In speech act theory, a “perlocutionary” effect is any impact that a speech act has upon an audience, such as frightening, persuading, amusing, and so on. The term was introduced by Austin (1962). It is to be distinguished especially from the “illocutionary force” of a speech act, such as asking a question, telling a joke, making a promise, and so on.

however, is that it is possible to extract, in a direct and unmediated way, a theory of civic virtue *from* the theory of legitimacy. That is to say, they assume that, if the deliberative perspective regards legitimacy as a function of communicative discussion and reason-guided dialogue, then good citizens will confine their political conduct to precisely these modes of civic engagement. The ideal or “model” citizen, the very embodiment of civic virtue, is in this way pictured as a reasonable interlocutor, joining her fellow citizens in the effort to address moral conflict by seeking mutually acceptable accommodations, based on a shared commitment to giving and asking for reasons.

I have to say, this assumption on the part of Humphrey and Stears is no arbitrary leap in logic. It is a view encouraged by *some* deliberative democrats, including some very prominent ones. Amy Gutmann and Dennis Thompson, two of the most visible and influential deliberative democratic theorists, speak freely about “the virtue of mutual respect” (1996, p. 79), which they regard as symptomatic of “a distinctively deliberative kind of character” (79). They describe this deliberative virtue as “an excellence of character that permits a democracy to flourish in the face of fundamental moral disagreement” (79). They describe its content as follows: “It is the character of individuals who are morally committed, self-reflective about their commitments, discerning of the difference between respectable and merely tolerable differences of opinion, and open to the possibility of changing their minds or modifying their positions at some time in the future if they confront unanswerable objections to their present point of view.” (79-80). A very similar view has been advanced by Paul Weithman, in his 2005 paper, called “Deliberative Character” (Weithman 2005). He puts the point like this: “Citizens must have certain dispositions or qualities of character if they are to take part well in well-conducted deliberation....[They] should be willing to offer considerations in favor of their positions that will enable others to see what reasons they have for them. They must be appropriately responsive to the reactions and replies those considerations evoke....These dispositions are ingredients of a deliberatively democratic character” (Weithman 2005, pp. 282-83). In short, the respectful co-deliberator is depicted as being willing to give reasons, responsive to the reasons of others, and open to rational persuasion by strong arguments offered by those with whom she now disagrees.

So, there is some plausibility to the claim that the deliberative theory of legitimacy has direct and unmediated implications for our understanding of civic virtue. And yet, there are even stronger grounds for skepticism about this unmediated derivation. Indeed, Humphrey and Stears themselves draw attention to this fact. It is a striking and, in my view, symptomatic feature of the Humphrey and Stears article that they assert at one point, five pages into the text, that “all deliberative democrats are firm in their opposition to politics of this [non-deliberative] sort” (p. 405), and then, five pages later, seem flatly to contradict this claim, saying that “it is a constant refrain of much deliberative theory that non-deliberative means may be justified when they ‘promote mutual respect in the long run,’ or, as with cost-levying, ‘lead to future occasions for deliberative criticism of injustice’” (p. 410).

What has gone wrong in this account? What is it about the deliberative theory of democracy that Humphrey and Stears are missing? The answer, I think, is this: Humphrey and Stears fail to see that a theory of legitimacy (or at any rate one which specifies conditions that a legitimate decision must satisfy) by its very nature implies – as a matter of logical necessity – a corresponding theory of *illegitimacy*. If a collective

decision clearly fails to satisfy the conditions stipulated by the theory of legitimacy, it is, to precisely that extent, an *illegitimate* decision.

But what significance does the judgment that a decision is illegitimate have? That is, why do we care whether a particular decision is legitimate or illegitimate? It seems clear that legitimacy is conceptually tied to the social practice of *majoritarian deference*. If I acknowledge that a decision is *legitimate*, it follows that even if I disagree with its substance, I ought to concede that it is binding on me, not just in the sense that I can expect it to be coercively enforced, but in the sense that I have reason to acknowledge its moral authoritativeness in relation to my prospective conduct.

Habermas points to this aspect of legitimacy when he says, “since it is internally connected to a practice of deliberation, majority rule justifies the presumption that the decision adopted may be considered acceptable until further notice, namely, until the minority convinces the majority of the correctness of its own views” (Habermas 1996). Here majoritarianism is not to be understood in numerical terms (50% plus 1), but in terms of established (presumably, constitutionally specified) conventional decision-making procedures of some kind (e.g., parliamentary, republican, etc.). The question addressed by theories of legitimacy is, in practical terms, a question about the moral force (or lack thereof) associated with the norm of majoritarian deference: minorities, even persistent minorities like animal advocacy activists, have good reasons, and specifically moral reasons, to defer to majorities if *and only if* the decisions taken by the majority satisfy the relevant conditions of legitimacy.<sup>5</sup> But majoritarian deference is properly (or at least permissibly) *suspended* whenever those conditions are *not* satisfied.

When Humphrey and Stears look at the deliberative conception of democracy, however, they fail to consider this “flip side” of the deliberative theory of legitimacy. As a result, once they notice that, according to the deliberative theory, decisions are not legitimate unless they are preceded and informed by inclusive and reason-guided discussion, they immediately conclude that *only* modes of civic engagement directly consistent with such processes are permitted by the theory, and that therefore non-deliberative tactics must be ruled out by it. But, as Humphrey and Stears themselves make clear, deliberative theorists do *not* believe this. “It is,” to again cite their own words back to them, “a constant refrain” among deliberative democrats that non-deliberative means are permissible, if such means might be expected to make possible, at some later point, an authentically deliberative process of legitimate decision-making.

Notice that this position, contrary to Humphrey and Stears, explicitly does allow non-deliberative, direct action tactics, presumably including the cost-levying and polarizing rhetoric used by some sections of the animal advocacy movement. True, the position concedes (implicitly, at least) that outcomes achieved by activists directly through cost-levying or polarizing rhetoric are not *per se* legitimate, in the sense that animal advocacy victories won via cost-levying do not issue from public, reason-guided discussion. However, insofar as such tactics are designed not to impose an animal-friendly outcome, but to provoke rational discussion, to introduce neglected arguments into the public debate, and to insist that certain considerations no longer be ignored in decision-making processes, such political action is positively encouraged by the

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<sup>5</sup> I hasten to add, as an aside, the qualification that, in presumably exceptional cases, even “good...moral reasons” of this kind can be overridden, should there exist *even better* moral reasons *not* to defer to a majority.

deliberative theory. This is not because it directly legitimates decisions, but because it is part of a strategy that, in the long run, increases the prospects for arriving at legitimate decisions. The whole point of the deliberative theory of legitimacy is to deny that *any* outcome can be fully legitimate in the absence of an inclusive, reason-guided public discussion.

The third point that Humphrey and Stears needed to establish was that the deliberative theory rejects non-deliberative, direct action activism, and consequently many approaches to animal advocacy activism. If this could be shown, then the deliberative theory of democracy would be vulnerable to the criticism that it fails to account for the democratic credentials of a manifestly democratic social movement. But this Humphrey and Stears fail to show. The deliberative theory of legitimacy is also a theory of illegitimacy, and therefore the implications of the theory for developing an account of *civic virtue* vary in accordance with variations in the extent to which collective decision satisfy the criteria of legitimacy. Civic virtue calls for – or at least permits – resistance or even civil disobedience when counter-deliberative factors like elite intransigence or the so-called ‘stickiness’ of cognitive frames get in the way of reason-guided public discussion subject only to the force of the better argument. This is not an argument *against* the deliberative theory of democracy; it is an argument *from* deliberative democracy. And it implies a defense of the direct action methods often used by animal advocacy groups, not a rejection of it.

## Conclusion

The conclusion that I draw from this discussion is that, properly understood, the deliberative theory is compatible with the embrace of the non-deliberative, direct action tactics typical of many forms of animal advocacy activism. What makes these two very different modes of civic engagement (deliberation and confrontation) compatible with one another is the fact that the deliberative theory of *legitimacy* is also a theory of *illegitimacy*. It is thereby also a theory of the proper conditions under which it is reasonable to suspend majoritarian deference, and to engage in forms of resistance that use pressure, shock effects or other direct action tactics in order to combat illegitimate decisions, notably decisions that have relied crucially on deception or coercion or ignorance, and so on. Such decisions would not have been taken were it not for counter-deliberative background conditions, such as the irrational influence of conventional “cognitive frames” and stark imbalances of power. The deliberative theory of democracy therefore accounts for and justifies the unwillingness of democratic minorities, like the persistent minority who engage in animal advocacy activities, to defer provisionally (in practice, until the decision can be revisited) to the majority’s judgment. In essence, the theory withholds moral authority from majority decisions that rely crucially on counter-deliberative features of the decision-making process, and in that sense, it is a theory that tells us why non-deliberative resistance to such majority decisions is reasonable.

Of course, the theory does not imply that the circumstances under which a suspension of majoritarian deference is appropriate also license unconstrained uses of power by minorities to impose decisions on majorities. But that is not an aspiration of the vast majority of animal advocacy activists, including those making extensive use of direct action. What the theory does allow, however, is precisely the kind of activity that is often

used by animal advocates: non-deliberative attempts to resist present practices whose legitimacy is in doubt, and to challenge people and institutions to face up to the real character, morally speaking, of their own conduct, and to rethink it in light of the powerful arguments against its permissibility. The aims of such action are deliberative aims, even though the means are not (directly) deliberative means. And the appropriateness of this, as Humphrey and Stears concede (five pages after they deny it), is “constantly” affirmed by deliberative theorists. Direct action animal advocacy, on this view, is a deliberative mode of activism in a broad sense, even though it is not deliberative activity *per se*: it is activism that works to promote authentic deliberation, but does so – necessarily – in non-deliberative ways.

One implication of this analysis is that the deliberative theory of legitimacy, contrary to the skepticism of Humphrey and Stears, offers us a new, appealing way of articulating a morally compelling defense of the direct action tactics used by many animal advocates, and does so in a way that makes explicit the movement’s contribution to democratic politics. In the absence of a political process that is in fact, and not just in principle, responsive to the strongest arguments, legal conformism and deference to majority opinion are by no means always democratic modes of civic participation, and resistance employing direct action is by no means always *undemocratic*.

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## **Should Anti-Vivisectionists Boycott Animal-Tested Medicines?**

Katherine Perlo, Ph.D.

### **Introduction**

When we, who unequivocally oppose vivisection, take medicines that were tested on animals, we feel guilty and our political credibility is threatened. Nevertheless, while some individuals may privately abstain from such medicines, the animal liberation movement has rejected an organized boycott.

Here I examine the arguments commonly offered against a boycott, as well as a few that can be found in favor. The arguments are discussed in the light of some concepts from moral philosophy; in terms of tactical merit; and (in the case of the anti-boycott arguments) in regard to the animal rights movement's policy of boycotting animal-tested cosmetics.

My conclusion is that we should promote a highly visible trend towards avoiding animal-tested medicines. Some people following the trend might reject the medicines altogether; some might seek alternative treatments where available; others might simply add a "patient choice" element to other anti-vivisection demands. But the common goal would be to make the government, the medical profession, and the public aware that we do not want to take these medicines, and that when we do, it is only through lack of choice. In this way we could put on the defensive those pro-vivisectionists who accuse us of hypocrisy. And we could demonstrate that we are willing to take any health risks that might be entailed by the abolition of animal experiments. Thus we would thus show our sincerity and commitment to animal liberation, and add a new, and hopefully effective, dimension to the anti-vivisection campaign.

### **A Conundrum of Anti-Vivisectionism**

These two statements have similar content:

(1) In the event of an accident or emergency, I will refuse all medical treatments developed or tested on animals ....If my child suffers from a ... serious condition, I will not allow them to have life-saving treatment developed through animal research. None of my pets shall receive any veterinary vaccine or medicine that has been developed or tested on animals. (Patients' Voice 2001)

(2) I'm going to REFUSE any medical treatment ... whose development has involved animal tests. ... I'm hoping to set up a card system, similar to organ donation, that will let doctors or ambulance paramedics know that we REFUSE this kind of treatment. (Lydia 2005)

But morally and politically, they could not be more opposed. The first is from Patients' Voice, a pro-vivisection group. Its message is that anti-vivisectionists have no right to treatment resulting from animal experimentation; that it is hypocritical of them to accept such treatment; and that they should carry a card to that effect for emergencies, like a kind of leper's bell. The words "not allow[ing children] to have life-saving treatment" are used quite intentionally to demonize anti-vivisectionists as monsters.<sup>1</sup> Statement (2), from an anti-vivisectionist, turns (1) on its head. Lydia argues that by refusing animal-tested medicines we are not depriving ourselves of something good, but rather are refusing to participate in something evil.

Considering the publicity given to challenges like (1), it is no wonder that most anti-vivisectionists oppose a boycott on animal-tested medicines, even though some of us reject them of our own accord. Nor is it surprising that the author of (2) could find only thirteen people to sign her suggested pledge: “I will promise not to use any drugs tested on animals but only if 50 other people will do the same” (Lydia 2005). Yet she apparently continued to avoid animal-tested medicines herself.

This contrast shows that the question of boycotting animal-tested medicines is primarily political. But moral questions are also involved, since whenever animal liberationists and vegans take these drugs, not only does the opposition accuse us of hypocrisy, but our conscience charges us with benefiting from evil.

### Definitional Issues

In discussing the problem, the following definitions will be used. The word “boycott” typically refers to widespread publicized abstention from the products of a particular company (e.g., Nike) or nation (e.g., apartheid South Africa). But here the word “boycott” is applied to a vegan campaign of abstention from all animal products, including not only meat and dairy, but fur, leather, cosmetics, household products, and animal-tested medicines as well.

The term “abolition/ist/ism” often is used as an antonym to “animal welfarism.” Or it can mean simply the aim of animal liberation, without any implied denigration of incremental reforms. Here the term refers only to abolition of animal experiments.

The word “medicine” is used to refer to all medical substances and procedures. “Tests” or “experiments” are any laboratory drug development procedure. “Cosmetics” means make-up, toiletries, and household products.

### Underlying Concepts

The following concepts will be applied where appropriate:

(1) The near-dilemma. A full moral dilemma consists of a need to choose between the conflicting and serious interests of two “others,” so that wrong will be done whatever one does. But an individual as a sentient being also counts in the moral calculus, so a conflict between the serious interests of oneself and others cannot be dismissed as selfishness versus morality. Still, the unavoidable bias towards choosing in one’s own favor deprives the situation of full dilemma status. Hence, it is a near-dilemma. However, in the present context a full dilemma can arise if one is the sole available guardian of young children or pets. In that case, avoiding the medicines and thus risking death or incapacity could conflict not only with one’s own health needs, but also with obligations to dependents.

(2) The “cost barrier” is the point at which the cost of avoiding a morally dubious act threatens to exceed the agent’s wish to avoid it. Vivisection presents a higher cost barrier than any other kind of animal abuse, because the cost of avoiding its products is the risk of illness or death. When I use the word “cost” alone it will mean the *cost of avoiding* the medicines. If one is a sole guardian, the cost can be moral as well as personal.

(3) “Dirty hands” cases involve “acts that are justified, even obligatory, but [are] nonetheless wrong and shameful” (Stocker 2004: 9). Its classical form always represents a full dilemma, but it can be applied to a near-dilemma. An important feature of an instance of dirty hands is the presence of coercion, either individual, such as when an evil person forces a morally impossible choice on another agent, or political, as when “the circumstances which

justify the dirty hands are, themselves, immoral”, such as “the immoralities of war” (ibid.: 19). For us it is the immorality of vivisection. Also, “circumstances which are only very difficult” (ibid.: 24) can create a “dirty hands” case.

(4) Formal and material cooperation with the evil of animal experimentation. If we take animal-tested medicines, our most pressing concern would be the fact that we are benefiting from the infliction of suffering on animals. Analogously, Pruss (2004), writing from a strict Catholic viewpoint, asks whether it is right for Catholics to use, in vaccines and research, cell-lines derived from aborted fetuses. As he states, “You formally cooperate in someone’s illicit action provided the achieving of the same illicit object of activity is a part of your action plan.” Material cooperation, lacking the intention described above, “need not be wrong. However, observe that there is a *presumption* against such cooperation.” .

Vivisectionists have two key objectives: to promote human health and to test on animals. The first we approve of, the second we consider illicit. Vivisectionists think the first aim is possible only through the second, whereas the animal liberation movement sees the second aim as a key barrier to, and as ultimately incompatible with, the first.

### Procedure and Outline

To ground the problem in what abolitionists are actually saying, I asked eleven groups for organizational and/or individual opinions as to how to solve the near-dilemma of whether to take animal-tested medicines. Seven replied, one of whom referred me to their “Frequently Asked Questions” (FAQ) information section, and I also consulted other FAQ replies.

Section 1 below reviews the anti-boycott arguments. First, there are two arguments (A1 and A2) to the effect that a boycott would be positively wrong: we need to preserve our health, and a boycott would make us seem fanatical. The former point, of course, is the source of the whole problem, identifying the high cost of refusing the medicines.

There follow six arguments to the effect that a boycott is not morally obligatory. The first five (A3–A7) can be summarized as denials of responsibility for vivisection’s role in producing the medicines. The sixth (A8) argues that we have no choice of medicines.

Of each anti-boycott argument, three questions will be asked:

*Does the argument refute the charge of benefiting from evil?*

*Does it refute the charge of hypocrisy?*

*And, would the respondent offer it as a reason for using animal-tested cosmetics?*

The third question establishes whether the given argument is the real reason why the respondent opposes a boycott. If (a) the given argument is equally applicable to medicines and cosmetics, but (b) the respondent accepts animal-tested medicines while refusing animal-tested cosmetics, then we must look for a distinguishing reason for using the medicines. There are two salient candidates: cost and choice. The cost of avoiding animal-tested medicines is much higher than the cost of avoiding animal-tested cosmetics. Also, there is only a restricted choice of alternatives to animal-tested medicines, while cruelty-free cosmetics are readily available. Since cost, being the basis of our near-dilemma, affects all the arguments, lack of choice will emerge as the strongest, though not unanswerable, argument why a boycott is not morally obligatory.

Section 2 reviews pro-boycott arguments. These are: that a boycott is needed to maintain the principle of equal rights for humans and animals, and to refute the charge of

hypocrisy; that a boycott with a cut-off date would be practical; and that it is possible to find humane medical treatments if one makes the effort.

Of each pro-boycott argument, it will be asked:

*Does the argument answer the objection that we need to preserve our health?*

*Does it answer the objection that a boycott would make abolitionists seem fanatical?*

*Does it undermine the “no-choice” argument for taking the medicines?*

Section 3 offers suggestions for replying publicly to the vivisectors’ challenge if one takes the medicine. Both sections 3 and 4 review other possible measures, short of a boycott, with which to attack vivisection in our role as healthcare consumers and as activists. It goes on to suggest an umbrella campaign comprising these measures as well as boycotts, according to individual preference.

In the concluding section, I stress the importance of overcoming vivisection’s high cost barrier, and urge the value to the abolitionist movement of the proposed trend.

### **I. Anti-Boycott Arguments**

*Argument A1: We need to preserve our health.*

The basic stance here is that a boycott would be positively wrong for numerous reasons. First, it is argued that humans need to preserve and protect their health, which overrides animal rights proscriptions against animal research. Even some animal advocates argue in favor of using prescription drugs under certain conditions. As Korimboccus writes, “were I to require medication, I would do more good for animals by taking the medicine and continuing to campaign” (2006). Moreover the British Union For the Abolition of Vivisection (BUAV) is concerned that “[t]here may well be reasonable health limits to how far an individual can boycott certain products such as prescription drugs,” and contends that “[i]t obviously wouldn’t be responsible for the BUAV to advise anyone about taking prescribed medication” (2006a).

Does the argument refute the charge of benefiting from evil? Yes, to the extent that we are formally cooperating only with the vivisectors’ licit aim of curing illness, not their illicit intention of experimenting on animals. Since we oppose vivisection and are reluctantly taking medicines derived from it because we cannot obtain treatment any other way, we are only materially cooperating with the vivisectors’ illicit aim. Nevertheless, we are cooperating at that lower level by taking the medicines.

Does the argument refute the charge of hypocrisy? Saying that we should preserve our health in order to campaign against the medicines that preserve it fails to refute this allegation. Prioritizing health for its own sake rather than for the movement (as the BUAV statement did) still accepts a dependency on what we oppose. Would the respondent offer it as a reason for using animal-tested cosmetics? The question does not apply to Argument A1, since cosmetics do not affect one’s health.

*Argument A2: A boycott on products derived from vivisection would hurt our cause.*

A boycott, states Uncaged Campaigns, “would be playing into the hands of the pro-[vivisection] lobby. The media would portray us as not just extremists – but loonies to boot. Imagine if anyone died as a result of such a campaign, the media ... would have a field day. (2006). Should one ask if this argument refutes the charge of benefiting from evil, it does suggest that our material gain is a lesser evil than harming the anti-vivisection movement by

an appearance of fanaticism. This concern with the success of the movement, rather than with personal rationalization, is a strength of this view. But it also accepts that we derive so much benefit from animal-tested medicines that we would be considered mad to give them up.

Does this second argument refute the charge of hypocrisy? No, but it considers that the charge of fanaticism would be more damaging. Moreover, if one asks, “Would the respondent offer it as a reason for using animal-tested cosmetics?”, the answer again would be “No,” because no one would be thought mad or fanatical for rejecting animal-tested cosmetics.

*Argument A3: Animal tests are irrelevant.*

We are told here that successful drugs “are in pharmacies *despite* the animal tests, not because of them” (Fowler-Reeves 2006; also see ALF 2006, In Defense of Animals 2006, and Korimboccus 2006). This argument refutes the charge of benefiting from evil because the patient is held to gain only from the non-animal research and experimentation that produced the medicine. As in A1, the person using the medicine is only carrying out the vivisectors’ professed intention of promoting health (see the objections under A1). A further problem is that A3 depends upon a vulnerable contingency, namely on disputed scientific facts. If the only defense that an abolitionist offered for taking animal-derived drugs were that the tests were irrelevant, it could be inferred that, had the tests been relevant, the person would indeed be benefiting from them.

Does this response refute the charge of hypocrisy? Since the non-boycotter is convinced that animal tests are irrelevant, and that therefore s/he is not benefiting from them, there is no inconsistency with the aim of abolishing the tests. But the respondent would not offer the argument as a reason for using animal-tested cosmetics. While campaigners argue against the relevance of vivisection for cosmetics, they nevertheless boycott them.

*Argument A4: The animal tests produce positively harmful results.*

As Fowler-Reeves (2006) reminds us, “The list of drugs that were passed ‘safe’ in animals but later harmed or killed people grows longer by the day” (for the same point see the ALF 2006: AECW). The argument refutes, rather more strongly than A3, the charge of benefiting from evil, although harmfulness seems a curious reason for accepting rather than avoiding the medicines. There is still the problem, as with A3, that the tests, albeit potentially damaging, are part of the total process from which one benefits. But the benefit from evil is still only material, not formal, since the campaigner disowns, on both moral and scientific grounds, the vivisector’s illicit object.

Does it refute the charge of hypocrisy? Yes. Here again, the subjective belief that the animal tests do not contribute to – in this case, may actually undermine – the medicine’s efficacy, clears the campaigner of failing to practice what s/he preaches. However, the “harmfulness” argument, besides depending on disputed scientific facts, creates a new problem. Abolitionist literature emphasizes the frequency of adverse drug reactions. Yet by taking the medicines, the person implies that the likelihood is of benefit, adverse reactions being seen by implication as rare. So that particular scientific claim is weakened.

Would the respondent offer it as a reason for using animal-tested cosmetics? No, although the “harmfulness” argument is equally applicable to that case.

*Argument A5: You would have to live in a cave to avoid vivisection.*

It is regrettably the case that nearly everything in modern society has been tested on animals. Because of this, BUAV argues that “unless all anti-vivisectionists condemn themselves to a

virtually hermitic lifestyle ... it is clearly impossible ... to ... avoid animal testing altogether” (2006a; also see Korimboccus 2006). Does the argument refute the charge of benefiting from evil? The campaigner is not formally profiting from evil, since s/he does not choose to further the vivisectors’ illicit object. However, exoneration is further sought by the claim that since we cannot avoid other animal-tested things, we cannot therefore be expected to avoid animal-tested medicines – a conclusion which does not logically follow.

Looking at the charge of hypocrisy, we see that argument A5 refutes it insofar as the respondents are pleading a lack of choice (see A8 below). But in this case, as just argued, the basis of the plea is flawed. Would the respondent offer it as a reason for using animal-tested cosmetics? No, although it is equally applicable.

*Argument A6: The damage to the animals has already been done; we must look to the future.*

Here another evil outside our control is compared with animal experimentation, namely that “many of the roads we drive on were built by slaves. We can’t change the past .... What we can do is change the future by using non-animal research methods from now on” (Ask Carla 2006; see similar arguments in ALF 2006: DG and JK). Does the argument refute the charge of benefiting from evil? “The further we are removed from the evil deed, the less likely that we are doing what the malefactors intended us to do” (Pruss 2004). But while it is true that for a particular animal-tested medicine the damage is in the past, nevertheless the practice of vivisection, against which we are campaigning, continues. The analogy with slave-built roads does not hold, because slavery is now illegal and no longer the object of a campaign.

The argument does, subjectively, refute the charge of hypocrisy. Since the respondents’ objective is a future without vivisection, they are practising what they preach by campaigning for it. But they must make clear that they will accept any possible future health risks entailed by abolition. Would the respondents be likely to offer it as a reason for using animal-tested cosmetics? No, although it is equally applicable.

*Argument A7: The animal tests could have been and in the future can be replaced by humane methods.*

“Had the vivisection not occurred,” it is urged here, “the knowledge might well have been obtained through alternative, moral methods” (ALF 2006: DG; and see BUAV 2006a). By disowning, like previous arguments, the illicit component of the medicines, A7 does refute the charge of benefiting from evil. But unlike A3 and A4, this argument does not rest on vulnerable factual claims, but rather on the logical principle that one cannot prove a negative: namely, the vivisectors’ insistence that without animal experiments no medical progress could have been made or can be made in the future. (The anti-vivisection equivalent is the negative claim that animal experiments have never yielded useful results, nor can they in the future [see Lewis 2004].) Nevertheless, as noted earlier, the tests are part of the process of developing the medicines, so that in taking them, the abolitionist is materially benefiting from evil.

Does it refute the charge of hypocrisy? Yes, by implying that, had what we preach only been heeded, we would be able to practice it. But the respondents would not offer A7 as a reason for using animal-tested cosmetics, even though it is equally applicable.

*Argument A8: We have no choice.*

This is the heart of the difficulty. As Fowler-Reeves (2006) insists, “Given the choice, we believe that most people would choose cruelty-free versions of drugs but we don’t have the choice.” Does this argument refute the charge of benefiting from evil? In an improvement on previous arguments, the respondent dissociates herself not merely from an evil element in the medicines, but also from the act of taking them at all, since it is done under duress.

But there is still a problem. Offered an animal-tested medicine for an illness we have contracted, we do have the choice of doing without it. Also, our illness may be treatable by alternative medicine. It is more a case of “circumstances which are only very difficult,” because of the vivisectors’ domination of research, licensing, and healthcare practice.

To a great extent, argument A8 also refutes the charge of hypocrisy. When pro-vivisectionists make this accusation they imply that we take animal-tested medicines because we prefer them to *non-animal-tested medicines*. That would indeed be hypocritical. In fact we only prefer them to *no medicine at all*, an option we are largely denied. But to the extent that we do have some limited and difficult options, the argument is not completely successful.

Would the respondent offer it as a reason for using animal-tested cosmetics? No. But unlike A3 to A7, this claim does not apply to cosmetics because we do have the choice of buying cruelty-free versions. This is why A8 is stronger than previous arguments. It is the real reason why the respondent opposes a boycott. It acknowledges, rather than disowning, a persistent moral deficit and the concomitant dirty hands. But it offers a persuasive excuse for them, based on indisputable facts (see Section III below).

Still, it is not unanswerable, because choices do exist.

## II. Pro-Boycott Arguments

*Argument B1: Taking the medicines violates the principle of equal rights for humans and animals.*

Lydia (2005) takes an uncompromising stand: “if I’m really sincere in believing that animals have the same rights as human beings, I have to put my belief into practice. . . . Let’s face the fact that human beings have got some benefits from animal tests. And let’s be courageous in refusing to take those benefits. That way, the pro-testing lobby won’t be able to accuse us of hypocrisy any more.” Does the argument answer the objection that we need to preserve our health? Rather, it contests it on the grounds that there are moral limits to what we can do to preserve our health. Nor does it answer the objection that a boycott would make abolitionists seem fanatical, since animal rights beliefs are currently associated with fanaticism in the public mind; all the more so if they lead to the rejection of medicine.

However, it does undermine the “no-choice” argument for taking the medicines, since it recommends the choice of doing without the medicines whatever the cost.

*Argument B2: It would be practical to boycott medicines that were tested on animals after a certain date.*

Since “boycotting medicines that have been tested a long time ago does nothing to help animals that have suffered in the past,” Hersh (2006) argues that “a cut-off date of 2000 could be effective and is something people could sign up to, without being very restrictive . . . . It could also generate some nice headlines.” Korimboccus (2006) agrees. In the same vein, J. and S. G. Martin-Nichols (2006) suggest “asking for old technology – e.g. aspirin instead of a souped-up and animal-tested analgesic.” The idea is that some of these traditional treatments may not have been tested on animals, or at least not recently. The argument partly answers the

objection that we need to preserve our health, because it asks us to forgo only the more recently introduced medicines.

Does it answer the objection that a boycott would make abolitionists seem fanatical? To an extent yes, since it would put our health less at risk than a total boycott. Does it undermine the “no-choice” argument for taking the medicines? Yes, because it indicates a choice of at least partial rejection of the medicines.

*Argument B3: You can often find humane products if you try.*

Joanne Oliver “was diagnosed with a prolactinoma ... and given medicine to take to shrink the tumour. ... It had been tested on animals, so I went looking for an alternative. ... I found one which ... was tested on humans.” Although finding non-animal-tested medicines was more difficult where she was living than in the UK, she concludes that such products “just take a little bit of searching out”(2006). Like B2, this argument goes some way towards answering the objection that we need to preserve our health, because the writer is going to some trouble to do so.

Elsewhere in her article, however, she declares opposition to vivisection even “in the cause of medical advancement,” and writes that, “If I have a headache, I go without pain-killers.” Although this might seem extreme to some people, her efforts to cure her more serious condition largely answer the objection that a boycott would make abolitionists seem fanatical. And in suggesting that we should make a similar effort to find alternatives, B3 particularly undermines the “no-choice” argument for taking the medicines.

### **III. How an abolitionist who is taking the medicines might respond to the accusation of hypocrisy**

Sections 1 and 2 offered arguments for discussion within the movement. Here we consider rebuttal of the opposition.

*Response 1: We have no choice.*

Legal and professional policies ensure that most medicines are animal tested. “The U.S. Food and Drug Administration and the U.S. Environmental Protection Agency regulate [the pharmaceutical and chemical] industries, and the law currently requires animal tests” (Wesley 2006; see also IDA 2006 and, for the U.K., Minett 2006). British and European law is more complex, but its effects are the same. In theory, the Animals (Scientific Procedures) Act 1986 and European 86/609 Directive allow animal experiments only if no non-animal method is available (see BUAV 2006b for the convoluted process of seeking acceptance for a humane method). But in practice,

Before a non-animal method can be authorized as a replacement ..., it must go through a lengthy “validation” process. During validation, the results of non-animal tests must compare favourably against those of the tests they are intended to replace.... (BUAV 2006c)

Vivisectionists have tried to suppress non-mainstream treatments. In Britain, orthodox scientists “sent a circular letter to National Health Trusts to persuade them not to fund ‘complementary’ medicines” (Arkangel 2006a). In America, alternative medicine is subject to repression by regulatory agencies, state medical boards, and insurance companies (Trivieri and Anderson 2002: 44).

The ideology behind this denial of choice “goes much deeper” than “promoting vested interest” (Klug 1992: 265). It echoes Francis Bacon’s human imperialism, according to which “scientific knowledge . . . is best elicited with `nature under constraint and vexed” (ibid.: 273). Sometimes, in response to bad-drug disasters, the government will admit that “animal studies do have their limitations,” yet insist “it is through recognizing these limitations that animal testing is all the more valuable” (Corbett 2006).

Within a speciesist ethos, this is rational. Vivisectors “could argue that the very unreliability of present tests justifies conducting further tests in order to overcome the shortcomings of existing methods” (Regan 1984: 372). But the fact that the government offers it as the sole solution to drug failures, rejecting the equally rational course of trying something different, reveals their dogmatic determination to maintain the vivisection regime.

*Response 2: The vivisectors are hypocrites themselves.*

There is hypocrisy “in claiming animal experiments save lives with no hard evidence to back that up” (Korimboccus 2006). The government has consistently rejected an independent investigation into the efficacy of animal experiments. They promise to reduce animal experiments but actually increase them. In 2006 U.K. animal tests – 3,012,032 – reached a 15-year high (Uncaged Campaigns 2007). They set up a 3Rs programme, but spend most of its budget on “reduction and refinement methods that can still involve the use of animals” (BUAV 2006c). Australian campaigners, also, have protested at neglect of an official 3Rs policy (Baker 2005).

They boast about the U.K.’s strict welfare regulations but do not enforce them, as leaked documents show (see [www.xenodiaries.org](http://www.xenodiaries.org)), and help pharmaceutical companies to modify the rules. In 2001 the Pharmaceutical Industry Competitiveness Task Force agreed on “substantial actions to streamline [animal-test] licensing procedures” and to reduce some welfare requirements (Uncaged Campaigns 2001, quoting government sources at: [www.advisorybodies.doh.gov.uk/pictf/pdf](http://www.advisorybodies.doh.gov.uk/pictf/pdf)).

In 2006 the European Coalition for Biomedical Research opposed EU laws that would protect laboratory animals’ welfare and promote alternatives (*Arkangel* 2006b). Such moves refute claims that vivisectors are bound by, and by implication accept, strict regulations.

But there is a flaw in Response 2, namely that it contains the informal fallacy of the *ad hominem* argument – trying to disprove someone’s opinions by attacking his or her character. That the vivisectors are hypocrites does not prove that anti-vivisectionists who take animal-tested medicines are not. However, the facts illustrating the vivisectors’ hypocrisy can be used to bolster the more valid “no-choice” response. Leaving aside the conflict with what they say, what they do is wrong in itself, because it harms animals and restricts our healthcare choices.

Not that our own choices constitute the fundamental issue. Our aim is not merely a niche market in ethical medicine for the ethical consumer, with the vivisectors continuing to cater for the majority. We want to end vivisection in all research. So we do indeed seek to limit other people’s right to choose or produce animal-tested medicine. But that is because vivisection denies the animals the more crucial choice of freedom, welfare, and life rather than imprisonment, suffering, and death.

#### **IV. Proposal for a Trend Towards Avoiding Animal-Tested Medicines**

A campaign limited to an absolute or cut-off-date boycott would lack movement support and could be divisive. Instead I suggest a publicized trend towards avoiding animal-tested medicines. It would include boycotts and other avoidance measures, having a common source in participants’ concern as healthcare consumers.

Publicity would be essential. A group taking up the trend should notify the press. “[G]roup actions by an organization get heard. Individual ones don’t so easily. But you can ask your G.P. to choose a medicine not tested on animals” (Martin-Nichols 2006). As individuals should tell the doctor that they prefer non-animal-tested medicine, thus bringing into the surgery a campaign currently limited to the streets and the media. When seeking or consulting an alternative practitioner or shopping at a health store, one should state why one is doing so. It will not be assumed that the motive is to avoid animal testing. Neither Anon. (2000), the AMA (1997), nor the House of Lords (2000) mention this among possible explanations for the popularity of Complementary and Alternative Medicine (CAM).

We know that it is some people’s reason. The fact that some CAM purveyors listed on the web declare their no-animal-testing policy shows that it is at least a desideratum, if not necessarily a primary motive, for prospective users. But therapy providers will not know it unless you tell them.

### *Use of alternative medicine*

“You might want to consult with an herbalist or homeopath or consider lifestyle changes,” “Ask Carla recommends (2006; similar to ALF 2006 AECW). Abolitionism and vegetarianism can be linked by “promoting prevention through plant-based diets” (Korimboccus 2006); we can further contribute to ethical medicine by “donat[ing] tissue to the tissue banks for human-based research” and “encouraging individuals” to do the same (ibid.).

Trivieri and Anderson (2002: v-viii) list 40 types of alternative therapy for a total of 194 health conditions, including the most serious ones. Such treatments are growing in popularity.

The American market for herbal remedies has doubled since 1985 ... (excluding homeopathic remedies and teas). Growth is expected to continue at 10% to 15% per year through 1997. Four-fifths of all people, worldwide, still rely to a great extent on traditional medicines based on plants ... (American Medical Association 1997).

Other figures attesting increased usage are Anon. (2000 – Canada), House of Lords (2000 – Britain and U.S.), Trivieri and Anderson (2002: 4 – U.S. and Canada), Wong (2006 – U.S.), and University of Ulster (2007 – Northern Ireland). The usefulness of Echinacea (Connor 2007; McKenna 1998: vi) and St John’s Wort (Anon. 1997) for common maladies is now recognized, however cautiously, by orthodox doctors.

In mainland Britain it is already possible to register with a homeopathic doctor on the National Health; in Northern Ireland the government “may make it easier – and cheaper – to access CAM through the National Health Service” (University of Ulster 2007).

Unfortunately, one cannot be sure that an alternative medicine has not been tested on animals. Many are indeed cruelty-free, such as Bioforce, Lanes products (Henly 2007), the OxyMin and Healthwise ranges of Natural Health Direct (Helenna 2007), and for pets, Hilton or Global Herbs (these last two, together with Bioforce, suggested by Martin-Nichols 2006). But alternative medicine exponents Trivieri and Anderson (2002: 331) and McKenna (1998: 16-17) both describe animal experiments without disapproval. By asking the manufacturer or retailer; one simultaneously gets information, publicizes the demand for humane products, and – if they already have a cruelty-free policy – encourages them to maintain it in the face of establishment pressure.

Another limitation is that alternative medicine does not treat everything. “Conventional medicine is superb in dealing with acute medical conditions and traumatic injury, and in providing emergency treatment” even though “alternative medicine works better for just about everything else ....” (Goldberg [eds.] 2002: 1); while antibiotics are “[s]ometimes ... necessary” (McKenna 1998: 33), despite being overprescribed and leading to resistant strains.

So there may still be a difficult decision to make.

#### *Attempts to change the law*

The law “must be changed so that it does not require all medicines to be tested on animals” (Minett 2006). Since in Britain, obstructive licensing and validation procedures rather than the law itself make animal tests effectively compulsory, Korimboccus (2006) suggests “challenging the claim that animal experimentation is a legal requirement (BUAV often challenge this claim).”

Wesley (2006) urges us to “[ask] legislators to mandate the development and validation of non-animal tests and [to write] to companies that continue to test on animals despite the cheaper, more effective alternatives now available.”

When writing letters, we should identify ourselves as healthcare consumers as well as campaigners, adding to our usual anti-vivisection arguments the point that it is unfair to force us to choose between doing without mainstream, readily available medicine, or using an unethically developed product.

#### *The demand for labeling of medicines*

When Dr Evan Harris MP urged that medicines be labeled “Tested on Animals” to convince the public of the value of vivisection, Philip Wright, of the Association for the British Pharmaceutical Industry, expressed concern

... that somebody, for example, who has taken an asthma medicine each day may decide to stop taking it and that might lead to a life-threatening situation. (BBC News 2006)

“Yes, it can’t do any harm to inform the nation; what are they afraid of?” (Korimboccus 2006). And it is “[m]uch easier for [the G.P.] as well as you if they are labeled ‘tested’ or ‘not tested’ on animals” (Martin-Nichols 2006) when you request humane medicines. The public would find this measure reasonable, since “[c]lear and honest labeling is increasingly demanded by consumers” (Minett 2006). A label specifying the last date of testing would be necessary for people practicing a time-limited boycott.

#### *Adding a patient-choice element to other campaigns*

“More effort needs to be made to tackle animal experiments from a human health angle and on a scientific basis,” and “to develop, promote, and utilize alternatives” (Minett 2006). Korimboccus (2006) also suggests raising scientific points “as consumers.” Emphasizing that we are prospective patients will prevent our demand or inquiry being seen as just another protest.

### **Attacking the Cost Barrier**

## Summary

Pro-vivisectionists have accused abolitionists of hypocrisy if we take animal-tested medicines, and have challenged us to refuse to do so. Most anti-vivisection campaigners reject the challenge. Reasons given have been that it would be counterproductive; that in various ways we are not responsible for the “dirty” element in the medicines; and also – the strongest argument – that we have no choice because of the vivisectors’ control of medical policy.

Arguments that can support a boycott include the principle of species equality, and the practicability of a cut-off-date boycott and of seeking alternative treatments.

If we take the medicines, the “no-choice” argument should be the basis for rebutting the charge of hypocrisy. Vivisectors severely restrict our choice of medicine, and are ideologically committed to animal testing.

In consideration of these points, I call for a trend towards avoiding animal-tested medicines. I argue for a multidimensional approach that would include boycotts, use of alternative medicine, efforts to change relevant laws, demands that medicines be labeled, and adding a patient-choice element.

## Discussion

Besides the political problem created when abolitionists take animal-tested medicines, we face a crisis of conscience as individuals. Many respondents have argued that we can discount the evil component in the medicine and are only benefiting from its non-animal elements. The vivisection element may thus be regarded as a secondary and unnecessary effect. It differs from the classic “Churchill” example, whereby allowing Germans to bomb English civilians was an unwanted but necessary sacrifice to win the war (see Stocker 2004: 38ff). However, the scientific necessity or lack of necessity is moot, since, from the point of view of the medicine-user, putting up with the animal experiments is necessary in order to gain the health benefit.

Here the “no-choice” defense provides a synthesis with pro-boycott arguments and with other avoidance measures. Whatever step we take within the trend that I suggest, we are striking back at the compulsion, or near-compulsion, exerted upon us. And “[m]orality requires us not to cooperate with evil and often to help fight it. It is, itself, a violation to do what one is immorally coerced into doing” (Stocker 2004: 25). Every time anyone uses an animal-tested medicine, the vivisectors are upheld in their claim that humanity cannot do without their activities. The claim of indispensability affects all animal issues. Their underlying argument is:

- (1) Humans have moral priority over animals.
- (2) If animal suffering serves human needs, it is justifiable.
- (3) Therefore vivisection is justifiable.

The first point, on which the second and third depend, can be extended to any kind of animal abuse, however trivial the human interests that it serves, since one person’s “want” is another’s “need.”

It seems likely, then, that if the cost barrier of vivisection – kept artificially high by lack of choice – can be surmounted, the lower barriers of other abuses might fall in turn. And since the high cost of avoiding animal-tested medicines repeats in microcosm that of the vivisection issue as a whole, if the former is weakened, the latter may be weakened in turn, to the benefit of all animals. Rudolf Bahro, who resigned from the German Green Party over animal experimentation, considered the issue “so central to testing whether we are really

ready for conversion that there is no better litmus paper by which we can find out what we really want and ... no longer want” (Bahro 1986: 208-9).

### Conclusion

Pro-boycott arguments B2, pointing to time-limited avoidance, and B3, emphasizing the search for alternatives, might suggest the most pragmatic way forward. However, campaigners who take the more uncompromising, “whatever it costs” stand expressed in B1 – which does not prevent them from also seeking alternatives – can keep our principles to the fore, while pulling the argument further in a liberationist direction. And a range of non-boycotting activities are available within the suggested trend.

To recall some recommendations for activists who might consider pursuing these recommendations:

Publicize your action, whether as a group or as an individual. Tell doctors, alternative practitioners, health store owners and staff, and companies or government agencies, that you want to avoid animal-tested medicines.

In campaigns other than a boycott, stress that you are speaking from the standpoint of a patient being denied a fair choice of therapies.

Make clear that, in opposing vivisection, you will accept any future costs that abolition might entail. As Linzey (1994: 107) writes of the moral norm that it is wrong to cause animals avoidable injury, “I do not say that realizing this norm will be easy, or that it will not require us to make some real sacrifices .... But ... we need fresh conviction and moral energy to realize this norm.”

The proposed trend could be a useful new strategy, revealing abolitionists as non-violent but radical. It could enable us, when the vivisectionists issue their challenge, to stand “not as the accused but as the accuser[s]” of vivisection, which, like the capitalism that John referred to, is “dripping with blood from head to foot,” and stains our own hands with animals’ blood when we fall ill.

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<sup>1</sup> Note that the boycott discussed in this article would affect only the human adults practicing it, since dependent children or pets could not exercise their own judgment in the matter.

## **A Note on Pedagogy: Humane Education Making a Difference<sup>1</sup>**

Piers Beirne and Meena Alagappan<sup>2</sup>

In the last decade Anglophone sociology has begun to remedy its lengthy neglect of the diverse social and cultural relationships between humans and nonhuman animals (henceforth, “animals”). Long subdued by Durkheim's imperialistic declaration in *The Rules of Sociological Method* that the social and cultural realms are autonomous from the biological, sociology currently displays an emerging, if still modest, interest in the interaction between humans and animals.

Evidence of this shift in attention can be found in several sites. These include papers on human-animal interaction delivered at scholarly conferences such as the American Sociological Association, the British Sociological Association and the American Society of Criminology; growing numbers of graduate student dissertations on the topic; new animal-centered journals such as *Anthrozöos* and *Society & Animals*, and the on-line *Between the Species*; and animal- or green-focused special issues of journals (e.g., *Qualitative Sociology* and *Theoretical Criminology*). Significantly, with more than the requisite minimum of 300 signatories, an Animals and Society section achieved full section status within the American Sociological Association in 2003.

In the past five years or so the level of sociological interest in human-animal studies has begun to match that in many other disciplines. This is especially the case with pedagogy. Thus, a recent survey of the United States has found that more than 110 university and college courses - representing over 20 academic disciplines - have “Animals and Society” as one of their themes (Alagappan, 2003; and see Balcombe, 1999), and that these courses are concentrated in law (87), philosophy (29), animal science (18) and sociology (24). The social sciences are still notoriously underrepresented as a whole, however, and there is only a smattering of such courses in each of psychology (9), anthropology (6) and criminology (1) (see Alagappan, 2003:8-9; Animal Legal Defense Fund, 2007 [www.aldf.org]; and the Center for Respect for Life and the Environment [www.crle.org]).

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<sup>1</sup> This essay was originally presented as a paper at the fifth annual *Conference on Animal Liberation Affairs* (held by the Institute of Critical Animal Studies), held in Orono, Maine, in April 2007. The authors wish to thank Hal Herzog for his helpful comments on the use of the Animal Attitudes Scale instrument, and John Brunette and Rosemary Miller for their kindnesses.

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This brief study examines whether a rights-based course on the sociology of animal abuse might result in attitudinal and behavioral changes towards animal abuse among undergraduate criminology students (and see further, Beirne and South, 2006). Several studies have found that for both male and female students appropriate educational curricula can enhance sensitivity to the human-animal bond. Among these curricula are animal welfare in veterinary school at the University of Queensland, Australia (Blackshaw and Blackshaw, 1993); humane education in American pre-schools, elementary schools and middle schools (Ascione, 1997; Higgins and Choe, 2007; Thomas and Beirne, 2002; and Thompson and Gullone, 2003); and an undergraduate sociology class on animals and society at the University of South Carolina at Spartanburg (Flynn, 2003). By “pro-animal” we mean a perspective that seeks to develop empathy and compassion in relation to other living beings and which, through the development of critical thinking, seeks to affect students at the cognitive, affective, and behavioral levels. The course throughout stresses the development and importance of animal rights.

### **“Animal Abuse”: Course Development**

The brief history of the establishment of Animals and Society courses in the new millennium is not altogether unlike the early history of women’s studies courses in the early 1960s. Four decades ago, those who campaigned against gender inequities and those feminists who proposed new women’s studies courses were often accused of being too overtly political or too ideological (Nussbaum, 1997). The subject matter of women’s studies courses, it was also objected, was too diffuse or too interdisciplinary for it to comprise a field of knowledge *sui generis*. Similar charges have been leveled against those who campaign against speciesism, though with the interesting, if unfortunate, twist that those working in the animal protection community are sometimes accused by feminists of diverting attention from more serious social issues, (e.g., gender inequities).

Often only after considerable struggle, therefore, have new Animals and Society courses officially become part of university curricula (Alagappan, 2003; Flynn, 2003). In some cases the study of animals and society was not seen by other faculty as a legitimate intellectual endeavor. In others, either the would-be teachers of Animals and Society courses were untenured or junior faculty who lacked academic clout, or the proposals were bogged down and thwarted by questions of turf in their own or other Departments.

A new course on “Animal Abuse” at the University of Southern Maine (USM) fortunately experienced few such difficulties, and even attracted some outside support (a small pre-course development grant from the Clark Foundation for Animal Welfare in 1998 and, the first time it was offered in 1999, the “Best New Course in Animals & Society” award from the Humane Society of the United States).

Offered by a sociologist who is a senior Professor in USM’s Department of Criminology, the course proposal was supported enthusiastically by all faculty in his Department. The proposal was then put to routine administrative scrutiny by the College of Arts and Sciences (CAS) Curriculum Review Committee, and finally approved as a regular course offering by the CAS Dean. At the time of the present study the course had been offered three times: in 1999 (17 students), in 2002 (28) and in 2003 (38). The course is increasingly popular, even though it is not required for criminology students, possibly because it serves as elective credit in a criminology program with a large number of student majors (285) and relatively few faculty.

## Course Aims and Content

The “Animal Abuse” course has two main aims. First, it provides a sociological introduction to the study of animal abuse. It does this in a number of ways. Like many other sociology courses that address the broad areas of crime, justice, and inequality, the course begins with how the key concepts of its subject matter (e.g., “animals”, “animal abuse” and “crime”) have been and are socially constructed. How animals have been socially constructed as Others and as objects of difference is illustrated with particular examples from Judaeo-Christian doctrine, the history of animal abuse legislation from the 1820s to modern times, and state/class/popular discourses about civility and public order. Special attention is paid to the cultural representation of animals as Others through and in cultural symbols and in the everyday speciesist words and phrases used to describe and denigrate animals (and also women and other minorities).

The course examines both individualized and institutionalized forms of animal abuse. The former include cruelty, neglect and sexual assault; among the latter are those committed in scientific research, zoos and aquaria, hunting, sport, entertainment and food production. Animal abuse is approached from several vantage points, including feminism, act utilitarianism and liberal-rights theory. Questions about the forms, incidence and seriousness of animal abuse are examined with information about victim characteristics (e.g., companion/livestock/feral; use and exchange values) and offenders’ social position (e.g., gender, age, social class, race, and access to animals). Attention is also given to some of the possible social and psychological causes of animal abuse and to the link(s) between animal abuse and interhuman violence. Parallels are repeatedly drawn between the structural powerlessness of animals, on the one hand, and women and children, on the other.

The second aim of the course is humane education, with special emphasis on critical thinking and the cultivation of compassion for animals. To this end it outlines what is known about animal consciousness and sentience and whether animals can feel pain - both physical and emotional - even at lower reaches of the phylogenetic scale. This knowledge is gleaned from both the required course readings and also several provocative films shown in class. Required course readings, which are drawn from sociology, criminology, moral philosophy, theology, and law comprise several books and fifteen or so scholarly journal articles. Among the former are Tom Regan’s (1983) *The Case for Animal Rights*, Carol Adams and Josephine Donovan’s (1995) *Animals and Women: Feminist Theoretical Explorations*; Peter Singer’s (1990), *Animal Liberation*; and Steven Wise’s (2000) *Rattling the Cage*.

During the course students view several short films. These begin on a fairly gentle note with *Giant Horses*, a documentary directed by Gail Worster, and which focuses on horse-pulling at Maine country fairs. Set to country and bluegrass music, the film is structured around interviews with horse owners and with animal rights activists. This well-balanced film works well in provoking students to think through some of the complexities of deciding just what animal abuse might be. Is pulling something that horses love to do, as the owners insist, or is it, instead, a coercive practice that often results in injury? The second film, *Dead River Rough Cut*, depicts six months in the rural life of Maine woodsman Bob Wagg, a well-known beaver trapper who slaughters a pig, skins beavers, uses oxen to pull lumber, and hunts deer on camera. This film encourages students to consider not only whether such practices are abusive but also whether it is arrogant and misplaced for outsiders to condemn such traditional rural practices. A third film, the documentary *Animal Passions/Zoophilia* by the U.K.’s channel 4, is similar to the

preceding two in its apparent open-endedness which, in this case, worries whether bestiality is sexual assault or, as zoophiles claim, an acceptable, if somewhat unusual, expression of love between human and animal.

Issues of cultural relativism do not easily apply to the remaining two films, which are put together by the activist organization People for the Ethical Treatment for Animals. The PETA films include uniformly gut-wrenching footage of the agonizing deaths of mink in fur farms and the horrors inflicted on nonhuman primates in laboratories (counterposed with an American Medical Association “educational” film on the necessity of animal testing). Students are warned beforehand about the graphic nature of some of the images in these movies, and one or two in each class have chosen - without penalty - not to watch them.

### **Assessing the Effectiveness of the Course**

In 2004 the two authors of this paper tried to examine the utility and potential effects of the course on students’ attitudes towards animal abuse. Does the course encourage “pro-animal” attitudes of empathy and compassion? Can animal rights be taken seriously in a state (Maine) which is highly rural, somewhat conservative (both Senators are Republicans), quite dependent on income from the “harvesting” of fish and crustaceans, and whose population has a relatively large number of registered hunters?

### **Methods**

#### *Sample*

There were two samples, all of the respondents in which were USM undergraduate students enrolled during Fall semester, 2003. One sample was comprised of students enrolled in the Criminology Department’s “Animal Abuse” course (CRM 327) (hereinafter “the Sample”). The other sample, which functioned as a control group for this study, consisted of students enrolled in the Mathematics and Statistics Department’s Pre-Calculus course (MAT140D - hereinafter, “the Control group”). There were 31 students in the Sample and 11 students in the Control group. The rationale for using pre-calculus students as a control group was that all USM students are required to take a calculus or statistics course as part of a common core curriculum and therefore, we felt, they were probably a good sample of the whole student population.

#### *Procedure*

In early September, a pre-course questionnaire was administered to both the Sample and to the Control group. In mid-December, a second questionnaire, largely similar to the first, was administered to students at the end of both courses (see Appendix 1). The questionnaires were submitted to USM’s Institutional Review Board and found to be in conformity with its protocols for research on human subjects.

The study was a longitudinal one designed to track individuals’ responses to the same questions prior to and after instruction in their courses. It was hoped that this would allow determination of any significant attitudinal and behavioral changes towards animals.

In order to obtain candid responses and to dispel the notion that grades could be affected by their answers, students were assured complete anonymity. For both the animal abuse and pre-calculus classes, the initial questionnaires were already numbered. Students in each group

randomly received the initial questionnaire along with an unsealed envelope containing the second questionnaire. Their professors told them to write the same number they had on the first questionnaire on the top right-hand corner of the front of the second questionnaire. They were subsequently told to place the second questionnaire inside the envelope, seal it, and write their names on the front of the sealed envelopes. They were then requested to submit their completed first questionnaires and the sealed envelopes containing the second questionnaires. At the end of the semester the envelopes were finally returned to both groups of students, who were asked to complete their second questionnaires and hand them in without the envelopes. In this way it was possible to track individual responses “pre-course” and “post-course,” without requiring disclosure of students’ identities.

### *Questionnaires*

The questionnaires distributed in the study were expanded versions of Herzog’s Animal Attitudes Scale instrument. There were 25 questions in a scale format (i.e. strongly agree, agree, undecided, disagree, and strongly disagree) about the acceptability of a range of subject matters, including hunting, trapping, fishing, consuming animals for food, using animals in medical research and cosmetic testing, factory farming, zoos, circuses, rodeos, oxen-pulling, dissection, animal rights, breeding pets, animal fighting, bestiality, and incarcerating animal abusers.<sup>3</sup> The questionnaires also asked for some background information on the students: gender; degree major; dietary habits; and whether they supported an animal rights or animal welfare organization, either with money or with time.

The pre-course and post-course questionnaires distributed to the Sample were identical except for the last question in the former, which said, “Please describe why you enrolled in this course,” while the final question in the latter said, “Please describe how this course has altered your attitudes to nonhuman animals and your actual interaction with them.” The questionnaires distributed to the Sample and the Control group, before and after instruction, were also similar, but the pre-course Control group questionnaire did not ask students why they had enrolled in the pre-calculus course.

### *Statistical Analysis*

The attitude scale responses in the questionnaires were tabulated using corresponding numbers: 1 = strongly agree; 2 = agree; 3 = undecided; 4 = disagree; and 5 = strongly disagree. The means for the responses to these 25 attitude scale questions were determined for both pre-course and post-course questionnaires for both the Sample and Control group. An item-by-item analysis was then conducted, employing paired t-tests, in order to assess whether there were any statistically significant attitudinal changes (at a significance level of .05). Data were summarized on the

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<sup>3</sup> . This questionnaire is an expanded version (i.e., nos.21-26) of the *Animal Attitudes Scale* questionnaire first used in Herzog, Betchart and Pittman (1991; and see Flynn, 2003:103). We should note that this study might be methodologically limited in at least one way, namely, that it may not have been entirely appropriate for us to perform arithmetic calculations (i.e., calculate means) for the ordinal data from the attitude scale questions. This is because the scale values do not necessarily represent equivalent intervals and respondents may not therefore have perceived the response options similarly.

gender, dietary habits, and academic majors of the students, as well as any student support for animal organizations, and discernible patterns in the anecdotal information provided were also noted.

## Results

### *Response Rate*

All the students in the animal abuse and pre-calculus classes completed questionnaires, but the sample sizes were smaller than the actual enrollment numbers in the courses, chiefly due to difficulty matching pre-course and post-course questionnaires. This was more of an issue with the pre-calculus class where N=11, but the actual enrollment was 35 students. The class size was 40 for the animal abuse course, but N=31.

The main reason questionnaires could not be matched for comparison was that the students did not fill out the number in the second questionnaire prior to sealing the envelope containing that questionnaire. Instructions might not have been as clear to students in the pre-calculus course. Other factors preventing inclusion were incomplete questionnaires and late enrollment, in which case there were not any corresponding pre-course questionnaires.

### *Background information*

In the Sample 68% of the respondents were female and 74% were criminology majors, the remainder majoring in other social sciences, except for one biology student. Of the respondents in the Control group 42.8% were female and only 36% were social science or humanities students. Most of the Control group was majoring in the natural sciences, computer science or engineering. The overwhelming majority of the Sample (97%) enrolled in the course out of interest in the subject matter. Five students, however, reported enrolling in the course also for credit; only one said the sole reason for enrollment was to obtain academic credit.

### *Attitudinal and Behavioral Changes*

While there was virtually no difference in the pre- and post-course attitudes of the Control group, students in the Sample registered statistically significant pro-animal attitudinal changes along several dimensions. These included, especially, students' attitudes towards the wearing of animals as fur; breeding pure-bred dogs as pets; using animals in scientific or medical research, in cosmetic testing and for dissection; and using them as edible objects for human consumption.

The Table below summarizes the statistically significant changes in the Sample:

## **TABLE 1**

***STUDENTS' ATTITUDINAL CHANGES TOWARDS ANIMALS***

Question	Pre-Course Mean	Post-Course Mean	t-statistic	p-value
#2-I do not think that there is anything wrong with using animals in medical research	3.226	3.903	-3.021	.005
#6-I think people who object to raising animals for meat are too sentimental	3.484	3.839	-2.160	.039
#7-Much of the scientific research done with animals is unnecessary and cruel	2.516	1.774	3.674	.0009
#8-I think it is perfectly acceptable for cattle and pigs to be raised for human consumption	2.323	2.935	-3.236	.0029
#14-Breeding animals for their skins is a legitimate use of animals	4.194	4.645	-3.276	.0026
#15-Some aspects of biology can only be learned through dissecting preserved animals such as cats	2.678	3.129	-2.618	.0137
#16-Continued research with animals will be necessary if we are to ever conquer diseases such as cancer, heart disease, and AIDS	2.645	3.709	-5.578	.0000046
#17-It is unethical to breed purebred dogs for pets when millions of dogs are killed in animal shelters yearly	2.677	2.226	2.373	.024
#18-The production of inexpensive meat, eggs, and dairy products justifies maintaining animals under crowded conditions	3.903	4.258	-2.356	.025
#19- The use of animals such as rabbits for testing the safety of cosmetics and household products is unnecessary and should be stopped	1.806	1.290	5.042	.0000207

Moreover, the Control group registered only one statistically significant pro-animal

attitudinal change and that was for Question 23: "In general animals should have the same basic rights as humans." The pre-course mean was 3.5 (between undecided and disagree) and the post-course mean was 3.09, which was closer to undecided ( $t$ -statistic=2.887,  $p$ -value= .016).

The dramatic difference in the respective results of the Control group and the Sample is strong evidence for the conclusion that instruction in the sociology of animal abuse - and, more generally, in humane education - can help students develop more favorable attitudes towards animals. Having a point of comparison with the Control group, which registered only one change, suggests that the attitudes were most likely affected by the animal abuse course and not from exposure to other sources.

Comparison of other data also provides evidence supporting the conclusion that the animal abuse course also succeeded in changing students' behavior towards animals. A very noticeable difference between the Sample and Control group pertains to dietary habits. For example, the pre-course questionnaires reveal that a very similar and overwhelming majority of students in both the Control group (88.5%) and the Sample (91.9%) consumed red meat, poultry, fish and seafood. Yet, although none of the students in the Control group had changed their dietary habits by the end of their course, 26% of the Sample (20% of the men and 29% of the women) reported having eliminated red meat, poultry, fish and/or seafood by the end of the animal abuse course. One of these students - who reported that she had become a vegetarian at the end of the course - wrote that whenever she is tempted to eat meat again, she thinks about what she has learned in the course.

Still more notably, in the final question of the post-course questionnaires, clearly no students in the Control group felt the pre-calculus course changed their attitudes toward animals, but the Sample listed numerous ways they felt they were affected by their course. Again, food consumption was a major issue. Interestingly, even though only 26% of the Sample said they actually changed their dietary habits by consuming less meat or seafood by the end of the course, the written answers to the open-ended question indicated that 58% of the Sample (20% of the males and 48% of the females) felt the course heightened their sensitivities to meat consumption. Those that mentioned this increased awareness, but who nonetheless did not eliminate any foods from their diets, reported that they now consumed less meat or seafood, were actively seeking alternatives, felt guilty when they consumed meat, or tried to dissociate themselves from what they were doing when they ate meat.

The responses to the open-ended question at the end of the post-course questionnaire distributed to the Sample spoke eloquently about how students' attitudes and behavior had changed by the end of the course. Besides altering their diets, students reported other behavioral changes, such as becoming more supportive of animal causes. These new practices included:

- volunteering time and donating money;
- checking products prior to purchase to ensure they were not tested on animals;
- pursuing jobs at animal welfare organizations;
- arguing with people wearing fur coats;
- not having turkey at Thanksgiving anymore, even if regular dietary habits had not changed;
- teaching others about issues pertaining to animal abuse; and
- feeling more connected to animals generally in a way that extended beyond affection for household pets.

Some students also indicated that the course had caused them to:

- expand their definition of animal abuse to include hunting;
- change their attitudes to fly fishing;
- oppose animal research and testing;
- become disturbed about the use of animals in entertainment;
- be more skeptical of news in the mass media; and
- support harsh punishments for animal abusers.

One student said that even though she does not support animal rights, she thinks animals should not suffer. There were also some rather dramatic comments about the influence of the course, including “traumatic awakening,” “sharply changed opinions,” “opened eyes,” and “a greater appreciation for animals.”

In terms of support of animal organizations, 6 students in the Sample (19%) reported supporting an animal organization pre-course, but half of them withdrew such support by the end of the course for no obvious reason. All these students were female and had written short answers indicating that they were deeply affected by the course: one was left with a “heavy heart,” another was pursuing a job at the SPCA and eating less meat, and the third was checking products for animal testing. Perhaps the withdrawal of support for animal organizations was a result of the limited time and resources they were experiencing as students. Two students (one female, one male) did not support animal groups prior to the course, but did so after the course. Generally, there did not appear to be discernible patterns in responses based on gender.

In the Control group, one student who did not support an animal organization prior to the course did so afterwards, but also mentioned that the course had no influence on him. Also, only one student in the Control group supported an animal organization prior to the course and maintained such support after the course, resulting in 18% of the Control group supporting an animal organization. Thus, on this particular question there does not appear to be any notable difference between the Control group and Sample.

### **Conclusion: Moving Humane Education Forward**

This study has found that, while there was virtually no difference in the attitudes of the control group, students in the animal abuse class registered ten statistically significant pro-animal attitudinal changes. These changes occurred in several important dimensions and included, especially, students' attitudes towards the wearing of animals as fur; breeding pure-bred dogs as pets; using animals in scientific or medical research, in cosmetic testing and for dissection; and using them as edible objects for human consumption. A pedagogy of difference does indeed seem to make a difference!

The findings of our study should be placed in three contexts: the specific content of one particular course on the sociology of animal abuse; students' intellectual and emotional reactions to a variety of pedagogic aids, including animal rights, feminist and other texts about animal abuse and depictions of animal abuse in films and in other course-related material; and the recent growth in humane education and in “Animals and Society” college courses.

On this last context let us note that the expansion of humane education has been hindered both by the common perception that it is only relevant to children and also by the varied definitions of its subject matter. For example, the education laws of states like New York and Pennsylvania reflect a narrow view of the salience of humane education by mandating it only in public elementary schools. In addition, statutes contain significantly different definitions of the subject. For example, s.809 of New York's *Education Law* specifically requires instruction in the humane treatment of animals and on the importance of spaying or neutering. Yet, s.14.16 of Wisconsin's *Code* requires the designation of an "Arbor and Bird Day" to encourage the protection of trees and birds. Similar definitional ambivalence exists in mandatory humane education laws in seven other states, which include Florida, Tennessee, California, Illinois, North Dakota, Pennsylvania, and Washington. Furthermore, Maine, Louisiana, New Jersey and Oregon - the four states with non-mandatory humane education statutes that specify only legislative intent - also advance conflicting definitions of humane education. For example, Maine's law refers to the "teaching of virtue and morality" to impress upon youth "the principles of humanity and a universal benevolence", including the importance of "kindness to birds and animals and regard for all factors which contribute to the well-being of man." (20 *Me. Rev. Stat. Ann.* 1221 [2002])

Many colleges and universities perhaps do not see themselves as providing humane education since they, too, might associate the subject with elementary schools. However, if the aim of humane education is to develop empathy and critical thinking so that students can act in ethically-informed and compassionate ways, then humane education should obviously be integrated into curricula at all educational levels (to that end we note in Appendix 2 the existence of several institutions of higher learning that offer guidance on the craft of humane education).

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## Appendix 1

**ANIMAL ABUSE**  
(Criminology 327, Fall, 2003)

**Post-Course Animal Attitude Scale**

Please answer the following questions as accurately as possible. Your responses are anonymous and completely confidential. Your responses will be used solely to examine if student attitudes to animals differ pre- and post-course. Participation is completely voluntary. If you decide to participate and find a particular question sensitive in nature, please answer according to your comfort level. Thank you for your time!

\*\*\*\*\*

Please check or fill in the appropriate responses for questions 1-3 below.

1. Gender:     \_\_\_ Male  
              \_\_\_ Female
  
2. What is your major? \_\_\_\_\_
  
3. Which ONE of the choices below most closely resembles your dietary habits?  
      \_\_\_ I eat red meat, poultry, fish and seafood  
      \_\_\_ I eat poultry, but no red meat  
      \_\_\_ I eat fish and seafood, but no red meat/poultry  
      \_\_\_ I am a vegetarian  
      \_\_\_ I am a vegan

Listed below are statements regarding animals. Circle the response that indicates the extent to which you agree or disagree with each statement, where Strongly Agree = SA, Agree = A, Undecided = U, Disagree = D, and SD = Strongly Disagree

SA	A	U	D	SD
Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree

1. It is morally wrong to hunt wild animals just for sport. SA A U D SD
2. I do not think that there is anything wrong with using animals in medical research. SA A U D SD
3. There should be extremely stiff penalties, including jail sentences, for people who participate in cock-fighting. SA A U D SD
4. Wild animals, such as mink and raccoons, should not be trapped and their skins made into fur coats. SA A U D SD
5. There is nothing morally wrong with hunting wild animals for food. SA A U D SD
6. I think people who object to raising animals for meat are too sentimental. SA A U D SD
7. Much of the scientific research done with animals is unnecessary and cruel. SA A U D SD
8. I think it is perfectly acceptable for cattle and pigs to be raised for human consumption. SA A U D SD
9. Basically, humans have the SA A U D SD

right to use animals as we see fit.

10. Fishing for whales and dolphins should be stopped immediately even if it means some people will be put out of work. SA A U D SD
11. I sometimes get upset when I see wild animals in cages at zoos. SA A U D SD
12. In general, I think that human economic gain is more important than setting aside more land for wildlife. SA A U D SD
13. Too much fuss is made over the welfare of animals these days when there are many human problems that need to be solved. SA A U D SD
14. Breeding animals for their skins is a legitimate use of animals. SA A U D SD
15. Some aspects of biology can only be learned through dissecting preserved animals such as cats. SA A U D SD
16. Continued research with animals will be necessary if we are to ever conquer diseases such as cancer, heart disease, and AIDS. SA A U D SD
17. It is unethical to breed purebred dogs for pets when millions of dogs are killed in animal shelters yearly. SA A U D SD
18. The production of inexpensive meat, eggs, and dairy products justifies maintaining animals SA A U D SD

under crowded conditions.

19. The use of animals such as rabbits for testing the safety of cosmetics and household products is unnecessary and should be stopped. SA A U D SD
20. The use of animals in rodeos and circuses is cruel. SA A U D SD
21. Horse- and oxen-pulling at Maine fairs is a harmless tradition that should be allowed to continue. SA A U D SD
22. Sex between humans and animals is morally acceptable. SA A U D SD
23. In general, animals should have the same basic rights as humans. SA A U D SD
24. An animal's right to live free of suffering should be just as important as a human's right to live free of suffering. SA A U D SD
25. Those who abuse animals should be punished severely, including by incarceration. SA A U D SD
26. Do you currently support (e.g., with money or time) an animal welfare or animal rights organization? (please circle)
- Yes            No
27. Please describe how this course has altered your attitudes to nonhuman animals and your actual interaction with them. Be as lengthy or as brief in your answer as you like.

## Appendix 2

### HUMANE EDUCATION

\* *The Institute for Humane Education*. This is a non-profit organization based in Maine. It has a unique certification program for humane educators and has developed a Master of Education program at Cambridge College with a focus on humane education. The training includes courses on presentation and communication, animal protection issues, environmental ethics, culture, and human rights. This holistic approach to humane education further supports its infusion into the undergraduate liberal arts curriculum.

[www.humaneeducation.org](http://www.humaneeducation.org)

\* *Humane Education Advocates Reaching Teachers (HEART)*. This is a non-profit organization based in New York. It is dedicated to fostering compassion and respect for all living beings and for the environment by educating both youth and teachers in humane education. Its goal is the infusion of humane education into all educational settings. HEART accomplishes its mission through teacher training workshops, in-class presentations, consulting services and advocacy to increase compliance with New York State's humane education law.

[www.teachhumane.org](http://www.teachhumane.org)

\* *The United Federation of Teachers*. UFT's Humane Education Committee helps educators of grades pre-kindergarten to twelve, bring humane, environmental and animal-rights philosophies and materials into their classrooms as a source of information for discussion and debate.

UFT/HEC offers teacher training workshops, newsletters, and resource materials. Humane education materials are readily blended with reading, writing, science, music and art programs.

[www.uft.org](http://www.uft.org)

\* *Webster University* has developed a humane education program designed for teachers. The program comprises coursework in the history, philosophy, and practice of humane education, character development, and environmental education.

[www.webster.edu/gradcatalog/ed\\_multidis.html](http://www.webster.edu/gradcatalog/ed_multidis.html)

\* *Miami-Dade College's Animal Ethics Study Center* provides training and educational events for faculty, students and the local community in Miami. The center offers humane education training programs for faculty, encouraging teachers to consider and incorporate ideas of compassion and community in the college curriculum.

[www.crle.org/prog\\_courses\\_humane](http://www.crle.org/prog_courses_humane)

\* *Humane Society University and Humane Society Youth* (an affiliate of the Humane Society of the United States) offer a certificate program for humane education specialists, an online professional development workshop consisting of four to six courses for animal care and control practitioners and volunteers committed to humane education.

[www.humanesocietyu.org](http://www.humanesocietyu.org)

*Fast Food Nation: The Dark Side of the All-American Meal*

Eric Schlosser, Harper Perennial, 2004

Reviewed by Lisa Kemmerer

Eric Schlosser's *Fast Food Nation* hit *The New York Times*' "Bestsellers" list, and was praised by publications as powerful as *The New Yorker*, *Newsweek*, *The Christian Science Monitor*, and *The Washington Post*. *Fast Food Nation* is as readable as it is gripping. This book presents the history and horrors of the fast food industry from targeting children through union busting and bribing government agencies, ultimately to become a symbol of American capitalism.

Schlosser opens with the chance beginnings of fast food giants, the coming and going of "carhops," and the importance of the automobile to the rise of fast food feasting. He walks readers through the interesting life stories of folks like William Rosenberg, who dropped out of school at 14, worked as a door-to-door salesman, and eventually founded Dunkin' Donuts; Thomas Monaghan, who grew up in an orphanage, joined the Marines, then bought a pizzeria that eventually became the first Domino's pizzeria; and a boy named Harland Sanders, who left school at the age of 12, hawked skills he did not possess as lawyer and obstetrician, worked as a traveling salesman, and ultimately made his millions selling his "secret" recipe for fried chicken.

But Schlosser's main focus is on Karl Karcher, born in 1917 to a sharecropping family in Ohio. He dropped out of school in the eighth grade and moved to Anaheim California to work in a feed store. Karcher admired the lovely orange groves of California, married an orange farmer's daughter, began working in a bakery, and eventually bought a hot dog stand for \$311. Soon he bought a second stand, then a third and fourth. He bought a restaurant at a time when privately owned autos were changing how people traveled, and even how they ate. As he worked hard to make something of his restaurant, he heard that a nearby competitor was selling excellent burgers twenty cents cheaper. The nearby restaurant was called "McDonald's Famous Hamburgers."

The McDonald's brothers, Richard and "Mac," sold a tasty yet cheap burger, but it was Ray Kroc who sold McDonald's restaurants to the nation, and the world. He bought the right to franchise from the McDonald brothers and relied on "his wits, his charisma, and his instinct for

promotion”(40). In a previously unprecedented method for selling foods, Kroc targeted children. In the process, he courted an old contact from the military, Walt Disney, who was then building Disneyland. Walt was not interested in working with Kroc, but “the fantasy world of McDonaldland borrowed a good deal from Walt Disney’s Magic Kingdom... McDonald’s soon loomed large in the imagination of toddlers,” Kroc’s target population.

The morality of advertising to children soon fell under scrutiny. While other nations ruled to protect children, the US ruled to protect business interests. Today children are targeted by “phone companies, oil companies, and automobile companies, as well as clothing stores and restaurant chains” (42). Kids are professional whiners who have no innate tendency to use restraint in seeking what they desire; kids bring wallet-carrying adults in the door. Kids successfully targeted by advertisers such as McDonald’s often become lifelong customers, returning with their own children.

Fast food restaurants sell to children and exploit teenagers. Schlosser explains the importance of a cost-saving innovation – dispensing with the need for skilled labor -- that originated with the McDonald brothers, and has been carried to extremes by fast food businesses. Standardized restaurant procedures, identical in Texas and New York, allow machines to do most of the work. Low-paid labor only need push buttons and flip switches to produce burgers and fries with sodas and shakes. These monotonous jobs are usually taken by teens. Schlosser reports, “[w]hile quietly spending enormous sums on research and technology to eliminate employee training, the fast food chains have accepted hundreds of millions of dollars in government subsidies for ‘training’ their workers” (72).

Schlosser, never one to give the facts without personal examples, tells the story of Elisa, just 16 years old, who rises at 5:15 so that her mother can drop her off for a day of work at McDonalds. She thaws food, stores prepared food, and opens the doors to customers at seven am. After seven hours on her feet, she returns home too exhausted to do anything productive, and so she watches television. Whatever the cost to young people like Elisa, “[t]eenagers have been the perfect candidates for these jobs, not only because they are less expensive to hire than adults, but also because their youthful inexperience makes them easier to control” (68). High turnover rates are not an issue; fast food joints invest heavily in equipment that requires no skill.

Fast food joints have also fought furiously against the formation of unions. Schlosser offers lively examples of weighty union battles waged by fast food restaurant chains against youthful employees. “During the early 1970s, workers were successfully organizing a McDonald’s in Lansing, Michigan. All the crew members were fired, the restaurant was shut down, a new McDonald’s was built down the block—and the workers who’d signed union cards were not rehired” (77). Schlosser concludes: not one of the workers at “roughly fifteen thousand McDonald’s in North American is represented by a union” (78).

Schlosser also describes franchise methods used by different fast food restaurants. McDonald’s owners have maintained the tightest control, even owning the buildings rented by franchisers; Subway’s franchises are the cheapest to purchase but the owners take a larger percentage of earnings; lesser-known chains are much cheaper to franchise, but also pose a greater risk. Government monies have funded many fast food franchises. The International Franchise Association, in spite of its own “public opposition to any government interference with the workings of the free market..., has long supported programs that enable fast food chains to expand using government-backed loans”—loans intended to help independent, small businesses (102). McDonald’s opened restaurants in high-risk areas, wagering government funds that were frequently lost. These monies were intended to help individuals establish businesses, which were frequently lost. McDonald’s avoided the risks, and US citizens paid the price.

In one of his most eye-opening chapters, Schlosser describes the flavor industry and the meaning behind the term “natural flavors.” The author visited a factory that produces “flavors.” He smelled the odor of burgers being flipped on a hot grill, but the smell did not come from a burger or a grill. The familiar odor came from “fragrance testing paper..., long, white strips of paper designed to absorb aroma chemicals” (129). Smell, the author notes, is 90% of taste. How else could McDonald’s produce hamburgers in Hong Kong and New Hampshire that taste exactly the same? Readers are left wondering about the taste of these burgers, minus chemical enhancement.

Next, Schlosser explores where the apparently tasteless flesh of hamburgers originates. He describes how a few individuals, men like J. R. Simplot, rose from obscure, uneducated beginnings to control the cattle, potato, and chicken industries, crowding out smaller farmers and

ending a way of life that has been central to what it used to mean to be a mid-Western American. He introduces readers to a small rancher, Hank, who talks to Schlosser about sustainable ranching as the two men tour Hank's ranch. Schlosser is among those who idealize the old West, who still believes that cattle can be raised on open prairies, and consumed en-mass by Americans, and that the only moral question is the possible loss of the idealized rancher's lifestyle. He notes that ranchers are disappearing "[w]ithout receiving a fraction of the public attention given to the northwestern spotted owl" (136). Carriage and corset manufacturers have come and gone without so much as a glance backward, but Schlosser fails to make the distinction between jobs lost to changing times, jobs replaced by new industries, and species lost forever.

While Schlosser does not appear to understand the importance of an indicator species, such as the spotted owl, or the difference between the loss of a species and the changing of careers, he does understand suffering and loss among human beings. Research for *Fast Food Nation* brought the author face-to-face with one of the most compelling and contentious moral issues of our time – animal suffering. Interestingly, Schlosser nonetheless side-steps this issue in his book. He does not question the slaughterhouses themselves, or the death of millions of sentient beings. He only questions the horrible conditions of slaughterhouse workers. He questions slaughterhouses because they deliberately hire illegal immigrants who cannot read English, and who work for rock-bottom wages—and consider it a privilege to do so. He questions slaughterhouse company policies that do not require listing injured workers, and which do not have to pay injured workers for recovery days, or for proper short and long-term medical care. He even questions the speed of the processing lines in slaughter houses because the faster these lines move, the more danger posed to workers. But nowhere does Schlosser question the morality of slaughterhouses, fast foods, or fast food restaurants from the standpoint of unnecessary and grievous suffering and death brought to chickens, pigs, cattle, and turkeys. On this topic, Schlosser either lacks empathy, knowledge, or perhaps both.

Schlosser's lack of concern for animals slaughtered is especially interesting because *Fast Food Nation* records his visit to a slaughterhouse. He describes his journey walking through a slaughterhouse in reverse. He travels from little red pieces of meat, to large chunks of bodies, to whole cattle swinging by their hind legs, to finally look a live cow in the eye as she stands at the

gate to be killed. He comments on the look in the eyes of the cattle, the clear apprehension, and then turns from the subject without so much as suggesting that these are also prodigious and troublesome moral issues. Is a business rooted in unnecessary suffering and premature death an acceptable business? Readers cannot help but note Schlosser's sorrow as he writes of his slaughterhouse experience, looking into the eyes of cattle forced to slaughter, waiting anxiously in line, looking back at him with a mixture of curiosity and horror. Though he rightly questions any business decision that endangers human health or well-being, he fails to offer even *one* comment on corporate responsibility to these voiceless victims of human ignorance, greed, and indifference. (Those who read *Fast Food Nation* should supplement their reading with *Slaughterhouse*, by Gail Eisnitz.)

Schlosser then explores other human safety and welfare issues: food contamination, illness, death, and government alignment with fast food industries that donate large sums of money to political campaigns. A chapter entitled, "What's In the Meat," begins with a picture of young Alex, a boy who died of *E. coli* after eating tainted flesh: a hamburger. Schlosser tells the story of this boy's horrible death, and of his grieving mother's ongoing commitment to food safety. An astute reader will note that *Fast Food Nation* fails to overtly make the connection between mistreatment of farmed animals and risks to human health, but Schlosser interviews individuals who clearly understand the connection. A government health official commented, we all know we shouldn't eat dirty food or drink dirty water, but "we still think we can give animals dirty food and dirty water" (202). His point: How can we be surprised when their flesh makes us ill?

While most ethicists continue to ignore the interests of nonhuman animals, they remain highly interested in any loss of human life that might result from negligence. The way we slaughter cattle, chickens, and pigs—in such haste, with so little regard for suffering or fear—causes misery not only to these other beings, but also to humans. Schlosser notes: "A series of tests conducted by Charles Gerba, a microbiologist at the University of Arizona, discovered far more fecal bacteria in the average American kitchen sink than on the average American toilet seat" (221).

Why are animal products so filthy? The USDA is largely indistinguishable from the

industries it was meant to police. President Regan's first secretary of agriculture was in the hog business. His second was the president of the American Meat Institute (formerly known as the American Meat Packers Association). The man he chose to run the USDA's Food Marketing and Inspection Service was a vice president of the National Cattleman's Association. President Bush saw fit to appoint the president of the National Cattleman's Association to run the USDA's Food Marketing and Inspection Service. It is not surprising, then, that a nationwide study found that 78.6 percent of ground beef "contained microbes that are spread primarily by fecal material" (197). Schlosser bluntly notes: "There is shit in the meat" (197).

Schlosser also explores how the US fast food industry has traveled abroad. Fast foods are primarily associated with the United States, and most closely with McDonald's. Meanwhile, McDonald's is also linked with obesity, heart attacks, cancers, and other common side effects of a fast food diet rich in fat and flesh. He includes tales of lawsuits against these corporal giants on foreign soil. Schlosser insists that we must do likewise, that consumers and victims must speak with one voice against fast food giants. He sees hope in changes already brought through consumer pressure, such as those negotiated by animal advocates.

Near the end of *Fast Food Nation*, Schlosser calls consumers to arms, to throw these corporate giants to their knees before they do any more harm. But those with a good memory will recall Schlosser's earlier comment: McDonald's woes children, anticipating that customers hooked on McDonald's food will remain loyal for a lifetime. It is not surprising that Schlosser has also written (along with Charles Wilson) *Chew On This: Everything you Don't Want to Know about Fast Food* (Houghton Mifflin), the kid-version of *Fast Food Nation*.

Most recently a DVD has come out entitled, *Fast Food Nation*. In this version Schlosser touches on some of the key themes of his book through a fictional story. The DVD begins and ends with immigrants sneaking into the US. A high level investigator for a fictional fast food chain becomes enmeshed in a corporate web of power and corruption that perpetuates abuse and corporate irresponsibility. The plot most adequately reveals the horrors that can befall immigrants working in the meat industry, from forced sex to serious injury without medical coverage (plenty of sex and violence to appeal to a U.S. audience), and the health risks one takes when eating a hamburger. The book shows some graphic shots from inside a slaughterhouse, but

does not do justice to the direct activists, who are portrayed as incompetent and ineffective. Ultimately, one wonders if packaging *Fast Food Nation* as fiction is appropriate for a book based on such a thorough investigation of shameful realities.

Charles Patterson, *The Eternal Treblinka: Our Treatment of Animals and the Holocaust*  
New York: Lantern Books, 2002, 280 pp.

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“True human goodness, in all its purity and freedom, can come to the fore only when its recipient has no power. Humanity’s true moral test, its fundamental test (which lies deeply buried from view), consists of its attitude towards those who are at its mercy: animals. And in this respect humankind has suffered a fundamental debacle, a debacle so fundamental that all others stem from it.” Milan Kundera, *The Unbearable Lightness of Being*

Since the nineteenth century, geographers have developed theories of “environmental determinism” that reject the humanist interpretation of history as constituted solely through human-to-human interactions. By contrast, they emphasized that environmental factors such as physical terrain and climate determined psychological outlooks and temperaments, cultural characteristics, social organization, and historical change. Once introduced into historiography as a crucial perspective mediated with other perspectives such as economics, class, technology, and culture in a non-reductionist manner that does not ignore the influence of social factors and the ability of humans to shape their environments as well, “environmental determinism” (read: “conditioning”) greatly bolsters our abilities to understand biological evolution, social development, and human behavior.

While a welcome advance over the anthropocentric conceit that only humans shape human actions, the environmental determinism approach typically fails to emphasize the crucial role that *animals* play in human history, as well as how the human *exploitation of animals* is a key cause of hierarchy, social conflict, and environmental breakdown. A core thesis of what I call “animal standpoint theory” is that animals have been *key driving and shaping forces of human thought, psychology, moral and social life, and history* overall. More specifically, animal standpoint theory argues that *the oppression of human over human has deep roots in the oppression of human over animal*.<sup>1</sup>

In this context, Charles Patterson’s recent book, *The Eternal Treblinka: Our Treatment of Animals and the Holocaust*, articulates the animal standpoint in a powerful form with revolutionary implications. The main argument of *Eternal Treblinka* is that the human domination of animals, such as it emerged some ten thousand years ago with the rise of agricultural society, was the first hierarchical domination and laid the groundwork for patriarchy, slavery, warfare, genocide, and other systems of violence and power. A key implication of Patterson’s theory is that human liberation is implausible if disconnected from animal liberation, and thus humanism -- a *speciesist* philosophy that constructs a hierarchal relationship privileging superior humans over inferior animals and reduces animals to resources for human use -- collapses under the weight of its logical contradictions.

Patterson lays out his complex holistic argument in three parts. In Part I, he demonstrates that animal exploitation and speciesism have direct and profound connections to slavery, colonialism, racism, and anti-Semitism. In Part II, he shows how these connections exist not only in the realm of ideology – as conceptual systems of justifying and underpinning domination and hierarchy – but also in systems of technology, such that the tools and techniques humans devised for the rationalized mass confinement and slaughter of animals were mobilized against human groups for the same ends. Finally, in the fascinating interviews and narratives of Part III, Patterson describes how personal experience with German Nazism prompted Jewish to take antithetical paths: whereas most retreated to an insular identity and dogmatic emphasis on the singularity of Nazi evil and its tragic experience, others recognized the profound similarities between how Nazis treated their human captives and how humanity as a whole treats other animals, an epiphany that led them to adopt vegetarianism, to become advocates for the animals, and develop a far broader and more inclusive ethic informed by universal compassion for all suffering and oppressed beings.

### **The Origins of Hierarchy**

"As long as men massacre animals, they will kill each other" –Pythagoras

It is little understood that the first form of oppression, domination, and hierarchy involves human *domination over animals*.<sup>2</sup> Patterson's thesis stands in bold contrast to the Marxist theory that the *domination over nature* is fundamental to the domination over other humans. It differs as well from the social ecology position of Murray Bookchin that *domination over humans* brings about alienation from the natural world, provokes hierarchical mindsets and institutions, and is the root of the long-standing western goal to "dominate" nature.<sup>3</sup> In the case of Marxists, anarchists, and so many others, theorists typically don't even mention human domination of animals, let alone assign it causal primacy or significance. In Patterson's model, however, the human subjugation of animals is the first form of hierarchy and it paves the way for all other systems of domination such as include patriarchy, racism, colonialism, anti-Semitism, and the Holocaust. As he puts it, "the exploitation of animals was the model and inspiration for the atrocities people committed against each other, slavery and the Holocaust being but two of the more dramatic examples."<sup>4</sup>

Hierarchy emerged with the rise of agricultural society some ten thousand years ago. In the shift from nomadic hunting and gathering bands to settled agricultural practices, humans began to establish their dominance over animals through "domestication." In animal domestication (often a euphemism disguising coercion and cruelty), humans began to exploit animals for purposes such as obtaining food, milk, clothing, plowing, and transportation. As they gained increasing control over the lives and labor power of animals, humans bred them for desired traits and controlled them in various ways, such as castrating males to make them more docile. To conquer, enslave, and claim animals as their own property, humans developed numerous technologies, such as pens, cages, collars, ropes, chains, and branding irons.

The domination of animals paved the way for the domination of humans. The sexual subjugation of women, Patterson suggests, was modeled after the domestication of

animals, such that men began to control women's reproductive capacity, to enforce repressive sexual norms, and to rape them as they forced breeding in their animals. Not coincidentally, Patterson argues, slavery emerged in the same region of the Middle East that spawned agriculture, and, in fact, developed as an extension of animal domestication practices. In areas like Sumer, slaves were managed like livestock, and males were castrated and forced to work along with females.

In the fifteenth century, when Europeans began the colonization of Africa and Spain introduced the first international slave markets, the metaphors, models, and technologies used to exploit animal slaves were applied with equal cruelty and force to human slaves. Stealing Africans from their native environment and homeland, breaking up families who scream in anguish, wrapping chains around slaves' bodies, shipping them in cramped quarters across continents for weeks or months with no regard for their needs or suffering, branding their skin with a hot iron to mark them as property, auctioning them as servants, breeding them for service and labor, exploiting them for profit, beating them in rages of hatred and anger, and killing them in vast numbers – all these horrors and countless others inflicted on black slaves were developed and perfected centuries earlier through animal exploitation.

As the domestication of animals developed in agricultural society, humans lost the intimate connections they once had with animals. By the time of Aristotle, certainly, and with the bigoted assistance of medieval theologians such as St. Augustine and Thomas Aquinas, western humanity had developed an explicitly hierarchical worldview – that came to be known as the “Great Chain of Being” – used to position humans as the end to which all other beings were mere means.

Patterson underscores the crucial point that the domination of human over human and its exercise through slavery, warfare, and genocide typically begins with the denigration of victims. But the means and methods of dehumanization are derivative, for *speciesism provided the conceptual paradigm that encouraged, sustained, and justified western brutality toward other peoples*. “Throughout the history of our ascent to dominance as the master species,” Patterson writes, “our victimization of animals has served as the model and foundation for our victimization of each other. The study of human history reveals the pattern: first, humans exploit and slaughter animals; then, they treat other people like animals and do the same to them.”<sup>5</sup> Whether the conquerors are European imperialists, American colonialists, or German Nazis, western aggressors engaged in *wordplay before swordplay*, vilifying their victims – Africans, Native Americans, Filipinos, Japanese, Vietnamese, Iraqis, and other unfortunates – with opprobrious terms such as “rats,” “pigs,” “swine,” “monkeys,” “beasts,” and “filthy animals.”

Once perceived as brute beasts or sub-humans occupying a lower evolutionary rung than white westerners, subjugated peoples were treated accordingly; once characterized as animals, they could be hunted down like animals.<sup>6</sup> The first exiles from the moral community, animals provided a convenient discard bin for oppressors to dispose the oppressed. The connections are clear: “For a civilization built on the exploitation and slaughter of animals, the ‘lower’ and more degraded the human victims are, the easier it is to kill them.”<sup>7</sup> Thus, colonialism, as Patterson describes, was a “natural extension of human supremacy over the animal kingdom.”<sup>8</sup> For just as humans had subdued animals with their superior intelligence and technologies, so many

Europeans believed that the white race had proven its superiority by bringing the “lower races” under its command.

There are important parallels between speciesism and sexism and racism in the elevation of white male rationality to the touchstone of moral worth. The arguments European colonialists used to legitimate exploiting Africans – that they were less than human and inferior to white Europeans in ability to reason – are the very same justifications humans use to trap, hunt, confine, and kill animals. Once western norms of rationality were defined as the essence of humanity and social normality, by first using non-human animals as the measure of alterity, it was a short step to begin viewing odd, different, exotic, and eccentric peoples and types as non- or sub-human. Thus, the same criterion created to exclude animals from humans was also used to ostracize blacks, women, and numerous other groups from “humanity.” The oppression of blacks, women, and animals alike was grounded in an argument that biological inferiority predestined them for servitude. In the major strain of western thought, alleged rational beings (i.e., elite, white, western males) pronounce that the Other (i.e., women, people of color, animals) is deficient in rationality in ways crucial to their nature and status, and therefore are deemed and treated as inferior, subhuman, or nonhuman. Whereas the racist mindset creates a hierarchy of superior/inferior on the basis of skin color, and the sexist mentality splits men and women into greater and lower classes of beings, the speciesist outlook demeans and objectifies animals by dichotomizing the biological continuum into the antipodes of humans and animals. As racism stems from a hateful white supremacism, and sexism is the product of a bigoted male supremacism, so speciesism stems from and informs a violent *human supremacism* -- namely, the arrogant belief that humans have a natural or God-given right to use animals for any purpose they devise or, more generously, within the moral boundaries of welfarism and stewardship, which however was Judaic moral baggage official Christianity left behind.

By the nineteenth century, exploiting a corrupt understanding of Darwin’s natural selection theory, Social Darwinists promoted the pernicious ideology of “Might is Right” in order to frame class domination as something natural and inevitable rather than contingent and subject to change. A variant of Social Darwinism was used by Hitler and German Nazis to justify their genocidal campaigns’. Ultimately derived from speciesism, the Might is Right view continues to prop up human barbarity toward animals, and it has sedimented into a bland, unreflective “common sense” consent to human supremacism and the ongoing pogrom against animals.

### **Animal Breeding and Eugenics**

“Human rule over the lower creatures provided the mental analogue in which many political and social arrangements were based.” Keith Thomas

After analyzing how the domination of animals provides the conceptual model for the domination of humans, Patterson turns, in Part II, to the task of identifying the linkages between animal breeding and eugenics measures such as sterilization, euthanasia killings. Still more provocatively, he unearths the hidden connections between the industrialized killing of animals in early twentieth century slaughterhouses and the bureaucratic and technological machinery used by the German Nazis during the Holocaust.

Some readers may be surprised to learn the full extent to which the US (most notably, the “educated” and “liberal” elite as well as the mainstream press) was poisoned by racist ideologies throughout the late nineteenth and early twentieth centuries.<sup>9</sup> Certainly, a virulent racism initiated, perpetuated, and legitimated slavery and the genocidal war against the Native American nations, but racism also shaped the thinking of scientists and elites in a way that decisively influenced the thinking and policies of Hitler and German Nazism.

By the early nineteenth century, Patterson notes, western “sciences” often were little more than crude justifications for racism, colonialism, and Eurocentrism, as the facts of human nature were distorted to construct a hierarchy that extended from white Europeans at the top to dark-skinned peoples at the bottom. Appallingly, major scientists of the day, such as Charles Lyell and Georges Cuvier, trafficked in racist crudities. Cuvier, for instance, described Africans as “the most degraded of human races, whose form approaches that of the beast.”<sup>10</sup> Ernst Haeckel, the esteemed German philosopher and biologist who coined the term “ecology,” averred that non-western races are “psychologically nearer to the mammals (apes and dogs) than to civilized Europeans.” With chilling implications, Haeckel concluded, “we must, therefore, assign a totally different value to their lives.”<sup>11</sup> Paul Broca, a French pathologist and anthropologist, spawned the popular pseudo-science of “craniometry” which (mis)measured human skulls to support the thesis that brain size was related to intelligence; in a paradigmatic example of how politics and ideology can derail, betray, and literally deform the scientific enterprise, Broca and others employed crude and arbitrary methods to “prove” the presumption that white Europeans had the largest skull size, and so clearly were the highest specimens of humanity.<sup>12</sup>

More insidiously still, eugenics became hugely influential in the late nineteenth and early twentieth centuries, especially in the US and Germany. The attempt to manipulate and “improve” the human gene stock originated in early agricultural society through attempts to breed the largest and strongest animals. The Nazi vilification of huge swaths of human society, including blacks, Jews, and those deemed intellectually and physically “unfit” or “inferior,” was dependent upon dehumanization by identifying them with animals. Eugenics had real consequences in the US, for by the 1920s tens of thousands of people had been sterilized. These campaigns were a direct and formidable influence on German Nazism. Hitler studied US policies and ultimately was inspired to surpass the pioneering lead of the US by pushing eugenics to its ultimate conclusions -- to the “final solution” realized in the massacre of millions of undesirables Hitler likened to animals, insects, and even bacteria.

### **A Tale of Two Holocausts**

“We have been at war with the other creatures of this earth ever since the first human hunter set forth with spear into the primeval forest. Human imperialism has everywhere enslaved, oppressed, murdered, and mutilated the animal peoples. All around us lie the slave camps we have built for our fellow creatures, factory farms and vivisection laboratories, Dachaus and Buchenwalds for the conquered species. We slaughter animals for our food, force them to perform silly tricks for our delectation, gun them down and stick hooks in them in the name of sport. We have torn up the wild places where once

they made their homes. Speciesism is more deeply entrenched within us even than sexism, and that is deep enough.” Ronnie Lee, founder of the Animal Liberation Front

Patterson argues that the US roots of German Nazism grew not only through the widespread influence of eugenics, but also through the industrialized slaughter of animals. Both ideologically (racism and eugenics) and technologically (mass production/destruction models), Nazis took their inspiration from the US, such that “the road to Auschwitz traveled through America” and ultimately “begins at the slaughterhouse.”<sup>13</sup>

More than anyone else in the US, automobile mogul Henry Ford helped paved the way to Auschwitz and Dachau. Ford was a rabid anti-Semite who began in 1920 to publish screeds against the Jews through his weekly newspaper. Ford organized his columns as a book and *The International Jew* sold a half-million copies in the US and Europe and “became the bible of the postwar anti-Semitic movement.”<sup>14</sup> Hitler extolled Ford’s book and disseminated it widely among officers and troops. Hitler regarded Ford as a pioneer, visionary, and comrade, declaring that “I regard Henry Ford as my inspiration” – so much so that he even kept a life-size portrait of Ford in his office.<sup>15</sup> Ford proudly received the honors bestowed on him, and a Ford subsidiary company was a major supplier of vehicles for the German army.

In addition to his virulent anti-Semitism, Ford helped to incubate German Nazism in another key way through the development of industrial technology methods. The same techniques that Ford pioneered for the mass production of automobiles were used by Nazis for the administration of mass killing. A crucial but little-known fact, however, is that these techniques were *first developed in the slaughterhouses* for the kind of streamlined killing and disassembly of animal bodies such as were required to satisfy growing consumer demand for meat. In 1865, amidst the colossal stockyards of Chicago, meatpackers introduced the conveyor belt to increase the speed and efficiency of the killing. Slaughterhouses pioneered the division of labor techniques – whereby a grisly team of “knockers,” “splitters,” “boners,” and “trimmers” specialized in different tasks -- used for all subsequent forms of mass production.

Ford’s visit to a Chicago slaughterhouse inspired his adaptation of assembly line and division of labor techniques to churn out an endless procession of identical automobiles. But the technological grafting did not end there. “As the twentieth century would demonstrate,” Patterson observes, “it was but one step from the industrialized killing of American slaughterhouses to Nazi Germany’s assembly-line mass murder.”<sup>16</sup> Thus, historians should look not to Henry Ford as the innovator of mass production, but rather to meatpacking giants Gustavus Swift and Philip Armour.<sup>17</sup>

To facilitate their brutal butchery, Nazis aimed to make killing people seem like slaughtering animals. The “Might is Right” ideology that humans employ to justify their brutality against animals was central to Nazi ideology, for, as Hitler stated: “Man owes everything that is of importance of the principle of struggle and to one race [Aryan race] which has carried itself forward successfully. Take away the Nordic Germans and nothing remains but the dance of apes.”<sup>18</sup> Hitler’s basic outlook was that nature is ruled by the law of struggle, and he summarized his worldview in this way: “He who does not possess power loses the right to life.”<sup>19</sup>

In the rationalized production systems of Chicago and Auschwitz, the goal is speed, efficiency, and maximized killing, and the process unfolds through a division of labor with workers specializing in different tasks. Similarly, from transportation to gassing, by way of a gigantic social production line, Nazis tried to keep the movement of prisoners constant, such that as quickly and smoothly as possible one group followed another to their doom. As with slaughterhouses, the sick and lame were cleared away. Both animals and humans were crammed together and transported in mass in rail cars to their final destination. The Nazis shipped Jews to their death in cattle cars, they temporarily unloaded them in slaughterhouses where they were confined in animal pens, and then dispatched them to their death through the same rail lines paths used to transport and slaughter animals.

### **Lessons Learned, Lessons Lost**

“At the moment our human world is based on the suffering and destruction of millions of non-humans. To perceive this and to do something to change it in personal and public ways is to undergo a change of perception akin to a religious conversion. Nothing can ever be seen in quite the same way again because once you have admitted the terror and pain of other species you will, unless you resist conversion, be always aware of the endless permutations of suffering that support our society.” Arthur Conan Doyle

“The vast majority of Holocaust survivors are carnivores, no more concerned about animals’ suffering than were the Germans concerned about Jews’ suffering. What does it all mean? I will tell you. It means that we have learned nothing from the Holocaust.” Arthur Kaplan

By this point in Patterson’s narrative, many readers may be offended by the audacity of comparing the suffering of animals and human beings, but Patterson disarms this speciesist objection quite effectively in the third section of *Eternal Treblinka*. Here, often using original research and interviews, he discusses the experiences of numerous Holocaust survivors and Jewish people currently living in Germany and Austria, many of whom lost family members to Nazi terror. While many Jews scarred by the human Holocaust never made the connection to the animal Holocaust, and remained speciesists and carnivores, numerous Jewish activists, artists, and intellectuals did, as their experiences of Nazism and concentration camps gave them a greater empathy for all oppressed life and, logically, led them to vegetarianism. As beautifully stated by Edgar Kupfer-Koberwitz, a prisoner in Dachau (1940-1945), “I eat no animals because I don’t want to live on the suffering and death of other creatures. I have suffered so much myself that I can feel other creatures’ suffering by virtue of my own.”<sup>20</sup>

Through a series of compelling narratives, Patterson discusses the lives and moral epiphanies of many distinguished Jewish people who learned to connect the important dots, including Alex Hershaft, founder and president of the Farm Animal Reform Movement (FARM); Peter Singer, ethicist and author of *Animal Liberation*; and Henry Spira, noted animal rights activist. Another notable Jewish figure Patterson describes is Isaac Bashevis Singer, the 1978 Nobel Prize winner in Literature. Many of the characters in Singer’s short stories and novels are vegetarians as well as proponents of a universal

ethics of compassion that extends beyond human society to include animals. Singer denounces the hypocrisy of those who speak against bloodshed while themselves causing it in their daily food choices, and he spoke through his characters in poignant statements such as:

“You cannot be gentle while you’re killing a creature, you cannot be for justice while you take a creature who is weaker than you and slaughter it, and torture it.”

“People should live in such a way that they did not build their happiness on the misfortune of others.”

“The man who eats meat ... upholds with every bite ... that might is right.”<sup>21</sup>

Singer draws broad connections between the violence humans inflict on animals and the cruelties they heap upon one another, and criticized the “Might is Right” ideology as a fascist ideology at its core. “The smugness with which man could do with other species as he pleased,” Singer writes, “exemplified the most extreme racist theories, the principle that might is right.”<sup>22</sup> For Singer, “There is only one little step from killing animals to creating gas chambers a la Hitler and concentration camps a la Stalin ... There will be no justice as long as man will stand with a knife or with a gun and destroy those who are weaker than he is.”<sup>23</sup> Singer insists that “what the Nazis had done to the Jews, man was doing to the animals.”<sup>24</sup> Most famously, in his short story, “The Letter Writer,” Singer drew an apt analogy between the violence German Nazis used against human victims and the tyranny humans throughout the globe impose on animals: “What do they know -- all these scholars, all these philosophers, all the leaders of the world? They have convinced themselves that man, the worst transgressor of all the species, is the crown of creation. All other creatures were created merely to provide him with food, pelts, to be tormented, exterminated. In relation to them, all people are Nazis; for the animals it is an eternal Treblinka.”<sup>25</sup>

The ideology of speciesism – or human supremacism -- has buttressed systems of domination over animals for over ten thousand years. In his own astute grasp of the links in the gigantic chain of violence, Dachau survivor Koberwitz wrote, “I believe as long as man torture and kills animals, he will torture and kill humans as well---and wars will be waged—for killing must be practices and learned on a small scale.”<sup>26</sup> In addition to compelling characters such as Koberwitz, Patterson chronicles the life and thought of Dr. Helmut Kaplan. In a protest outside of a giant pharmaceutical firm in Frankfurt, Kaplan enjoined German citizens to recognize that in addition to the revisionist lie that concentration camps never existed, there is a *second lie* that death camps no longer exist, that society is civilized and no longer rooted in violence and barbarism. With Isaac Bashevis Singer, Kaplan argues that “Everything the Nazis did to Jews we are today practicing on animals,” and that what is happening to them “is exactly analogous to the Holocaust of the Nazis.”<sup>27</sup> Just like the Holocaust, people do not want to know what is happening to animals and are in denial; the “*good Germans*” who went about their business while the smoke of cremated humans drifted through the air has its analogue in the “*good humans*” who feign moral goodness and compassion, but ultimately are

prejudiced hypocrites whose food choices perpetuate the ongoing Holocaust against animals.

### **The “Holocaust on Your Plate” Controversy**

“Auschwitz begins wherever someone looks at a slaughterhouse and thinks: they’re only animals.” Theodor Adorno

"As long as there are slaughterhouses, there will be battlefields." Tolstoy

Aware of the deep continuities between the animal and human holocaust, and inspired by Patterson’s book and the words of some progressive Jewish scholars, in February 2002, the People for the Ethical Treatment of Animals (PETA) launched a new exhibit which was to travel to over 100 American and foreign cities. The “Holocaust on Your Plate” exhibit consisted of "eight 60-square-foot panels that juxtaposed photos of suffering and death in factory farms and slaughterhouses alongside parallel images of scenes of the horrors of Nazi concentration camps."<sup>28</sup> Employing its usual method shock tactics to disrupt complacency and provoke thought, PETA hoped that the exhibit would "stimulate contemplation of how the victimization of Jews, Gypsies, homosexuals, and others characterized as 'life unworthy of life' during the Holocaust parallels the way that modern society abuses and justifies the slaughter of animals."<sup>29</sup> According to PETA, the photos “graphically depicts the point that Singer made when he wrote, ‘In relation to [animals], all people are Nazis.’”<sup>30</sup> Newkirk explained the rationale behind the exhibit in this way: “The ‘Holocaust on Your Plate’ Campaign was designed to desensitize [people] to different forms of systematic degradation and exploitation, and [to show that] the logic and methods employed in factory farms and slaughterhouses are analogous to those used in concentration camps. We understand both systems to be based on a moral equation indicating that ‘might makes right’ and premised on a concept of other cultures or other species as deficient and thus disposable. Each has its own unique mechanisms and purposes, but both result in immeasurable, unnecessary suffering for those who are innocent and unable to defend themselves.”<sup>31</sup>

The controversial exhibit offended many Jewish and non-Jewish people with its graphic equation of factory farms and concentration camps.<sup>32</sup> Chairman of the Anti-Defamation League, Abraham Foxman, said that the exhibition, was "outrageous, offensive and takeschutzpah to new heights ... The effort by Peta to compare the deliberate systematic murder of millions of Jews to the issue of animal rights is abhorrent." Similarly, Stuart Bender, legal counsel for the United States Holocaust Memorial Museum, wrote an angry missive to PETA asking them to "cease and desist this reprehensible misuse of Holocaust materials."<sup>33</sup>

Yet Patterson shows that it is by no means inappropriate to draw analogies between animal and human slavery or between the animal and human holocaust and that visceral reactions to such comparisons, while understandable on many levels, is morally myopic, exhibits the same type and structure of hierarchy and devaluation Nazis used against Jews, and failed to understand the larger meanings of the human Holocaust.<sup>34</sup>

First, Patterson provides a powerful argument that the human holocaust *built on* the animal holocaust in significant ways, both ideologically and technologically, and thus

there *are* important and relevant analogies to be made. In both cases, groups of beings are branded as inferior, separated from their families and homes, shipped and processed in rationalized bureaucratic ways, reduced to slave labor and often to experimental subjects of “science,” and ultimately murdered and disposed when their existence was no longer useful or convenient. There *is* a significant parallel between animals and humans confined in cages or cells, sick and scrawny, crammed into trucks or railcars on the way to slaughter, forced to labor unto death, and killed in gas chamber rooms (or meeting *worse* fates in the case of animals, such as being sliced apart while still conscious).

Second, as demonstrated throughout the third section of Patterson’s book, many Jewish people and Nazi victims themselves urge the importance of grasping the relationship between the animal and human holocaust, in both thought and practice, so why is it necessarily insensitive or anti-Semitic if non-Jewish people do the same.<sup>35</sup> Here it is important to note that the PETA exhibit was inspired by Jewish writer, Charles Patterson; that it relied extensively on quotes by Jewish Holocaust victims and survivors; that it was funded by an anonymous Jewish philanthropist; and that it was put together by Matt Prescott, a PETA activist who lost several relatives in the Holocaust. The point of the exhibit was not to ignore obvious differences between the animals and humans, as well as between their respective holocausts, but rather to underscore the profound similarities. Here, in reference to the shared nature of oppressed animals and humans, the bottom line is that *pain is pain and suffering is suffering*, that all species live in psychological and physical torment stripped from their environment and families, when isolated and confined in small cages, when forced to labor until exhaustion or death, when experimented on, when living in fear and anxiety before finally being murdered.

This said, it is nonetheless crucial to understand the concerns of oppressed human groups when being compared to animals, not only because they often feel their experience is being exploited for the purposes of another group, however sincere or valid (and most critics did not feel the intentions of PETA were honorable or respectful), but also because a key cause of their oppression was being likened to animals in the first place. But the comparisons done by PETA, Patterson, and a host of Jewish writers and activists are hardly the same as those made by racists, anti-Semites, and Nazis, as PETA (as true of animal rights people in general) is not ideologically reactionary but rather wants to overcome all forms of hierarchy, domination, exploitation, bias, prejudice, and violence to develop a more, not less, comprehensive ethic and principle of equality (as based on sentience, not arbitrary, circular, and self-serving human appeals to human reason).

Moreover, the point of the exhibit – as true of Patterson’s book – is not to reduce humans to animals, but rather to raise animals up into humans in the sense that they are accorded respect, granted their proper intrinsic value, and endowed with the rights relevant for them to lead lives based on freedom from pain and suffering and freedom to happiness and pleasure. Finally, whether critics acknowledge it or not, there simply *are* commonalities among modes of oppression, they *do* co-constitute and reinforce one another, and these *need* to be analyzed as one holistic complex of hierarchy, domination, and oppression, one that, as argued all along, has important roots in the domination of animals. As Matt Prescott eloquently explains: “The very same mindset that made the Holocaust possible - that we can do anything we want to those we decide are 'different or inferior' - is what allows us to commit atrocities against animals every single day. ... The

fact is, all animals feel pain, fear and loneliness. We're asking people to recognize that what Jews and others went through in the Holocaust is what animals go through every day in factory farms."<sup>36</sup>

To give Dr. Martin Luther King a significantly broader reading that extends beyond the narrow limits of the human community to include all sentience life: "*No one can be free until all are free.*" There is a moral hypocrisy and speciesist double-standard informing heated attacks on PETA's attempts to draw parallels between animal and human suffering, one that desperately needs to be transcended in favor of a broader ethic. For while groups such as the NAACP and the Anti-Defamation League ask PETA to be sensitive to human oppression, understanding that Blacks and Jews often accused PETA of barging into communities with their display and not appreciating how oppressed peoples might feel used or exploited to make moral arguments on behalf of animals. While these criticisms no doubt were valid in many cases, it must also be said that there were few attempts by oppressed people to make the effort from their side to try to *sympathize with and understand animal oppression*. While PETA may use images of Jewish and Black exploitation in ways they object to, it is more to the point to note that they eat animals in their private lives and groups functions, a considerable more grievous offense than a well-intended, possible misappropriation of images of suffering to expand the moral community. Indeed, the NAACP's shameless public defense of serial dog torturer and killer Michael Vick was despicable and displayed a grotesque lack of moral sympathy to non-human animals, not fundamentally different from the detachment (if not pleasure) white racists showed toward those Blacks victimized by their violence

Too many people with pretences to ethics, compassion, decency, justice, love, and other stellar values of humanity at its finest resist the profound analogies between animal and human slavery and animal and human holocausts, in order to devalue or trivialize animal suffering and avoid the responsibility of the weighty moral issues confronting them. The moral myopia of humanism is blatantly evident when people who have been victimized by violence and oppression decry the fact that they "were treated like animals" – *as if it is acceptable to brutalize animal, but not humans*.

If there is a salient disanalogy or discontinuity between the tyrannical pogroms launched against animals and humans, it lies not in the fallacious assumption that animals do not suffer physical and mental pain similar to humans, but rather that animals suffer *more* than humans, both quantitatively (the intensity of their torture, such as they endure in fur farms, factory farms, and experimental laboratories) and qualitatively (the number of those who suffer and die). And while few oppressed human groups lack moral backing, sometimes on an international scale, one finds not mass solidarity with animals but rather mass consumption of them. As another Nobel Prize writer in Literature, South African novelist writer J. M. Coetzee, forcefully stated: "Let me say it openly: we are surrounded by an enterprise of degradation, cruelty, and killing which rivals anything the Third Reich was capable of, indeed dwarfs it, in that ours is an enterprise without end, self-regenerating, bringing rabbits, rats, poultry, livestock ceaselessly into the world for the purpose of killing them."<sup>37</sup>

Every year, throughout the world, over 45 billion farmed animals currently are killed for food consumption.<sup>38</sup> This staggering number is nearly eight times the present human population. In the US alone, over 10 billion animals are killed each year for food consumption – *27 million each day, nearly 19,000 per minute*. Of the 10 billion land

animals killed each year in the US, over 9 billion are chickens; *every day in the US, 23 million chickens are killed for human consumption, 269 per second*. In addition to the billions of land animals consumed, humans also kill and consume 85 billion marine animals (17 billion in the US).<sup>39</sup> Billions more animals die in the name of science, entertainment, sport, or fashion (i.e., the leather, fur, and wool industries), or on highways as victims of cars and trucks. Moreover, ever more animal species vanish from the earth as we enter the sixth great extinction crisis in the planet's history, this one caused by human not natural events, the last one occurring 65 million years ago with the demise of the dinosaurs and 90% of all species on the planet.

It is thus appropriate to recall the saying by English clergyman and writer, William Ralph Inge, to the effect that: "We have enslaved the rest of the animal creation, and have treated our distant cousins in fur and feathers so badly that beyond doubt, if they were able to formulate a religion, they would depict the Devil in human form."

### **Commonalities of Oppression**

"Compassion, in which all ethics must take root, can only attain its full breadth and depth if it embraces all living creatures and does not limit itself to humankind." Albert Schweitzer

"The animals of the world exist for their own reasons. They were not made for humans any more than black people were made for white, or women created for men." Alice Walker

The construction of industrial stockyards, the total objectification of nonhuman animals, and the mechanized murder of innocent beings should have sounded a loud warning to humanity that such a process might one day be applied to them, as it was in Nazi Germany. If humans had not exploited animals, moreover, they might not have exploited humans, or, at the very least, they would not have had handy conceptual models and technologies for enforcing domination over others. "A better understanding of these connections," Patterson states, "should help make our planet a more humane and livable place for all of us – people and animals alike. A new awareness is essential for the survival of our endangered planet."<sup>40</sup>

The most important objective of the book, indeed, is to promote a new ethics and mode of perception. *Eternal Treblinka* affects a radical shift in the way we understand oppression, domination, power, and hierarchy. It is both an effect of these changes, and, hopefully, a catalyst to deepen political resistance to corporate domination and hierarchy in all forms. Given its broad framing that highlights the crucial importance of human domination over animals for slavery, racism, colonialism, and anti-Semitism, *Eternal Treblinka* could and should revolutionize fields such as Holocaust studies, colonial and postcolonial studies, and African American studies. But this can happen only *if*, to be blunt, humanists, "radicals," and "progressives" in academia and society in general remove their speciesist blinders in order to grasp the enormity of animal suffering, its monumental moral wrong in needless and unjustifiable exploitation of animals, and the larger structural matrix in which human-over-human domination and human-over-animal domination emerge from the same prejudiced, power-oriented, and pathological violent

mindset. Political resistance in western nations, above all, will advance a quantum leap when enough people recognize that the movements for human liberation, animal liberation, and earth liberation are so deeply interconnected that no one objective is possible without the realization of the others.

A truly revolutionary social theory and movement seeks to emancipate members of one species from oppression, but rather all species and the earth itself from the grip of human domination and colonization. A future “revolutionary movement” worthy of the name will grasp the ancient roots of hierarchy, such as took shape with the emergence of agricultural societies, and incorporate a new ethics of nature that overcomes instrumentalism and hierarchies of all forms.<sup>41</sup> Humanism is a form of prejudice, bias, bigotry, and destructive supremacism; it is a stale, antiquated, immature, and dysfunction dogma; it is a form of *fundamentalism*, derived from the Church of “Reason” and, in comparison with the vast living web of life still humming and interacting, however tattered and damaged, it is, writ large, a *tribal morality* – in which killing a member of your own “tribe” is wrong but any barbarity unleashed on another tribe is acceptable if not laudable. Ultimately, humanism is pseudo-universalism, a Kantian quackery, a hypocritical pretense to ethics, a dysfunctional human identity and cosmological map helping to drive us ever-deeper into an evolutionary cul-de-sac.

The profound value of Patterson’s book is to raise the animal standpoint – analytically and ethically – and to show in clear and decisive ways its pivotal importance to the entire spectrum of human interests and politics. Yet while I endorse and share Patterson’s attempt to root hierarchy in the domination of humans over animals, and his goal to clarify the immense consequences of animal exploitation for human existence itself, I want to raise two critical points. First, Patterson’s attempt to root all forms of oppression in one primal source betrays an essentialist theory and metaphysical longing for clear origins and unambiguous beginnings. While there is no doubt that the domination of animals is fundamental to the domination of humans, as his book brilliantly and convincingly shows, perhaps the mythical “first” hierarchy came out of a more complex social matrix within which other proto- or early forms of hierarchy were stirring, coalescing, and taking shape. It could be the case, for instance, that speciesism and patriarchy emerged together and were coeval, or that an even more complex and varied system of power arose whose details remain shrouded in the mists of prehistoric time. Second, Patterson’s linkages between the oppression of animals and the oppression of humans often are too simplistic and unmediated, such that he ignores the forceful overdetermination of many forms of hierarchy. There is, for example, an important connection between speciesism and colonialism which Patterson draws out, but there are other conditioning factors responsible for bringing about and sustaining colonialism, such as stem from the fundamental logic of capitalism, which he fails to engage. Similarly, while Patterson brilliantly explores the relation between slaughterhouses and Nazi death camps, he fails to provide a more complex and multidimensional analysis that would ground the origins of Nazism in the rise of modernism, its hostile anti-modernism, and its opportunistic pursuit of the very capitalist values it condemned (while all the time being propped up in one way or another by numerous US corporations). When Patterson claims that “it was but one step from the industrialized killing of American slaughterhouses to Nazi Germany’s assembly-line mass murder” one detects a linear and simplistic logic.<sup>42</sup>

With such theoretical deficits, one wonders what political shortcomings follow as a consequence. In fact, Patterson paints himself in an idealist and subjectivist dead-end, as evident in his barely one-page asocial “Afterword” that looks to “end to our cruel and violent way of life” without any mention of its current institutional underpinnings. Similar to the subjectivist biases of many deep ecology approaches, Patterson seeks psychological changes, not socio-institutional changes, but the former can lead to nothing but vegetarian pot-lucks, animal prayer services, and a lifestyle advocacy that is completely coopted by capitalist consumerism and markets. Patterson’s inattention to political economy and capitalism is symptomatic of the mainstream animal advocacy movement as a whole, whereby the predominant political approach is single-issue and focused on winning reforms through legislative changes in the state.

Given that Patterson’s theory suggests that human liberation is inseparable from animal liberation, it is unfortunate he did not theorize these relations beyond the moral-psychological level. While animal liberation is a necessary condition for the realization of other liberation movements, it is not a sufficient condition. Whereas the animal advocacy movement tends to be single-issue in its mindset and tactics, it is important to frame the struggle for animal liberation as part of the global struggle against capitalism -- for today animal slavery is driven by capitalist growth and profit imperatives which themselves must be eliminated – which no “new awareness” alone can accomplish without tactics, politics, social movements, and alliance politics. Although speciesism (as well as racism and sexism) obviously predates capitalism and has far deeper roots than modernity, the state, and class systems as a whole, capitalism reinforces speciesism (as well as racism and sexism) in numerous ways. These range from capitalist commodification, profit, and growth imperatives to its mechanistic-instrumental worldview and the system of private property that extends from land and animals to DNA itself (in the current regime of biopiracy and the postmodern gene rush to create and patent new forms of life). Animal liberation can never be fully realized within a global capitalist system spiraling out of control, and thus must be part and parcel of a larger struggle against class domination and hierarchies of all kinds.

The crisis in the natural world reflects a crisis in the social world, whereby corporate elites and their servants in government have centralized power, monopolized wealth, destroyed democratic institutions, and unleashed a brutal and violent war against dissent. Corporate destruction of nature is enabled by asymmetrical and hierarchical social relations, whereby capitalist powers commandeer the political, legal, and military system to perpetuate and defend their exploitation of the social and natural worlds. To the extent that the animal and earth exploitation problems stem from or relate to social problems, they thereby require social and politics solutions that bring out deep structural transformation and radical democratization processes. One cannot change destructive policies without changing the institutions and power systems that cause, benefit from, and sustain them. An effective struggle for animal liberation, then, means tackling issues such as poverty, class, political corruption, and ultimately the inequalities created by transnational corporations and globalization.

Still, to spin the dialectical wheel back again, social change cannot take the first step in the right direction without a “new awareness” of how human liberation is impossible without animal liberation, without recognition that enlightenment, democracy,

and moral progress are impossible without dismantling speciesism in favor of a truly non-violent, egalitarian, and inclusive community.

## Notes

<sup>1</sup> Standpoint theory employs the insights of socially marginalized figures to identify the partial, limited, and flawed modes of understanding held by those "inside" the dominant culture, and to underscore problems with the social order. History written "from below" is integral to Marxist and populist theories that focus on the struggles of peasants, serfs, and urban working classes, and it motivated the genealogies of Michel Foucault that aimed to recuperate the voices of various marginalized groups buried by conventional ("bourgeois") history as well as by the totalizing productivist narrative of Marxism that reduced all social dynamics to class struggle. Thus, standpoint theory reveals how each oppressed group has an important perspective or insight into the nature of society, as it also puts this optic into play. Critical positions developed by blacks, for instance, can illuminate colonialism and the pathology of racism, two key dynamics determining the nature and trajectory of capitalist modernity. Similarly, from the subordinated position women occupy in society, feminist analyses reveal the logic of patriarchy that has buttressed social power throughout history. As Carolyn Merchant demonstrates in her classic analysis, *The Death of Nature*, (eco)feminist standpoint theory exposes how patriarchal power, androcentric values, and an alienated and violent male psychology informs the "rape of nature" and transforms the earth and animals into an inert repository of resources ready for exploitation. In the same way, as I discuss below and as vividly exemplified in Patterson's book, animal standpoint interprets history from the perspective of human-nonhuman interactions and shows how human exploitation of other species has had, and will continue to have, momentous social and ecological consequences. Although "the animal standpoint" is expressed in the singular, one can use it to describe (imaginatively and empathetically) the experiences and/or oppression of one or many animals or animal species or to show how one or many different human groups relate to and treat animals. Ultimately, however, the animal standpoint is a general concept that explores broad aspects of the human oppression of non-human animals, such as one finds in virtually all societies of the past ten thousand years (when humans first began the widespread domestication of animals). Like anti-racist and feminist standpoints, the animal standpoint provides a crucial perspective for understanding the evolution and dynamics of violence, power, and hierarchical domination; it shows how the domination of animals was fundamental to the domination of humans, and thus how human and animal liberation are inseparably related projects. For more detail on the animal standpoint concept, see Steven Best, *Animal Liberation and Moral Progress: The Struggle for Human Evolution* (New York: Rowman and Littlefield Books, forthcoming, 2008).

<sup>2</sup> For similar arguments regarding the primacy and profound effects of human domination of animals, see Jim Mason, *An Unnatural Order: The Roots of Our Destruction of Nature* (New York: Lantern Books, 2005), and Marjorie Spiegel, *The Dreaded Comparison: Human and Animal Slavery* (New York: Mirror Books, 1997, revised edition).

<sup>3</sup> See Karl Marx and Friedrich Engels, *The German Ideology* (Amherst, New York: Prometheus Books, 1998); Murray Bookchin, *The Ecology of Freedom: The Emergence and Dissolution of Hierarchy* (Oakland, CA: AK Press, 2005).

<sup>4</sup> "Interview with author of *Eternal Treblinka*," by Richard Schwartz, at: <http://www.powerfulbook.com/interview.html>.

<sup>5</sup> *Eternal Treblinka*, p. 109.

<sup>6</sup> See, for instance, *Eternal Treblinka*, pp. 47-48, where Patterson quotes a US soldier who, accustomed to shooting rabbits, described killing Filipinos as a "hot game" that "beats rabbit killing all to pieces." Also, recall that in 1991, on their way out of the first invasion of Iraq, US helicopter gunship pilots described their slaughter of helpless Iraqis troops as a thrilling "turkey shoot."

<sup>7</sup> *Eternal Treblinka*, pp. 47-48.

<sup>8</sup> *Ibid*, p. 26.

<sup>9</sup> For another illuminating treatment of the history of eugenics in the US played out in horrifying ways and inspired German Nazism, see Jeremy Rifkin, *The Biotech Century: How Genetic Commerce Will Change the World* (New York: Tarcher Books, 1999).

<sup>10</sup> *Eternal Treblinka*, p. 19.

<sup>11</sup> *Ibid*, pp. 25-26.

<sup>12</sup> For an excellent debunking of the racist myths informing craniometry and biological determinism in general, see Stephen Jay Gould, *The Mismeasure of Man* (New York: W.W. Norton & Company, 1996).

<sup>13</sup> *Eternal Treblinka*, p. 53.

<sup>14</sup> *Ibid.*, p. 75.

<sup>15</sup> *Ibid.*, p. 76.

<sup>16</sup> *Ibid.*, p. 72.

<sup>17</sup> *Ibid.*, p. 73.

<sup>18</sup> *Ibid.*, p. 126.

<sup>19</sup> *Ibid.*, p. 128.

<sup>20</sup> *Eternal Treblinka*, p. 219.

<sup>21</sup> *Ibid.*, pp. 197-198.

<sup>22</sup> *Ibid.*, p. 188.

<sup>23</sup> *Ibid.*, p. 199.

<sup>24</sup> *Ibid.*, p. 188.

<sup>25</sup> Cited in Patterson, *Eternal Treblinka*, p. 183.

<sup>26</sup> *Ibid.*, p. 220.

<sup>27</sup> *Ibid.*, p. 221.

<sup>28</sup> In 2003, PETA also ran a TV ad making the same connections (available at: [http://www.petatv.com/tvpopup/video.asp?video=holocaust\\_ad&Player=wm&speed=\\_med](http://www.petatv.com/tvpopup/video.asp?video=holocaust_ad&Player=wm&speed=_med)). In addition, angering yet another group of oppressed people, black Americans, including heated recrimination from the National Association for the Advancement of Colored People (NAACP), PETA developed a similar campaign comparing animal slavery to black slavery and encountered similar intensity of resistance (and, one might add, misunderstanding and speciesist indifference to animal suffering). See PETA's "Animal Liberation" audio-visual montage online at: <http://www.peta.org/animalliberation/display.asp>. While many black leaders denounced the audacity to compare animals and black humans if their oppression and experiences were "equal," others weighed the point more carefully. Dick Gregory, for instance, a noted black leader of the civil right movement, commented that: "PETA's display shows how the horrifying excuses that were once used to enslave humans are now used to oppress animals—on factory farms, in laboratories, in circuses, and elsewhere. In making this comparison, PETA is attacking enslavement and oppression at their roots ... Animals and humans suffer and die alike. Violence causes the same pain, the same spilling of blood, the same stench of death, the same arrogant, cruel and brutal taking of life" (cited at: <http://www.peta.org/animalliberation/angerOverExhibit.asp>). Gregory, however, was in a distinct minority and, once again, in the face of pressure, PETA closed this exhibit tour as well. Ingrid Newkirk, addresses criticism of the project at: <http://www.peta.org/animalliberation/angerOverExhibit.asp>, and PETA has collected letters and articles about the exhibit, both pro and con, at: <http://www.peta.org/animalliberation/whatpeoplesay.asp>. For a caustic summary of other groups and campaigns that have analogized the exploitation and mass slaughter of animals to slavery and to the Holocaust, see "Holocaust Imagery and Animal Rights," Anti-Defamation League, August 2, 2005, at: [http://www.adl.org/Anti\\_semitism/holocaust\\_imagery\\_ar.asp](http://www.adl.org/Anti_semitism/holocaust_imagery_ar.asp).

<sup>29</sup> PETA press release, October 9, 2003, at: <http://www.peta.org/mc/NewsItem.asp?id=3021>.

<sup>30</sup> PETA press release, *ibid.*

<sup>31</sup> Cited at Wesley J. Smith, "PETA's Non-Apology Apology," *National Review Online*, May 6, 2005, at: <http://www.nationalreview.com/smithw/smith200505060923.asp>.

<sup>32</sup> For a thoughtful analysis of the "Holocaust on Your Plate" campaign, see Nathan Snaza, (Im)possible Witness: Viewing PETA's "Holocaust on Your Plate," *Journal for Critical Animal Studies*, Volume II, Issue 1, 2004, at: [http://www.cala-online.org/Journal\\_Articles\\_download/Issue\\_2/Impossible\\_Witness.pdf](http://www.cala-online.org/Journal_Articles_download/Issue_2/Impossible_Witness.pdf).

<sup>33</sup> Foxman and Bender cited at: [http://en.wikipedia.org/wiki/Animal\\_rights\\_and\\_the\\_Holocaust](http://en.wikipedia.org/wiki/Animal_rights_and_the_Holocaust).

<sup>34</sup> In her book *Animal Suffering and the Holocaust: The Problem with Comparisons*, animal advocate Roberta Kalechofsky questions the validity of borrowing of the tragic experiences of one group to raise moral concerns about another. Although she acknowledges "terrible cogent connections, dark connecting threads, between animal suffering and the Holocaust," she also believes that the Holocaust and its victims should not become degraded to become "a generalized metaphor" for any other atrocity or victim. The PETA "Holocaust on Your Plate" exhibit perfectly illustrates the problem for her. In her review of Kalechofsky's book, animal rights activist Karen Davis acknowledges the validity of many key points, but also underscores the rigidity, one-sidedness, and negative consequences of her positions: "One of the

values of having a history (a record) of one's victimization is that the history can help to mitigate one's suffering as well as contribute to it. However, a problem with having this history is that it can create the illusion that one's own suffering is not only different from, but superior to, any other suffering, including the suffering one inflicts on others. One of the most valuable contributions that a comparison between nonhuman animal suffering and the Holocaust can make is its ability to deepen the trace of animal suffering on human consciousness" (Karen Davis, "Book Review: *Suffering and the Holocaust: The Problem With Comparisons*, United Poultry Concerns Online, Winter 2003, at: <http://www.upc-online.org/winter2003/Kalechofsky.htm>). Davis goes into much greater critical details of Kalechofsky's position and the importance of rational comparisons of various modes of oppression in her recent book, *The Holocaust and the Henmaid's Tale* (New York: Lantern Books, 2005).

<sup>35</sup> Patterson's own awareness of the deep connections between the animal and human holocausts grew organically out of his research into the human holocaust; see "Interview with author of *Eternal Treblinka*," by Richard Schwartz, at: <http://www.powerfulbook.com/interview.html>. Patterson tries to mediate two extremes: on one side, he rejects a promiscuous use of the term "holocaust" to refer to any and all forms of violence; on the other side, he does not condone the refusal to contextualize the human holocaust in a larger socio-historical context. As he puts it, "Because the Holocaust is utterly unique, I'm very opposed to simplistic comparisons of the Holocaust to other genocides and to the facile use of the term 'holocaust' for everything from the latest mass murder to a five-alarm fire. However, I do not agree with those who insist on making the Holocaust a sacred shrine that's isolated from the rest of history and the rest of the world. If I felt that way, I never would have written this book, which examines the roots of the Holocaust and relates it to the human arrogance behind animal exploitation and the vast array of injustices against humans which have flowed from it. I think the attempt to fossilize the Holocaust and keep it separate from and unrelated to the rest of history is an insidiously subtle form of Holocaust denial" ("Interview with author of *Eternal Treblinka*," by Richard Schwartz, at: <http://www.powerfulbook.com/interview.html>).

<sup>36</sup> PETA Press Release, April 3, 2003, at: <http://www.peta.org/mc/NewsItem.asp?id=2106>.

<sup>37</sup> J. M. Coetzee, *The Lives of Animals* (Princeton: New Jersey, 2002) p. 21.

<sup>38</sup> See studies at: [http://www.madcowboy.com/01\\_FactsAR.000.html](http://www.madcowboy.com/01_FactsAR.000.html).

<sup>39</sup> See: <http://www.compassionatecooks.com/blog/2007/05/most-of-us-dont-think-too-much-about-it.html>.

<sup>40</sup> "Interview with author of *Eternal Treblinka*," by Richard Schwartz, at: <http://www.powerfulbook.com/interview.html>.

<sup>41</sup> For an analysis of the affinities between animal and human liberation, see Steven Best, *Animal Liberation and Moral Progress: The Struggle for Human Evolution*; also see Ted Benton, *Natural Relations: Ecology, Animal Rights, and Social Justice* (London: Verso, 1993).

<sup>42</sup> Patterson, *Eternal Treblinka*, p. 72.

Norm Phelps, *The Longest Struggle: Animal Advocacy from Pythagoras to PETA*  
Lantern Books, 2007, 367 pp.

Reviewed by Steven Best

“All of human history is one long horror story of the imprisonment, enslavement, torture, and murder of animals. Even countries whose culture has been shaped by religions that are more animal friendly than Christianity, like Hinduism and Buddhism, have a terrible record where animals are concerned.” Norm Phelps.<sup>1</sup>

Recently, there have been a number of excellent histories of the animal advocacy and/or vegetarianism movement that have filled significant gaps in knowledge, provided critical narratives to the stories told by those less-than-sympathetic or even hostile to these movements, and in cases such as Tristram Stuart’s epic, *The Bloodless Revolution: A Cultural History of Vegetarianism from 1600 to Modern Times* (2007), have provided new perspectives from the animal and vegetarian standpoints that represent an important rethinking and revision of standard humanist histories – as Stuart, for example, shows how key figures of the French Revolution had linked egalitarianism and vegetarianism in a radical holistic politics.<sup>2</sup>

Along with Diane Beers’ recent work, *The Prevention of Cruelty* (2006), Norm Phelps’ new book, *The Longest Struggle: Animal Advocacy from Pythagoras to PETA*, is an important history of the modern animal advocacy movement. Whereas Beers’ book is largely a descriptive history, Phelps takes off the objectivist gloves to write a narrative that advocates the animal rights agenda. This is certainly a valid move, but -- like Lee Hall’s execrable Stockholm-Syndrome-suffering attack on militant animal liberation in her self-published screed, *Capers in the Courtyard* (2007) -- Phelps advances an arbitrary and circumscribed notion of animal rights that quintessentially embodies the bourgeois, liberal, reformist, single-issue, state-based, legalist politics that *dominate* the thinking and tactics of the contemporary animal advocacy movement, whether welfarist, “new welfarist,” or rights/abolitionist in theory and tactics.

Obediently, this approach eschews actions not pre-approved by the corporate-state complex and appropriates their hegemonic language to demonize those in the movement who chose tough direct action tactics and frequently stop animal exploiters where other more “civil” approaches necessarily fail. Despite the fanfare of Gary Francione and followers who tout their abolitionist approach as radically different from welfarism, whether “old” or “new,” the kissing-cousins welfare/rights/abolitions orientations are *more similar to than different from* one another. One sees this in the shared vilification of militant direct action (e. g., Stop Huntingdon Animal Cruelty [SHAC] and the Animal Liberation Front [ALF]) and the uncritical belief that justice for animals can come from corporate-controlled capitalism, which begs the question whether the abolition of animal exploitation is possible without abolishing the omniscidal capitalist system itself.

Phelps’ fixation on reformist and legal strategies as the best or only path to animal liberation mires him in blatant inconsistencies and contradictions that betray conceptual foundations rooted in capitalist ideology and the psychological need structure of Christian/Gandhian dogma. Although these flaws seriously detract from the

philosophical and political merit of the book, there is nonetheless much to gain from reading Phelps's comprehensive historical account of Western views toward animals.

### **A Tale of Two Traditions**

Phelps constructs a broad historical narrative that makes new and important sense of Western history from the perspective of animal advocacy and vegetarianism. By working from the animal and vegetarian standpoints, Phelps uncovers aspects of Western history that are as crucial to understand as they are systematically ignored. These standpoints shed invaluable light on the social and ecological crises of Western societies, the moral character of societies and individuals, and the deeply flawed attempts to a progressivist narrative of history from humanist principles that discount the effects of social development on animals and the earth as a whole. As typically conceived in its patently racist and Eurocentric form, this metanarrative charts the evolutionary movement from an early "savage" or "primitive" stage of culture to an advanced level of "civilization," such as culminates in the economic, scientific, and technological development of Western modernity.

Phelps's dialectical rendering of Western history avoids the error of positing a hegemonic anthropocentrism that ruled uncontested from antiquity to modernity. Instead, he constructs a *dual narrative* that describes the dynamic coevolution of a speciesist and carnivorous tradition with an egalitarian and anti-carnivorous tradition, each vying for supremacy but the latter ultimately overwhelmed by the former.

On Phelps's narrative, the speciesist philosophy asserting human supremacy and God-like dominance over animals began with Aristotle's rejection of Pythagoras, perhaps the first Western proponent of vegetarianism and duties to animals, whose influence continued throughout Greek and Roman antiquity and was revived in modern times. In Aristotle's teleological view of the universe, the purpose of "lower" and "less perfect" forms of life is to serve the purposes of "higher" and "more perfect" beings. Aristotle's influence grew considerably to become an ideological foundation of Greco-Roman culture, Christianity, and the medieval era, waning only with the emergence of the modern science and empiricism in the seventeenth century. Whereas some theorists root anthropocentrism in the Judeo-Christian tradition and read Western history as influenced solely by the domination of nature ideology, Phelps argues that a significant counter-valuation emerged in the Judaic tradition in the form of a "Biblical Ethic" that inaugurated the Western welfarist tradition that counseled humans must show "kindness" and cause no undue harm to the animals they exploit. Stepping into controversial waters, Phelps claims that Jesus was a vegetarian and spiritual leader who had great compassion for animal suffering, such as he displayed by overturning the tables of moneychangers at the site of animal sacrifices. Thus, Phelps reads Jesus as the first animal liberationist.

If Christ was a liberationist and vegetarian – and Phelps more asserts than supports this -- the speciesist and hierarchical mentalities of institutionalized Christianity stem not from the founder himself, but rather from a tendentious follower who, as Saul, rejected Christ as Savior until a religious epiphany transformed him into a devout believer reborn as Paul. Ignoring the welfare ethics of Judaism and the liberationist politics of Jesus, Paul's influential revision of Christian teaching drew instead from the hierarchical outlook of Greek philosophy. From this corrupt hermeneutical position, Paul

denied that humans have moral obligations to animals. This deplorable viewpoint was affirmed and elaborated by medieval theologians Augustine and Thomas Aquinas, and became official Church doctrine that animal exploiters and carnivores to this day cite to justify their arrogance and violence against animals.

Although Christianity abolished the pagan rituals of animal sacrifice and the atrocities of the Roman Coliseum, it helped legitimate and spread countless other forms of animal exploitation. While crucial in dismantling Christian rule, secular modernity, as developed through the Renaissance, the Enlightenment, and modern science, seemed to bear promise for a rational ethic of animal protection shorn of superstition and theology. Yet, aside from the progressive views of Leonardo da Vinci and occasional sympathetic remarks from figures such as Montaigne and Voltaire, Phelps maintains that modern cultures sought progress for humans only while ignoring the plight of animals. Indeed, beginning especially in the seventeenth century with the emergence of modern vivisection, this allegedly “enlightened” world proved itself more barbarous than any past culture as it reduced animals to nonsentient machines and tortured them mercilessly without anesthetic. The steady growth in vivisection meant a hellish suffering and death for millions of animals. Further scientific and technological advances in the twentieth century led to the industrialization of animal farming through factory farms and slaughterhouses, as well as to genetic engineering and cloning which even more invasive manipulation of animals’ bodies.

Western cultural views toward animals cannot be reduced, however, to the hierarchical model, for always competing alongside speciesism was an egalitarian model advanced by progressive thinkers who urged compassion toward animals and, in many cases, vegetarianism. Some twenty five centuries ago, the egalitarian philosophy emerged in Western culture through the influence of Eastern philosophies of Jainism, Hinduism, and Buddhism, all of which promoted compassion for all sentient beings as their key ethical principle. Eastern influences first migrated into Western culture through Pythagoras, were perpetuated by neo-Platonists such as Plotinus and Porphyry, and they helped form animal protectionist views that continued into the modern period with figures such as Leonard da Vinci, John Calvin, Jeremy Bentham, Percy Shelley, Mary Shelly, William Blake, Arthur Schopenhauer, Henry Berg, Catherine Earl White, Henry Salt, Albert Schweitzer, Peter Singer, and Tom Regan.

Ironically enough, the animal protectionist ethic that emerged in the eighteenth century stemmed not from the “advanced” forces of science, but rather in large part from the “backward” thinking of the Protestant clergy who brought the Judaic ethic into the modern context. Also crucial were English philosophers, especially Jeremy Bentham, whose utilitarian ethics shattered the walls of rationalism and opened the moral community to all sentient beings.

The moral paradigm shift paved the way for the animal protection *movement*, a large, organized group of people dedicated to one general cause, such as emerged for the first time in history in the early nineteenth century. Animal protection became a social movement, not just an ethic or philosophy, in June 1824 with the emergence of the SPCA (later named the RSPCA with the blessings of Queen Victoria). This inspired Henry Bergh and others activists in the US to develop the American Society for the Prevention of Cruelty toward Animals (ASPCA), and subsequently welfare organizations mushroomed throughout the nation. These groups had deep roots in upper class society

and typically promoted policies directed at working class (e.g., bear baiting) rather than upper class (e.g., fox hunting) cruelties. At the same time, Phelps notes, more radical organizations, typically led by women, emerged that wanted not just to reform vivisection but to ban it altogether. Nineteenth century anti-cruelty groups were successful in banning a number of barbarities such as baiting and animal fighting and they developed their own police or monitoring body to enforce the laws and prosecute violators.

Apart from radical anti-vivisectionists, however, welfare approaches to animal advocacy prevailed until the late 1970s. Important influences on the shift from reforming animal suffering to abolishing animal exploitation altogether, Phelps argues, included the American Vegan Society, the National Anti-Vivisection Society, the hunt-sabotage tactics that arose in England in the 1950s, and “transitional groups” such as the “Oxford group” of philosophers. Out of his involvement with this group and his review of an anthology on animal ethics, Peter Singer came to writing his highly influential book, *Animal Liberation* (1975). Despite a title that obscures a welfarist orientation, Phelps emphasizes that Singer’s book changed the lives of countless people and thereby was crucial for developing the large current of change that fed into the animal *rights* movement. According to Phelps, this movement was galvanized in the early 1980s by the first national animal right conferences, it was advanced by Henry Spira’s protests, and was developed in explicit philosophical form with Tom Regan’s *The Case for Animal Rights* (1986).

Since the 1950s, however, a more militant and authentic liberationist approach was active in UK hunt-sab groups. These groups inspired the formation of the Band of Mercy in 1972, which escalated sabotage tactics by using arson and attacking vivisection laboratories, and in 1976 influenced Ronnie Lee to create the Animal Liberation Front, an underground group dedicated to freeing animals from cages and employing economic sabotage against vivisectionists, fur farmers, and other animal exploiters. By the early 1980s, the ALF had spread throughout the US and beyond, becoming a global movement that is now active in over twenty countries. In 1999, one more important movement emerged out of the direct action culture of England, namely, Stop Huntingdon Animal Cruelty which was devoted solely to shutting down one of the world’s largest and most egregious animal testing companies, Huntingdon Life Sciences (HLS). In 2002, SHAC cells grew through the US and other countries and its high-pressure tactics against HLS earned it notoriety, state crackdown, prison sentences for leading members, and captious criticism from the mainstream animal advocacy movement including the Humane Society of the United States (HSUS) and, as I will show, Phelps himself.

### **A Critical Accounting**

In *The Longest Struggle: Animal Advocacy from Pythagoras to PETA*, Phelps provides a lucid account of a complex history that leaves the reader with a clear sense of competing tendencies, such as between hierarchical and egalitarian traditions, as well as among welfare, rights, and direct action/liberation approaches. Adroitly, Phelps avoids the dangers of constructing a linear narrative, such as would result from a stage-theory of history that traced an alleged movement of increasing radicalism that unfolds in the transition from welfare to rights and liberation. He shows, for instance, how ancient Eastern cultures and early (pre-Socratic) Western cultures had more progressive views

toward animals than subsequent Western societies, and he reveals how the much vaunted modern sciences and technologies, compared to the “Dark Ages” of medievalism, were utterly regressive from the standpoint of animals. Phelps separates what constitutes progress for humans and for animals, and “progress” typically involves a zero-sum game in which humans advance at the expense of the animals they enslave. Indeed, throughout Phelps’s book, there is a stirring emphasis on “human tyranny” rooted in the enslavement of animals. The book is a strong – and much deserved – indictment of the pretentiousness and hypocrisy of Western “civilization.”

Against a linear narrative that plots the gradual build-up toward radical ideas, Phelps argues that an egalitarian, respectful and non-exploitative animal ethic, something which approximated or provided foundational ideas for the modern concert of “animal rights,” first emerged in the axial age (800-200 BCE), and animal welfare “was a compromised worked out by society between unregulated animal abuse and the demand that animal exploitation be ended. (xvii).<sup>3</sup> Liberationist approaches emerged first within the anti-vivisection movement of the 19<sup>th</sup> century, not out of some conceptual *Aufhebung* in the antinomy between welfare and rights, but by forging a more militant, alternative form of theory, politics, and tactics that was revitalized in the mid-1970s.

Phelps does not chronicle events as if history were always smooth and continuous, but rather identifies key discontinuities and turning points that led to profound changes in the way Western societies viewed animals, the world, and themselves. These include: the pernicious influence of Aristotle who grounded contingent social hierarchies in the natural order of things; the Christian rejection of Jewish codes to treat animals with kindness and mercy, thereby changing the stewardship ethic of “dominion” to the martinet mindset of domination; Paul’s corrupt revision of the Biblical tradition and Jesus’ true teachings that provided the foundations for an orthodox Christianity that negated everything Christ fought and died for; Jeremy Bentham’s utilitarian ethics that carried profound egalitarian implications by grounding moral status in sentience rather than human rationality; and the nineteenth century turn toward animal protectionism as a social movement rather than a moral ideal. One other important consequence of Phelps’s dual narrative approach is to show that speciesism is not necessarily inherent in or necessary to human nature, and that people can relate to animals in compassion, loving ways, as equals rather than inferiors – although there is plenty of room in human history to find violent proclivities and to doubt this.

There is an unfortunate, widespread propensity in the animal advocacy and vegetarian communities, however, whereby people uphold notable historical figures as one of their own when, in fact, the affiliations of these icons to animal and/or vegetarian ideals were often less than ingenuous or clear. To work through the dogma and confusion in a clear manner, Phelps draws a useful distinction between true (intrinsic) and false (extrinsic) motivations for historical notables thought to advocate animal ethics and/or vegetarianism. On Phelps’s reading, for instance, Plato’s promotion of vegetarianism is a false endorsement because he saw it as a stoic virtue that could thwart the injury of indulgence in rich foods such as meat. Plato advocated vegetarianism as a way to reduce harm to humans, not to promote the well-being of animals, to avoid the vice of bad foods rather than to embrace a vegetarian diet as a virtue in its own right. Phelps similarly removes the halo from another idol, St. Francis of Assisi. While animal people love Assisi because of his alleged spiritual democracy that included animals and his fabled

powers to communicate with animals, Phelps argues that Assisi in fact had little regard for animals and spoke to them only to win their obedience. Similarly, Rousseau, the much-touted seminal influence on modern vegetarianism, was not a vegetarian or animal advocate in any significant way. By way of example, Phelps describes the scenario in Rousseau's classic novel, *Emile*, in which Rousseau promotes hunting animals to purge the alleged damaging sex drive in youth. Yet, unlike his contemporaries, Rousseau was influential in his insistence that humans owe animals kindness and respect on the grounds that animals are sentient, whereas considerations of their rationality were irrelevant, and for emphasizing the importance of sympathy for healthy moral faculties. Other pseudo-champions of the animals include Benjamin Franklin and Richard Martin who condemned animal cruelty less for the animals' sake than for the benefit of the poor whose morals they sought to reform by instilling greater compassion for others. Examples abound.

Conversely, Phelps points out that even if a figure truly embraces animal issues, he or she may nonetheless be morally problematic and culpable by holding regressive views toward humans. A case in point is nineteenth century German philosopher, Arthur Schopenhauer, who defended the interests of animals through a Buddhist standpoint that embraced a universal ethic of compassion, as he also demeaned women and espoused racist views. It is short-sighted and problematic, therefore, to uphold such figures as progressive paradigms of morality, as racists, sexists, homophobes, fascists, and others flaunt the egalitarian and anti-hierarchical philosophy of animal advocates. It is crucial to qualify Phelps's instructive critique of alleged voices for animals, however, by emphasizing that – properly formulated and understood – animal rights is not a reactionary, anti-human, or fascist ideology, but rather a logical and necessary consequences of the universalization of rights and broadening of the moral community in the modern era, and that animal liberation is as central to human liberation as human liberation is vital to it.<sup>4</sup>

While Phelps successfully relates the broad outlines of complex developments within Western culture, his narrative often is clumsy and jagged, as when he leaps forward in time to relate how a concept developed and then returns to a fractured narrative. Also, Phelps tends to lapse into idealist analysis that focuses on the development of ideas apart from a broader social context, and he emphasizes the influence of religion on the modern animal advocacy movement as if it were an autonomous conceptual system isolated from the complexities of modernity and capitalism. While he sometimes discusses how the nineteenth century animal movement emerged as part of a overall movement for social reform that included anti-slavery and suffragette struggles, he fails to give enough emphasis to the broader political context of these developments, such as how they relate to modernization, urbanization, industrialization, and the commodification and enslavement of animals as the result as the inherent logic of a grow-or-die capitalist system. While demonstrating that key advances in the modern animal advocacy movement came from England, Phelps never explains why this occurred and what socio-economic and cultural conditions might have prompted England's leading role. It is an odd and significant lapse, moreover, that he doesn't engage the environmental and social justice aspects of vegetarianism as they become increasingly apparent in the nineteenth and twentieth centuries and were explicitly

developed as least by 1971, with the publication of Francis Moore Lappe's *Diet for a Small Planet*.

### **Phelps and the Political Vacuum of Animal Rights**

The social, political, and economic lacunae of Phelps's analysis are no doubt related to his overall political views, which are reformist, pro-capitalist, and single-issue oriented. Phelps's politics are muted in *The Longest Struggle*, but emerge more substantively in his 2007 interview *Abolitionist Online*. Here he muses on the proper relation between animal rights and human rights, between tactics appropriate to liberating animals and more radical strategies necessary for a larger social transformation that can dismantle forms of human oppression as well:

I think it would be a grave strategic error to tie animal liberation to the abolition of capitalism or any other more general restructuring of society. First, there are real and important gains for animals that can be made within the current social and economic structure, however unsatisfactory that structure may be on other grounds. To forego those gains by focusing on patriarchy and capitalism as opposed to focusing directly on animal oppression would, in effect, be condemning countless generations of animals to lifelong suffering and early death, at least some of which could have been alleviated.

Secondly, tying animal rights to a radical political agenda dealing with human issues, like socialism or anarchism, would convince the general public that animal advocates are a bunch of dangerous loony tunes, and set the animals' cause back to where it was before Peter Singer wrote *Animal Liberation*. Animal rights is a hard enough sell without linking it to another cause that the overwhelming majority of the public is adamantly opposed to. The task of the animal rights movement is to persuade Middle America that animals are not ours to eat, wear, experiment on, or use in entertainment, and that animals are entitled to live their lives according to the dictates of their natures with as little interference from human beings as possible. We need to stay focused on that agenda.

Third, whenever animal issues are tied to human issues, the animals always come out losers because when the crunch comes, the human issues are given priority. When the human issue appears to come into conflict with the animals' issue, the animals are abandoned. Something similar happened in the nineteenth century when abolitionists abandoned women's suffrage. Up to and through the Civil War, the abolition and women's movements had proceeded together. They had overlapping leadership, and advocates of one were typically advocates of the other. But during reconstruction, when a Constitutional Amendment was being drafted that would give former slaves the vote, feminists wanted female former slaves to be given the vote along with males. Afraid that this might endanger the amendment, abolitionists deserted women and opted for male-only suffrage. It was more than a half century before women of any color got the vote nationwide.<sup>5</sup>

Lest one get the false impression that Phelps dismisses all causes but animal rights, he adds this qualification: "I am not for a moment suggesting that animal advocates should not also be outspoken feminists, socialists, anarchists, or advocates for whatever other causes they believe in. I am only saying that the animal rights movement as a movement needs to maintain its independence and keep its focus on the animals."<sup>6</sup> Phelps does make a sound point – as I myself have often underscored --- that radical Left traditions are replete with dogmatic humanists and speciesists who are blind to the moral, social, and environmental importance of animal rights and vegetarianism.<sup>7</sup> With their oppressors' mentality, stunted moral philosophy, and fragmented political vision, Left humanists cannot grasp the fact that animal liberation and human liberation are interdependent. Thus, there is in fact a problem with tying the rope of animal liberation to the wagon of human liberation; in most cases Leftists, humanists, and "social revolutionaries" are themselves animal oppressors who do not want to abandon their "privileges" and who want to marginalize animal issues to the last priority of far "more important" goals such as reducing the work week, ending the US Invasion of Iraq, and advancing human rights and human equality.

In cases where animal liberationists join in alliance politics and coalitions against war, militarism, imperialism, global warming, and other important causes, the voice of the animals must never be drowned out by prevailing human interests that seek to emancipate humans first, with the promise to bring along animals later (no doubt with the aid of a welfarist ethic). Animal and human liberation projects work together, or not at all. Phelps's single-issue politics transforms the *relative autonomy* of animal issues into a *radical autonomy* that separates animal liberation from its larger social, political, and economic context. Phelps' atomistic, single-issue, two-party, liberal vision thwarts any effort to forge alliance movements against issues such as war, rainforest destruction, poverty, and world hunger that affect humans and animals alike. Like Francione, Hall, and other "abolitionists," Phelps uncritically accepts capitalism as the political-economic structure that can carry us indefinitely into an ever-brighter and more prosperous future, one where animals – the primary slaves of the present day crucial to the operations of global capitalism – will ultimately be free, if not completely then at least from severe forms of cruelty and suffering.

Phelps and other reformists do not take notice that the grow-or-die logic of capitalism propels its globalizing market-system juggernaut toward ever more rapid, radical, and unsustainable forms of production and consumption, wreaking environmental havoc throughout the planet; they seem unaware that the state ultimately is the political and legal arm of powerful corporations and lobbying groups, very much including the powerful animal exploiters in the food industry, pharmaceutical companies, science and research sector, and so on. These reformist-liberal arguments, mind you, are advanced without embarrassment in the dark reign of the Bush-Cheney Reich that attacked the separation of powers to nullify Congress and the courts, waged illicit wars on behalf of military contract and big oil interests, spread fear based on phony terrorist threats in order to bulldoze Constitutional rights with the tank of the USA PATRIOT Act, enclosed the nation within a total surveillance system, tortured "terrorist" suspects through "secret rendition" powers and clandestine CIA operations, and has brought this country more dangerously close to genuine fascism than ever before in its history. While the most corrupt and anti-democratic administration in US political history, the Bush-Cheney

administration nonetheless exemplifies the corporate cooptation of the state that poses difficult if not insuperable obstacles for strictly legal approaches toward winning any significant rights for animals that threaten the profits of the corporate slavemasters. But these matters go unmentioned by the reformist-legalist crowd.

Phelps says little about social movements and political change in order to focus on individual initiatives and spiritual change. He thus stands alongside other liberals who make their peace with the status quo, condemn anyone whose disobedience is not (as only decorous bourgeois functionaries can conceive it) “civil,” and hold out for crumbs of legislative change and welfare reforms that now and then fall from the Masters’ tables. But if the worldwide animal liberation movement is to become anything more than an explicitly reformist lobby that begs elites for reforms to alleviate the pain of caged animals -- so long, of course, as all this is compatible with economic growth and unlimited expansionary and developmental projects -- all these issues must be brought together in an all-encompassing liberatory project that challenges the profit and growth imperatives of global capitalism. But one is pressed to find a scintilla of awareness of these issues in the liberal animal rights and reformist abolitionist crowd of today.

One could argue that animal liberation makes its strongest contributions to the extent that it rejects single-issue politics and becomes part -- an integral, vital and dynamic -- of a broader anti-capitalist movement. This is certainly not the present case for the overall animal advocacy movement, which might be viewed as a kind of “popular front” organization that seeks unity around basic values on which people from all political orientations -- from apolitical, conservative, and liberal persuasions to radical anarchists -- could agree. “But, to my mind,” argues anarchist theorist Takis Fotopolous, “this is exactly the animal movement’s fundamental weakness which might make the development of [a systemic anti-capitalist] consciousness out of a philosophy of ‘rights,’ etc. almost impossible.”<sup>8</sup>

### **Bourgeois Pride and Prejudice**

As every history and narrative is partial and motivated, Phelps’s biases are clear. The book is heavily skewed toward a dogmatic embrace of peaceful, legal, “non-violent” forms of advocacy that have severe limitations. If such tactics were employed exclusively throughout the political battles for human rights during the last three centuries, this approach would have left many people still in chains and prisons. Without argument or cause, and sounding more like the reactionary corporate front group, the Center for Consumer Freedom (CCF) than a champion of animal rights, Phelps smears the ALF and SHAC as “reprehensible” (274) groups engaged in nothing but “mischief-making” (276). Not content with this grotesque simplification of their theory and politics and distortion of their significance and accomplishments -- the thousands of animals their militant tactics have freed, the scores of exploiters they have put out of business, and the countless more potential future speciesists they forced to rethink their career choice -- Phelps can only hurl the clichéd hysterical charge that direct action militants are “giving the animals’ enemies a weapon with which to destroy the entire animal rights movement” (276). It is precisely this line of thinking that motivates the top brass of HSUS to assail and demonize militant direct action. In one grotesque, McCarthyesque incident, HSUS executive Mike Markarian stated in the media that HSUS “applauds” the FBI witchhunt

against “eco-terrorists” and hopes that they “go after” the radicals.<sup>9</sup> In 2007, the FBI followed HSUS’ suggestion and arrested seven SHAC activists -- 6 of whom sit in jail as I write – for the crime of running a website and an effective campaign against an unconscionable corporation that tortures and kills 500 animals a day.

Phelps constantly criticizes the “species cant” that advanced thinkers like Bentham evinced in their inconsistent views on animals, such as defending their interests as sentient beings while also denigrating them in commonplace fashion for their alleged lack of reason or cognitive complexity. Yet, in the same way, Phelps advances strong insights and yet swallows the official party line against direct action peddled by corporate exploiters, state bureaucrats, the FBI, the CCF, the Southern Poverty Law Center, and the HSUS Gestapo. Phelps carps against militant direction today *in the same way that in the 1960s the NAACP chastised Martin Luther King Jr. as an “extremist” and urged he abandon his civil disobedience tactics and patiently “wait” for change.*<sup>10</sup>

But Phelps is *not even consistent* in his critique of direct action. He provides a glowing account of Jesus’ sabotage-tactic of overturning the tables of the money-changers working on behalf of the animal sacrifice market. He extols Jesus as the “first animal liberator” (50) and praises his aggression as “history’s first direct action to liberate animals” (50). Phelps also affirms numerous medieval saints who protected animals from hunters and thus “were the first hunt saboteurs, releasing animals from snares and placing their own bodies between the hunters and their prey” (55). He even appears, like Peter Singer in *Animal Liberation*, to commend some ALF actions, such as the 1984 raid on the University of Pennsylvania head injury clinic which produced important video documentation of animal abuse and, with the publicity assistance of PETA (which played the role of the ALF press office in the 1980s), provoked a national outrage and closed the torture chambers down.<sup>11</sup>

So Jesus is a liberationist, and his activist progeny in the ALF are punks, misfits, and dangers to the mainstream. This is a blatant contradiction. While Jesus opened up the cages that confined sacrificial animals and turned over the tables of the moneychangers, Phelps incomprehensibly condemns contemporary versions of Jesus’ acts as “violence.” Of course, typical of contemporary animal rights pacifists, Phelps never defines “violence” and so the argument is vacuous and merely rhetorical. It seems Phelps will even at some points support effective illegal raids on laboratories, but he stops at the point of economic sabotage and arson – but why, if both are in truth effective and needed tactics in *the long and broad war against animal exploiters?*

Like HSUS and much of the mainstream animal movement, Phelps uncritically accepts FBI, state, and corporate definitions of violence and terrorism which are then replicated in the critique of direct action, thereby condemning some of the most effective actions taken in the movement as “criminal” and “counter-productive.” Compounding the schizophrenic effect, Phelps attacks SHAC and the ALF but is entirely uncritical of Paul Watson’s own sabotage tactics, whether these involve sinking fishing vessels in a harbor, ramming pirate whalers to thwart their intent to murder whales, or ripping open a hole in the side of a whaler’s ship to disable it from its despicable task. I am certainly not criticizing Watson’s work, which I greatly admire, but rather pointing to another inconsistency whereby Phelps praises one form of property destruction but condemns another. Seemingly, Phelps is oscillating between two identities: a Dr. Jekyll who places trust in a death-dealing machinations of the corporate-state complex and the loving power

of *satyagraha* (Gandhi's "soul force"), and a Mr. Hyde who champions lawbreaking and sabotage of they advance the cause of animal liberation.

In another curious move, Phelps treats PETA with kid gloves despite their endless follies and demented policy of "euthanizing" thousands of cats and dogs, many perfectly adoptable. Needless to say, HSUS and other mainstream groups that have become part of the Beltway machinery are extolled effusively. Their path is portrayed as the *one and only* road forward, through the labyrinthine system of money and favors where citizen voices are drowned out by the cacophony of armies of lobbyists wielding bags of cash and exotic travel bookings. In corporate capitalism we trust.

Phelps blames militant direct action groups for driving a wedge within the movement, while ignoring the far more sectarian and divisive actions of groups such as the HSUS that leveled public critiques against the ALF and SHAC, that encourage the FBI to violate First Amendment rights to free speech, that cut and run from national conferences that allow a small handful of militant to speak, and that create their own conference settings that pander to the welfare crown and invite leaders of the meat industry to present their contemptible rationalizations of the mass murder of innocents.

So who really is driving a wedge into the animal protection movement? It is ironic that as Phelps levels misinformed accusations against direct action groups, he himself emerges as a factionist and divisive force. The truth is that the real wedge drivers are the mainstream welfare movements like HSUS and their supporters such as Phelps. I have never known anyone in the militant direct action camp to dogmatically insist that their approach is the one and only true one, and to not acknowledge the importance of many mainstream programs and actions. I also have never seen humility or understanding coming from mainstream figures in their view of direct action, as they and their organizations are fearful of serious struggle, of stepping outside their corporate-state imposed box, and of admitting that there are many effective ways of bringing about animal liberation. Phelps is flat wrong in his straw-man critique of the direct action advocates thinking that "violence" is the solution, as typically the radicals of the ALF, SHAC, and other groups advocate – and in their daily lives enact -- a wide range of tactics that are necessary and helpful, including animal rescue and sanctuaries, public education, and vegan outreach.

Phelps represents yet another example of the inability of the mainstream movement to seriously engage direct action in its philosophical complexity and political efficacy. Instead, the pacifists of the mainstream rely on tired slogans and dogmas, dog-eared books of Gandhi and King, utopian concepts of human nature, and naïve views of the Machiavellian and nihilistic nature of the corporate-state complex and an ecocidal juggernaut of global capitalism that might just take us all down before we can bring about anything resembling animal rights. They typically see history only in pacifist terms, and thus uphold Gandhi and King as examples of the efficacy of non-violence, never mentioning the more militant and sometimes violent opposition forces also contributing factors to social change in India, the US, and elsewhere. Moreover, they tend to be ignorant of the history of social movements and the crucial role violence, force, and intimidation have played in bringing about progressive social and moral change. The corrective to wholesale consumption of Gandhi and King can be found in books such as Howard Zinn's, *A Peoples History of the United States* (which throughout emphasizes the

crucial role sabotage and violence play in struggles for democracy); Ward Churchill's, *The Pathology of Pacifism*; and Peter Gelderloos's *How Nonviolence Protects the State*.

If Phelps had not intruded simplistically and inconsistently into complex political debates, in order to score some rhetorical points and win favors from the mainstream potentates and disciples, his book would have been stronger and more satisfying. With the reader advised along these lines, *The Longest Struggle* nonetheless is valuable for uncovering the long, jagged, and varied history of animal advocacy and how egalitarian and vegetarian viewpoints thrived side-by-side with the dominant speciesist and carnivorous ideologies of Western societies. For a fuller social, political, and economic contextualization and interpretation of the history, nature, and significance of animal liberation, one must turn to other works, including those important volumes yet to be written.

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<sup>1</sup> "The Dominion of Love: Animal Rights According to the Bible," Norm Phelps interviewed by Claudette Vaughan, *Abolitionist Online*, Issue 6, May 2007 ([http://www.abolitionist-online.com/\\_06phelps.html](http://www.abolitionist-online.com/_06phelps.html)).

<sup>2</sup> On standpoint theory, see my review of Charles Patterson's book, *Eternal Treblinka*, in this issue, and also my forthcoming book, *Animal Liberation and Moral Progress: The Struggle for Future Evolution* (Rowman and Littlefield, 2008).

<sup>3</sup> It is important here to emphasize the discourse of rights, and animal rights in particular, are modern concepts that arose in the distinct social conditions of the eighteenth and nineteenth centuries, and thus one should not read these back throughout history and into Pythagoras and ancient Eastern religions. From our current perspective, we can see the ancient emphasis on compassion and ahimsa, and the egalitarianism and anti-cruelty ethics of Pythagoras as key inspirations for the modern notion of rights, although of course the ancients did not use the discourse of rights and lived within a very different social context.

<sup>4</sup> For a more detailed elaboration of the argument that animal and human liberation are inseparably related, see Steven Best "Rethinking Revolution: Animal Liberation, Human Liberation, and the Future of the Left," *The International Journal of Inclusive Democracy*, Issue #6, June 2006 ([http://www.inclusivedemocracy.org/journal/is6/Best\\_rethinking\\_revolution.htm](http://www.inclusivedemocracy.org/journal/is6/Best_rethinking_revolution.htm)), and Steven Best, "The Killing Fields of South Africa: Eco Wars, Species Apartheid, and Total Liberation," *Fast Capitalism*, Issue 2, Volume 2, 2007 ([http://www.uta.edu/huma/agger/fastcapitalism/2\\_2/home.html](http://www.uta.edu/huma/agger/fastcapitalism/2_2/home.html)).

<sup>5</sup> "The Dominion of Love: Animal Rights According to the Bible," Norm Phelps interviewed by Claudette Vaughan, *Abolitionist Online*, Issue 6, May 2007

<sup>6</sup> *Ibid.*

<sup>7</sup> See Best, "Rethinking Revolution: Animal Liberation, Human Liberation, and the Future of the Left."

<sup>8</sup> Email correspondence with me, December 2006.

<sup>9</sup> See Steven Best, "HSUS Crosses the Line," *North American Animal Liberation Press Office Newsletter*, Volume 1 Number 3, September 2005 (<http://www.animalliberationpressoffice.org/Newsletter/archives/sep2005/hsus.htm>).

<sup>10</sup> See King's rebuttal to their self-serving conservatism in his classic 1963 essay in defense of direct action, "Letter from Birmingham Jail," widely anthologized or available online at sites such as: [http://www.stanford.edu/group/King/popular\\_requests/frequentdocs/birmingham.pdf](http://www.stanford.edu/group/King/popular_requests/frequentdocs/birmingham.pdf).

<sup>11</sup> Peter Singer, *Animal Liberation*. New York, Random House, pp. 80-81.