



GARY FRANCIONE

Interviewed by Rosamund Raha

Gary Francione is Distinguished Professor of Law and the Katzenbach Scholar of Law and Philosophy at Rutgers University, USA. His most recent book is *Introduction to Animal Rights: Your Child or the Dog?* (Temple University Press, 2000), but he expects his new book *The Personhood of Animals* to be published in May 2007 by Columbia University Press. Professor Francione also has an excellent website: www.animal-law.org which has several video presentations that explain his philosophy in words and pictures. He has kindly agreed to an interview to explain his theory of animal rights, which differs from those of Peter Singer and those of Tom Regan, and that has veganism as its moral baseline.

What do you see as the difference between animal welfare and animal rights?

Animal welfare maintains that it is morally acceptable to use non-human animals for human purposes as long as we treat animals 'humanely' and do not impose 'unnecessary' suffering on them. The goal of animal welfare is the *regulation* of animal use.

The animal rights position is that we have no moral justification for exploiting non-humans however 'humanely' we do so. The goal of animal rights is the *abolition* of animal use.

There are some animal advocates—I call them 'new welfarists' in *Rain Without Thunder: The Ideology of the Animal Rights Movement*—who claim to embrace abolition as the long-term goal, but who argue that welfarist regulation in the short term is the only thing that we can, as a practical matter, do now to help animals. Moreover, new welfarists claim that better regulation will lead to abolition eventually.

I regard both tenets of the new welfarist position to be wrong.

What you call the "new welfarist" position characterizes the position of many animal advocacy organizations. Why do you think it is wrong?

Putting aside that an abolitionist movement should employ abolitionist means to achieve its goal, there is no historical evidence that animal welfare regulation will lead to abolition.

On the contrary, animal welfare tends to make the public feel better about animal exploitation. In any event, we have had animal welfare regulation for 200 years now and it has not resulted in the abolition of any institutionalized exploitation. We are exploiting more animals than ever before.

On the question of normative guidance, rights theory prescribes immediate incremental change in the form of veganism. Veganism is the one thing that each of us can do right now. Veganism is not merely a matter of diet; it is a moral and political commitment to the abolition of animal exploitation on the individual level. I have met many animal advocates who claim to embrace animal rights and abolition but who continue to eat animal products and many of the large animal organizations downplay veganism. In my view, that is no different from someone who claims to be in favour

of the abolition of slavery but who continues to own slaves.

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There is no meaningful distinction between meat and dairy (or other animal products). Animals exploited in the dairy industry live longer than those used for meat, but they are treated worse during that life, and they end up in the same slaughterhouse after which we consume their flesh anyway. There is probably more suffering in a glass of milk or an ice cream cone than there is in a steak.

On the social and political level, we should be putting movement resources into creative campaigns to encourage veganism rather than into campaigns for more

'humane' exploitation. The former have a more direct impact on reducing animal exploitation by decreasing demand, and represent meaningful incremental steps toward abolition.

Please give more details of why you say that it is misguided to praise groups that campaign for better welfare standards for farmed animals?

I reject these welfarist campaigns for several reasons.

First, I do not think that most of these campaigns have resulted or will result in providing significantly greater protection to animal interests. As I explained in *Animals, Property, and the Law*, animals are property. They are economic commodities.

To the extent that we respect animal interests, there is an economic cost. The result is that animal welfare standards rarely go beyond the level of protection that is necessary to exploit animals in an economically efficient way given particular uses.

Second, to the extent that there is any benefit for animals from these campaigns, those benefits are surely outweighed by the fact that animal exploiters can point to the praise of animal advocates for their supposedly 'humane' treatment of non-human animals. For example, after McDonald's agreed to require that their suppliers follow certain slaughter guidelines designed by meat-industry consultant Temple Grandin, PETA gave Grandin an award, and, along with Peter Singer and other supposed animal advocates, publicly praised McDonald's as leading the way in improving animal treatment. Singer, PETA, Tom Regan, and others have praised Whole Foods, Inc. and its CEO, John Mackey, for their 'Animal Compassion' standards, which supposedly require the 'humane' treatment of animals whose corpses are sold in the Whole Foods stores.

These sorts of actions reassure the public that we can exploit animals in a morally acceptable way if we only just improve animal treatment. Indeed, Singer claims explicitly that we do not have to be vegans or even vegetarians; we can be 'conscientious omnivores' if we take care to eat meat and dairy that have been produced in a 'humane' manner. If you tell people that they can be morally 'conscientious omnivores,' you can be sure that they won't feel the need to go vegan. This is counterproductive as a practical matter.

Third, I regard it as seriously problematic as a matter of movement ideology to take the position that more 'humane' exploitation is a morally acceptable response to animal exploitation. It is, of course, 'better' to do less harm than more once you have decided to inflict harm. For example, it is 'better' if a rapist does not beat his victim in addition to raping her. But would we say that we can be 'conscientious rapists' if we avoid beating rape victims? Of course not.

Similarly, if we are going to inflict harm on animals, it is 'better' that we inflict less harm and not more. So I suppose in one sense that it is better to eat an animal who has been tortured less if we are going to eat animals. But does that mean that we act *morally* if we eat animals that have been raised in supposedly more 'humane' circumstances? Not in my view.

What makes you say that non-human animals have a right to life?

Non-humans have an interest in continued existence and we must protect that interest with a right if we are not to be speciesists.

A central tenet of the welfarist position is that, as a factual matter, animals do not have an interest in continuing to live and are concerned only with how we treat them. For example, Jeremy Bentham, a primary architect of animal welfare, maintained that animals do not care about whether we kill and eat them; they care only about how we treat them. Peter Singer takes this position as well.

In my work, I argue that this position is wrong. It is absurd to claim that beings who are sentient have an interest in not suffering but have no interest in continuing to live. Sentience is a characteristic that has evolved in certain beings as a mechanism to facilitate continued existence. Many non-human animals, like humans, will endure terrible suffering in order to continue to live. In any event, I disagree with Bentham, Singer, and others who claim that non-human animals do not have an interest in continued existence. The notion promoted by Singer that humanlike self-awareness is necessary for an interest in continued existence is blatantly speciesist.

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If I am correct, and non-human animals, like humans, have an interest in continued existence, then if we are going to treat that interest as morally significant, we must apply the principle of equal consideration and give that animal interest the same protection that we give to the interest of humans in not being used as commodities.

We do not regard it as appropriate to treat any human exclusively as the means to the ends of another. We do not regard it as appropriate to treat any human as a commodity. We

do not regard slavery—even 'humane' slavery—as morally acceptable. We accord every human, irrespective of her intelligence or other characteristics, the right not to be treated as the property of another.

There is no morally sound reason to deny this right to non-humans. We should accord to all sentient non-humans the right not to be used as a commodity.

This is a brief answer to an important and complicated issue. Those interested in further discussion about this should take a look at my book, *Introduction to Animal Rights: Your Child or the Dog?* (2000)

Is your abolitionist position realistic considering the speciesist attitudes of most human beings?

Certainly. Indeed, the promotion of veganism, which I regard as the foundation of the abolitionist movement, is the *only* realistic position. The only way in which we will succeed in effecting significant change in the way that we use and treat animals is by building a political and social movement of individuals who are committed to abolition and who recognize that we cannot take animal interests seriously as long as we continue to eat meat, dairy, eggs, etc.



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We can build that movement but we must present a clear and consistent abolitionist position that has veganism as its moral baseline. Yes, people are speciesist. We are not, however, going to help them to reject speciesism if our message is that we should not eat crated veal but should, instead, eat 'free-range' veal. We are not going to help people to see that sexism is wrong by encouraging people to patronise only those pornographic films whose actors receive certain employment benefits. The same analysis applies in the animal context.

We certainly are not going to get anywhere with a movement that says that we ought to treat animals 'humanely' and that we can be 'conscientious omnivores.' It is animal welfare, and not the abolitionist position, that is unrealistic. The animal welfare position will only facilitate the continued exploitation of non-human animals. I find it deeply troubling that most large animal organizations either do not promote veganism at all or treat it as something that only the brave few can do. It should be portrayed as the 'normal' or default position of the movement.

In short, we are not going to be able to change speciesist attitudes by reinforcing them, and that is precisely what animal welfare does. Any statement that it is acceptable to continue to exploit nonhumans—however 'humanely'—is not progress.

Why do you say that PETA's use of sex appeal in its campaigns is destructive?

As long as we continue to commodify women—and that is what sexism is—we will continue to commodify non-human animals. There is a very close relationship between speciesism and sexism. We need to see that the problem is the commodification of persons. We need to reject that in whatever context it occurs. Speciesism is morally unacceptable because, like sexism, racism, and homophobia, it treats an irrelevant characteristic (sex, race, sexual orientation) as a barrier to full membership in the moral community.

I should add that I think that as a practical matter, PETA's sexist campaigns have done nothing but trivialize the issue of animal exploitation. And those campaigns have not been successful although success would not make them morally right. Look at the fur campaign, which was a primary focus of PETA. The fur industry is stronger than it has ever been.

Your views are in some ways similar to those of Tom Regan. What do you see as the difference between your views and those of Tom Regan?

Our views are similar in that Regan claims to be an abolitionist. There are, however, a number of differences.

First, I maintain that any nonhuman who is sentient is entitled not to be treated as a resource. No other cognitive characteristic is required. Although Regan equivocates on the point, he links moral significance with cognitive characteristics beyond mere sentience.

Second, Regan maintains that death is a greater harm to humans than to nonhumans. I not only reject that view as an empirical matter, I regard it as problematic for any abolitionist theory.

Third, Regan does not think that the principle of equal consideration can get us very far toward animal rights. As I indicated above, I think that equal consideration can get us to the abolitionist position.

Fourth, Regan does not focus on the status of animals as property. In my view, the institutionalized exploitation of nonhumans cannot be understood without recognizing this aspect of the problem.

Finally, Regan very actively promotes animal welfare. A recent example of this is his support of Whole Foods, which I alluded to above.

Do you have any non-vegan friends?

I have friends who eat meat and dairy, just as I have friends who are Republicans and I certainly am not a Republican. But they all know exactly where I stand on these issues.

I spend a great deal of time talking with my friends about veganism and I am delighted to say that many of them have become vegans. And I never stop trying to persuade the others. Never.

Thank you very much for giving us a taste of your animal-related philosophy. It has been a privilege to compare the views of three leading figures in this field in the last three editions of *The Vegan*.

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