

## ***Animal Rights vs. Animal Welfare: Making the Case***

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Kindly transcribed by David Stasiak. Some additional editing by Alex Chernavsky.

Original audio recording is [here](#) (2 hrs 18 mins; 16MB).

**Gary Francione:** Thank you very much. I just wanted to correct one thing: the first time animal rights was taught was when I was teaching at Penn. By the time we got to Rutgers, it was becoming a more popular sort of thing. But I taught it in 1984, animal rights theory, at the University of Pennsylvania – which I believe was the first time it was taught in an American law school.

The title of the talk is, “Animal Rights vs. Animal Welfare: Making the Case”, which is actually Ted’s title. He sent me an email which said, “I’m going to give it this title unless you tell me not to”. And my alternative was –

**Ted Barnett:** Well, actually, it was [my wife] Carol’s idea [laughter]

**Gary:** [some inaudible] Ted purported it to be *his* idea. [inaudible] And my alternative title was, “Animal Welfare: Scourge of the Earth”. [laughter] I thought his was more neutral, and we’ll go with Ted’s. [inaudible]

**Gary:** What I want to talk about tonight is basically the position that we hear a great deal: that there’s no difference between the animal welfare and the animal rights position; that we need to pursue welfarist regulation, i.e. to make animal exploitation more humane, in order to help animals *now*; that welfare regulation will lead to abolition in the long run; that we need to pursue regulation because that is going to lead to abolition in the long run. Part of this position is that the animal rights or the abolitionist position is utopian or ideal, and that it doesn’t really provide anything practical to do, and that it’s just too idealistic and too non-practical. And that even if we are inclined with the abolitionist or animal rights perspective, we ought to follow this ‘two-track’ approach: that we ought to pursue veganism, but we also ought to pursue animal welfare regulation. That’s the position that I want to talk about. And that position, I admit, has a lot of intuitive plausibility. You know, “Yeah we got to do something to help *now*, we all feel frustrated, billions of animals are suffering...”.

The answer? Well what I’m talking about tonight is why I think those positions, the various parts of what I just described as the position I want to talk about, are wrong. Let me start off by saying that there is a *huge* difference between animal welfare and animal rights, a *huge* difference. Let’s think about two concepts: the concept of *use* and the concept of *treatment*. These are different concepts. *Whether we use animals* for a particular purpose is a different question from *how we treat them* pursuant to that purpose. Whether, for example, we use animals for food is a different question from whether we keep them in intensive situations, or whether we keep them in free range situations, or whatever. They’re different questions.

And by the way, I'm going to talk, and then we'll have time for questions, answers, criticisms, slurs, whatever [laughter]. Whatever you want to do, we'll do it. But what I do want is if there's something that's not clear, just pop your hand up, because I don't want anything to be unclear. As a matter of fact, let me say this: I had a PowerPoint presentation done for tonight. And last night, I looked at it, and I didn't like it, precisely because I was afraid that it wouldn't really be everyone's cup of tea. It was really heavy duty into a lot of philosophy. And I thought, no, I didn't want to do that, so I redesigned it. Unfortunately, I didn't do a PowerPoint presentation.

There *is* something that I'm going to show. There's a video I'm going to show you, which is why I had put them to the trouble of setting up the equipment anyway. But I'm not going to be doing a PowerPoint presentation. I do want you to understand the points that I make, so if something is not clear then just let me know, and I'll be more than happy to clarify it.

So the distinction between use and treatment. This is very, very important to understand. *Whether* we use animals is a different question from *how* we use them. We use them for purpose "X" is different from how we treat them pursuant to the use for purpose "X". The animal welfare position focuses on treatment, basically. It focuses on treatment, and doesn't really look at use. In other words, the animal welfare position is that the use of animals *per se* doesn't raise the primary moral question – or for some welfarists, even *a* moral question. The issue is *how* we treat animals. It is all right to use animals for human purposes, as long as we treat them a particular way. As long as we accord whatever level of protection the particular welfarists advocate, as long as we give *that* level of protection, then our use of animals is morally acceptable. As opposed to the animal *rights* position which is: it doesn't really matter how well we treat them. We have no moral justification for using them under any circumstances.

Those are very, very different positions. Now I want to discuss a little bit about the history of the animal welfare position, so you can see how it got to where it is today. Before the 19<sup>th</sup> century, basically animals were regarded as things. They were excluded completely from the moral and legal community. They were regarded as not having any moral boundary whatsoever. We were thought not to have *any* moral obligations that we could owe directly to animals. Now, that doctrine took two forms – two or three depending on how you count, but let's just say two forms. I'll describe them, you can figure out whether there are two or three, but that's really a sub-issue.

The first way of thinking about animals as things is exemplified by a guy like René Descartes, who was a late 16<sup>th</sup> century early 17<sup>th</sup> century thinker, who basically maintained that animals had no minds whatsoever. And he had all sorts of reasons for this. But he basically did not think that animals had any interests whatsoever – that is, there was nothing they preferred, desired, or wanted. When I use the expression, "to have interests", when I say, "An animal has an interest", what I mean is that the animal prefers or desires or wants something. And I think we all understand what that means. We all

prefer, desire or want something – we want cheaper things, for example. This is what we call an interest.

Descartes didn't think animals had interests. He thought that they were automatons, he thought that they were machines. He actually called them automatons. Actually, he got the idea from walking around the royal gardens in France at that time. He would see these hydraulic figures, and they were quite elaborate. When you walked near these hydraulic figures, the pressure from your feet would cause the water to go into these hydraulic devices, which were large statues. And they would move, and they would seem to be alive. That's what Descartes thought. Descartes thought just as humans built these machines that *appear* to be alive, God created animals. They *appear* to be animated, they *appear* to be moving of their own volition – but really what they are is they're automatons. They don't have volitions, they don't have interests, they don't have ideas – they don't have any thought. They have no minds. These are creatures without minds. In other words, there is no difference between a clock and a dog.

At the time, there was no anesthesia. Anesthesia had not been invented yet. So Descartes would cut open animals that were nailed to boards, and when the animals screamed and people said “Hey René, don't you think that animal is experiencing pain?” René would say, “no!”. He would say, “The noise that this animal is making is really no different from the whining of a gear in a machine that needs to be oiled”. Hey, look, you might think that this is crazy, but this guy is considered to be one of the great minds... [inaudible]. You can draw your own conclusions about that.

So if Descartes were right, if in fact animals are automatons, if they're machines, then we really couldn't have moral obligations to them, any more than we could have moral obligations to clocks. I could have a moral obligation that *concerns* a clock, like I have an obligation perhaps not to smash a clock if the clock is your clock. Or I have an obligation not to take that machine over there and throw it at you, because – but that's an obligation that I owe to you. It's an obligation that *concerns* machines, but it's an obligation I owe to you.

So Descartes would accept that there may be obligations that I have that concern animals. For example, I may have an obligation both legal and moral not to injure your cow, because that cow is your property. But Descartes did not believe that we could have obligations that we owe directly to animals, because they weren't the sorts of creatures to whom one could *have* moral obligations, any more than that is the sort of device to which one can have a moral obligation.

So that's the first way of thinking about animals as things, as exemplified by Descartes. Now Descartes was a pretty wild and crazy guy. He was unusual in Western thinking, in that most people really didn't think that animals were not sentient – for example, they weren't perceptually aware and able to feel pain. Most people, like Aristotle, like Aquinas and Kant and Locke and basically most of the other thinkers of Western civilization – again I want to limit... when I'm talking about this idea, I understand there's a huge difference. When you start talking about Eastern civilization, you're then getting into a

very, very different way of thinking about non-human animals, particularly because of the way the concept of “ahimsa” or non-violence has played in various religions like Hinduism and Jainism and Buddhism, and so it’s very, very different. I’m talking about Western civilization, which is basically what influences us most and what is really the background noise of our lives in terms of how we think about non-humans, at least for most of us.

Descartes is sort of in a class by himself, then we’ve got everybody else. And everybody else – Kant, Locke, everybody – they recognized that animals had interests. They recognized that animals could feel pain. They realized that animals were perceptually aware. They realized animals had interests – there were things they preferred or desired or wanted. But that it was all right for us to treat animals *as if* they were things, *as if* they were automatons, *as if* they didn’t matter – because they were *inferior* to us. And they were inferior to us in two ways. And these overlap. They were either inferior because they were spiritually inferior, they were made, you know – we’re made in God’s image, particularly those of us who are born male [laughter]. And animals are not created in God’s image. They don’t have souls, they’re our spiritual inferiors. That’s an idea that you see in a lot of thinkers.

The other sort of inferiority was cognitive or mental inferiority. Kant, a German philosopher, recognized that animals were sentient, that they were perceptually aware, that they felt pain, that they had interests – he understood that. He understood that one could harm them. Whereas for Descartes, you can’t really harm an animal any more than I could harm that machine. I could wreck the machine, I can’t harm the machine. But Kant recognized that we could harm animals. But he thought that it was all right for us to exclude them from the moral community, because they were not rational, they were not self-aware, they didn’t have mind layers, they weren’t capable of engaging in moral reciprocity. We have moral obligations to each other; we can reciprocate; we can have a reciprocal moral relationship. Animals can’t do that, Kant thought. Animals aren’t rational, Kant thought. It’s this is what permeates most of Western thinking about non-human animals. It also permeates Western thinking about slaves. It permeates Western thinking about women – at various times. But its most extreme form was in talking about non-humans.

And so, people like Kant, people like Locke... Locke for example, thought animals were rational, but he didn’t think that they were capable of understanding abstract concepts. They didn’t have concepts like a class; we know there’s a bunch of things called chairs, they all look different, but we understand, we have the concept of a chair. And we know that it can be a beanbag thing, or it can be one of these sorts of things, or it can be a big plush chair, it can be... there are all sorts of chairs. But we have the *concept* of a chair. He did not believe that animals had abstract concepts – therefore, we could treat them as if they were automatons or machines, or we could exclude them completely from the moral community. This is also reflected in the law. Basically, before the 19<sup>th</sup> century, you don’t have legislation... you have legislation that protects people’s property. So if you had malice towards me and you injured my cow, you might be prosecuted for malicious

mischief. But that was because you had malice towards me, and you wrecked some of my property. It really didn't matter whether you damaged my cow or my tractor. What mattered was you had malice to me. Basically, there wasn't legislation before the 19<sup>th</sup> century that recognized that animals had some sort of legal personality, were at least partial members of the moral and legal community. and that they were beings to whom we had direct moral and legal obligations. This changed in the 19<sup>th</sup> century. First in England, largely as a result of progressive social movements where people started to say "Gee, you know, slavery is not really a good idea, and there's a problem with women not being able to vote". So progressive social movements start rising at the end of the 18<sup>th</sup> and beginning of the 19<sup>th</sup> century. You have people like Jeremy Bentham, who was a lawyer and a philosopher, and he said, "You know, what difference does it make if they can think rationally or they can use symbolic communication with language? What difference does it make? What matters is they can suffer – and if they can suffer, they matter morally". That sentience is all that is necessary to be a member of the moral community and for us to have direct obligations that we owe to the other, basically.

The problem is – it sounds really revolutionary. And it was in certain ways, but it wasn't in other ways, in that Bentham thought that animals were sentient so therefore they mattered morally, *but* he thought because they weren't rational – and particularly, he didn't think they were self-aware. He didn't think they had an interest in their lives. He didn't really think that they thought about themselves as 'selves'. So basically, what Bentham says – and I actually do have, for those of you who want to be... I would say pedantic, or perhaps obsessive about it, I do actually have quotes on cards that I was going to make you all read. But I decided I didn't want to put people to sleep – you know, "Here's a quote from Jeremy Betham – let's all read it" [laughter]. But I do actually have the quotes, and if you're that sort of person, and you want to incur a reaction of others in the group who will scorn you and hate you [laughter], but when we do the question and answers section I'll have the quotes on the thing and you can read it.

In any event, so what Bentham said was, "Hey look, they can suffer, and that's all that's necessary. It doesn't matter whether they can think rationally, whether they can do mathematics, whether they can use language, whether they can use symbolic... That don't matter. What matters is that they can suffer. *However*, because they don't have minds like ours, they don't really have an interest in their lives. They don't care *that* we use them, they only care *how* we use them." So he talks about how eating them, that's OK, and if you ever saw pictures of Jeremy Bentham, you know he didn't get that stomach from eating vegetables [laughter]. So Bentham said it's all right for us to eat them, that's fine. Because they don't care, they don't care if we eat them. They just care about how we treat them. We have an obligation to treat them well. And thus is born the animal welfare movement with this fundamental foundational premise that animals don't have an interest in continued existence. They don't an interest in their lives. And this is an idea that sort of permeates... basically, the folks who are thought to be the founders of the animal welfare movement, John Stuart Mill thought similarly, [unintelligible] to Bentham and as did most people then.

And what's interesting now is that the person that I would identify as the leading spokesperson for the animal welfare movement now is Peter Singer. And it is a fundamental part of Peter Singer's view – that animals don't have any interest in continued existence. He thinks that the non-human great apes do. He thinks that some other animals might, like dolphins. And basically what Peter said is that animals don't have an interest in their lives. It's very important about how we treat them, but he draws a distinction between the *killing* issue and the *suffering* issue. Which is why he talks about, he says things like “Veganism is a good thing generally to reduce suffering, but the luxury... if you want to eat meat now and then, that's fine. And there's nothing wrong with that, and people like to be vegans but they like to go out to expensive restaurants and have disgustingly horribly tortured corpses, that's okay”, that sort of thing. Because he draws this distinction between killing and suffering. And he sees veganism *only* as a means to reduce suffering – which, again, is really something that permeates a lot of quarters of the movement now. So I'm going to get to that in a little while.

Now, the animal rights view rejects this position. The animal rights position rejects the view that it's all right to use animals, and it rejects basically the foundational premise of the animal welfare movement – that animals don't have an interest in continued existence. At least as I have developed that view, I mean Regan's view and mine differ in certain ways, but basically the position I take is that if you're sentient, you're self aware. The notion that Bentham said that, “You can be sentient but not self-aware”, not have a sense of yourself, that's a very bizarre notion to me. And one of the things I find very strange is that a biologist at Harvard, his name is Don Griffin, he died not too far in the past. And Don Griffin was not an animal rights guy, he was a biologist. And he wrote a book called, *Animal Minds*. And he's a biologist who was interested in cognitive development. And one of the things that Don in his book was, “If an animal is perceptually aware, and the animals are up there watching other animals running up the tree – and the animal realizes, on some level, *on some level*, the animal realizes that, ‘Hey, it ain't me that's running up the tree, somebody *else* is running up the tree’ ”. So if I'm perceptually aware, Don argues, I have to be, *on some level*, self aware. And I think really the problem with Bentham's view and Singer's view that animals aren't self aware is that it's really tied to this notion that in order to be self aware, you have to be somebody who looks in the mirror and says “Hey that's me”. That's *one* way of recognizing yourself, but it's not the *only* way of recognizing yourself. Or Singer talks a lot about the ability to think in the past and anticipate the future – that in order to have a sense of yourself, you have to have a sense of the past and a sense of the future. And the answer is yes, but that's *one* way of having a sense of yourself, it's not the *only* way of having a sense of yourself. How many people in this room saw the movie, *Memento*? Well, then you are aware of the phenomenon of transient global amnesia. The guy in *Memento* was sort of ‘stuck’ in this perpetual present, which is the way Bentham viewed and the way Singer views the mind of most animals. Bentham viewed all animal minds that way. Singer views animal minds that way that aren't non-human great apes, dolphins and perhaps some other species. But basically, the welfarists see the animal mind as

rooted in the continual present. For those of you who didn't see *Memento*, it's actually an interesting movie, because it involves a guy who's got transient global amnesia which is a neurological phenomenon where you don't have a sense of the past, you don't have a sense of the future, you have a sense of yourself *right now, right here*. And it doesn't go anywhere else. You have a sense of yourself, it just doesn't go into the future, and it doesn't go into the past.

Would we say it's all right to use such a person in biomedical experiments to help people who *didn't* have transient global amnesia? Is it all right to take the organs out of somebody who has transient global amnesia in order to save the lives of people who *don't* have transient global amnesia? Most people I meet, virtually all of them, would say, "No, that would really be horrible". So a person who's got transient global amnesia may have a different sense of self than the sense of self I've got, you've got, and most other people have, but there's *still* a sense of self there.

Furthermore, the notion that sentient beings, that something can be perceptually aware, able to feel pain, and not have an interest in continued existence strikes me as nonsense. I mean think about it for a second. What beings are sentient? Well, we may not know the answer about insects and stuff like that, that's a question I get, "What about the insects?" [laughter], the "what about insects" question. And I don't know about insects. I don't kill them. When they're in my house and they're too large that I don't feel co-existence is plausible, [laughter] I will catch them and put them outside.

I will never forget, my first job at a law... Actually, I was in graduate school and law school at the same time. My first job out, I was a clerk for a federal judge in New Orleans, Louisiana. And I went to the University of Virginia, and I knew bugs, but I didn't know what a palmetto bug was, which is a nice term for a big cockroach [laughter]. And I'd never saw one of these things until I was down there. And there was a question in my mind as to whether or not it would be inconsistent with my animal rights position to ride them to work [laughter]. They were big. And I'll never forget, when we first moved down to New Orleans, we were living in the French Quarter, and we went into our apartment, which we had rented without seeing it. And we went in, and the landlord had set a roach bomb, and there were these bugs. And I walked in and I saw these things, and I said "What are these?". And Anna Charlton, who is my colleague and my partner, was from Britain. They don't have things like that in Britain because, you know, the rain kills everything [laughter]. And so we were both a little concerned about it. So we called the Orkin guy. And the Orkin guy comes over, and he had a briefcase. And he opens the briefcase, and he's got Plexiglas blocks in it, and they've got all the different sorts of cockroaches in them. And he showed us the one that we had. We listened to him for a while, and I said, "My only question is, how do we do this so we don't kill them?" And he just looked at me and said, "You don't want to kill them?" And I said, "No, no, there must be a way to not kill them". And he just, very quietly and very gently, put the blocks back [laughter]. He closed his briefcase, and he said, "There's nothing I can do for you" [laughter]. And he walked out of our house, and what we learned later on was that they don't like light. So we had all of our food, everything, including dry breakfast

cereals, in the refrigerator for an entire year. And we didn't have any food in the cupboards, and we kept the light on – environmentally it was not cool, I agree. But we kept the lights on and we hoped they stayed... And they fly. When we first saw one, we had very high ceilings in the living room, and I thought it was a bird [laughter]. I don't kill things that crawl, but the one thing that we did know was that, with respect to all the animals that we exploit, all the chickens, all the cows, all the pigs, all the fish, you know, I mean mollusks, maybe an open... however, I don't eat them either.

But you know, with respect to all the animals we routinely exploit, those animals are sentient, they're able to feel pain. Those animals have evolved sentience in order to survive. Sentience is not something which develops for the hell of it. It is a characteristic which develops in beings that move and can use sensation to get away from things which are dangerous to their lives. So the notion that for somebody to say, "X is sentient, but X does not have an interest in continued existence" strikes me as nonsense.

I recently came back from a wonderful time at a major university in which I was speaking just to faculty. It was a faculty retreat, and I was the guest person who was the outside faculty, the person who was coming and talking about animal issues. And we spent a lot of time – these are people who are not animal people. They're people who haven't really thought about these issues. So we ended up spending a lot of time talking about whether plants are sentient – which is something we can talk about, if you want.

And I've always been a little puzzled by that: why do people think that plants are sentient? I mean why would, just as a matter of common sense... you know, we're not in Kansas, so we all basically accept evolutionary theory. So why would plants evolve the characteristic of being sentient, if they can't do anything about it except stand there. And if you take a cigarette lighter and you put it to a dog, the dog will behave just like any of us would behave. You take a cigarette lighter, and you put it to a plant, the plant will just shrivel.

But the idea that animals are sentient but don't have an interest in continued existence strikes me as just being totally crazy. So the animal rights position, first of all, rejects the notion that animals don't have an interest in continued existence because they're not self aware. It takes the position that they're self aware... And I'm perfectly happy to acknowledge that because we use language, because my concepts, your concepts, because our heads, everything that goes on in our heads is very, very much tied to the fact that we use language, symbolic communication. All our concepts are very, very intimately tied to our language. I don't know what it would be like to be conscious and have concepts that aren't linked to our linguistic characteristics that we have. But that doesn't mean that animals don't think or have very, very complicated ways of thinking.

As a matter of fact, if you've ever lived with a dog or a cat and you wondered whether they can think, I find it peculiar. I never had a dog until I was an adult. I grew up in a house where my brother had allergies, and I had allergies. We had frogs and snakes and stuff when I was a child, but there's a limit to how you can... you can call a snake, the snake doesn't come. [laughter, unintelligible]. And most of those animals have very



complicated cognitions, snake cognitions and frog cognitions and whatever. Now that I have dogs, and I have been living with dogs since I was 28, it's really quite remarkable how anybody could wonder about whether they think. Are their concepts different? I have no doubt that their concepts are different from mine, but there's also no doubt in my mind that they have some sort of equivalent concepts of certainly rationality, of abstract concepts.

I have a Border Collie. I have a rescued Border Collie – she's one of the dogs that we have. And she's one of the most remarkable animals I've ever met. She understands quite a bit. She's smarter than most of the human animals [laughter]. She's very, very smart. She clearly doesn't have concepts that are the same as mine. I don't know what her concepts are like, because her concepts are not based on language, but there's no doubt in my mind that she has equivalents.

The animal rights position rests very heavily on the principle of equal consideration. You have to treat similar cases similarly. Now we accord, or at least we *in theory* accord every human being the right not to be property. Slavery still does exist, but you know what: nobody but Bentham... You don't hear people say, "Well, we've discovered slavery here, and we think it's a good idea". But who knows, there are people, Republicans [laughter], who may think that way. But most people think that – [to audience member] Are you a Republican? [laughter]...I'm kidding, I'm only kidding.

**Audience member:** I'm independent [laughter continues]

**Gary Francione:** So nobody thinks that slavery is a good thing. And we regard every human, every sentient human... We might have a debate about what you do with somebody who's irreversibly brain dead. With something like that, I think we could have an interesting philosophical question. We could also have an interesting question about early-term abortion. I don't think that there's any evidence to indicate that first trimester fetuses, which is where most abortions are had, there's no evidence whatsoever to suggest that they're sentient. So if you've got beings which aren't sentient, [unintelligible] souls, I don't want to offend anybody who believes they have souls, I want to make it clear. But we regard every sentient human, irrespective of whether they're intelligent, whether they're stupid, whether they're geniuses or severely mentally challenged, or whether they're really beautiful or not, or whatever their personal characteristics are, we regard every human as having a pre-legal – it's protected by the law, but it's really sort of a pre-legal issue – it's the right you've got to have in order to *have* any legal rights: you can't be somebody else's property.

That's what's particularly insidious about slavery. All forms of exploitation are bad, but slavery is *particularly* bad. Because slavery treats someone as an economic commodity, and it empowers somebody else to value all of that person's interests, including that person's interest in continued existence and having suffering inflicted on him or her... All of the fundamental interests are valued by *somebody else*, i.e. the owner. And most of us think that's not good, that's not a good situation. And we regard every human as having a right not to be the property of somebody else.

So now the question becomes: Is there any reason, any logical, morally sound reason, other than speciesism – which is not logical, nor morally sound and it's no different from racism, sexism, heterosexism, ageism, and any of the other irrelevant criteria that we use and have historically used to exclude people from the moral and legal community – is there any reason to say that animals should have the right not to be treated as property? The answer is no, there is not. And whatever defect it is that we believe they have that entitles us to treat them as a commodities, is a defect that some of us have, and yet we would *never* think that it's appropriate to use those people who have that particular quote defect end-quote as forced organ donors and painful biomedical experiments or as slaves.

So if we accord this one right to animals, the right not to be property, what it basically means is, we have to get rid of all institutionalized exploitation. It means no more domestication – I mean we take care of the animals that we've got now, but we don't bring more domestic animals into existence. People always say “Aha, but you have dogs”. Yes, I have dogs, they are rescued animals. They are refugees, they live with me. They would all be dead if they didn't live with us. You will never find anybody on planet Earth who enjoys hanging out with dogs more than I do. Yet if there were two left on the planet and it were up to me whether they were going to breed so that we could continue to have pets, the answer would be no way, absolutely not. We should not have domestic animals. I mean when you think about it, animal ethics deals with how we deal with conflicts between human animals and non-human animals. We manufacture the conflicts – the conflicts are false conflicts. We bring these animals into existence – we drag them.

One of the books I wrote is, *Introduction to Animal Rights: Your Child or the Dog*. And on the front of the book there's a burning house with a kid in one window and a dog in the other. And what I tried to argue in the book – no, actually, I *do* argue in the book – is that we drag these animals into the burning house, and then we say “Oh God, what are our moral obligations?”. We've created them, we've dragged them. We create domestic animals, we facilitate the creation of domestic animals, we drag them into the burning house, and then we say, “What are our moral obligations?”. The answer I suggest to you is foreordained: they lose, we win. That's the way it always is. That's the way it worked with slavery, by the way. We're going to talk about that in a few minutes.

Now, one thing I want to say before I go on to the next point is that welfarism relies on the notion that less suffering is better than more suffering. Well, you know what – duh, yeah, that's right. I mean that's sort of hard to argue with. Obviously, it *is* better to inflict less suffering than it is to inflict *more* suffering. However, that doesn't mean that it is a good idea to maintain that inflicting less suffering is a morally desirable thing that we ought to be praising.

It really bothers me very, very much when I see things like the Certified Raised and Humane label which is sponsored by... I forget the primary organization, but it is supported by HSUS. Or the Animal Compassion Standard of Whole Foods, which is supported by PETA, Animal Rights International, Farm Sanctuary, Vegan Outreach. and

virtually all the other large organizations. Or Freedom Foods, which is supported by the RSPCA. It really bothers me that we're telling people, "Hey, buy these... *these* corpses and *these* animal products which have been tortured. This is a morally desirable thing". And again, I actually have photographs of some of the websites on my PowerPoint presentation – which you're being deprived of at this very moment – in which people are *encouraged* to buy this stuff. This is how you show you care: go to the store and buy Freedom Foods. This is how you show you care: go and buy your corpses from Whole Foods. This is how you show you care: get a HSUS certified 'humane raised and handled'-labeled corpse or animal product, and that's a good thing to do.

Think about it for a second. If I murder you, is it worse if I torture you? Yes, as a matter of fact, I teach criminal law in addition to animal rights (you know, like Rutgers is not Cambridge, I don't just teach animal rights). I teach criminal law, criminal procedure, I teach evidence. And when I teach criminal law, yes, if you kill somebody, in a lot of states, if you torture them in addition to killing them, you can become eligible for the death penalty. I always thought that was weird, "eligible for the death penalty", you want to say, "Hey, I'm eligible for the death penalty!" [laughter]. But you are eligible for the death penalty. If you torture somebody in addition to murdering them – but if you murder somebody without torturing them, we don't give you an award. We don't do what PETA did with slaughterhouse designer Temple Grandin and give her an award. We don't do what PETA did and give Whole Foods an award for the best animal-friendly retailer.

Assuming that these welfare regulations actually do something, and I'm not going to admit for a second that they *do* – but assuming that that were the case, it still is bizarre that we're telling people, "Hey, you didn't torture somebody, you murdered somebody and you could have used that cigarette lighter for half an hour, you only did it for 25 minutes, you get an award! We're going to give you an award". And there's something very bizarre about that.

So yeah, obviously it's better to inflict less suffering rather than more, but that doesn't mean that inflicting less harm is a morally desirable thing to do in the sense that we want to normatively praise it or encourage it or promote it as the goal of a social movement. I think it's bizarre.

All right [fakes panting, as if tired], now point two – that was just point one [laughter]. Point two is that I have a very practical concern: animal welfare regulation *does not work*. In a sense, it's really interesting to say, if animal welfare worked, it would really be interesting to discuss whether or not it was morally the right thing to do. But you know what? It doesn't work. And it doesn't work for the following reason: animals are property. They are economic commodities. They don't have any intrinsic, inherent value. They only have extrinsic or conditional value. They have economic value. They have only the value that we accord them.

Now, if you look at the history of animal welfare, basically most animal welfare measures – and I'm going to talk about a couple of them. And this analysis or this framework that I'm going to give you is true of virtually all animal welfare measures.

What animal welfare does is it makes animal exploitation more economically efficient for producers, and it makes meat cheaper for consumers, or animal products cheaper for consumers. Let me give you an example of what I'm talking about. You see the theory is, the theory of the animal welfarists is, well, if we regulate it, it's going to make it more expensive. And if we make it more expensive, then the demand will drop because output will drop. And then only people with money – not only is it wrong, but it's elitist. It's basically, "Well, you know, let everybody else eat Styrofoam or whatever" [laughter]. But the rich people, people with money can still afford to buy animal products. It's a very, very troubling theory in a number of different ways. But the basic position of animal welfare is this: by regulating you increase production costs, you decrease output, you decrease demand. So you're shifting the demand curve over. It don't work that way.

Case in point: the Humane Slaughter Act of 1958. And this by the way is the area in which I'm doing most of my research now, I'm working with an economist who's an econometrician, she's a microeconomics person and an econometrician. And what we're doing is we're examining various instances of animal welfare, both in the United States and in Europe. And what we're finding is that basically, the animal welfare regulation fit this category pretty clearly. That what animal welfare regulation does is that it actually makes animal exploitation more efficient. Animal industries are very inefficient, so they do not operate in accordance... I mean, whether any industry operates in accordance with the economic model of efficiency is a big question, but certainly animal exploitation industries don't. And there are all sorts of reason for that historically, as to why they don't. We'll get into that later on, if you're interested. But it's not an efficient industry. And what animal welfare regulation does is it makes it more efficient.

Case in point: the Humane Slaughter Act of 1958. Look at the legislative history of the Humane Slaughter Act, because it's really quite instructive. Basically, it was something that when you slaughter an animal – a big animal – a cow, a sheep, a pig – you're basically putting the chain around the animal's legs and hoisting the animal up. Now, that animal is moving around a lot. A 2,000 pound animal, a cow for example, moves around a lot, kicks people. Injured workers, carcass damage occurs. If you look at the history of the Humane Slaughter Act – which is very, very minimal – all it does is require that before the animal is shackled or hoisted and you cut into the animal, the animal has to be stunned unless it's kashrut or halal. But the animal has to be stunned. I really provides very, very limited... All sorts of parts of the animal's life that are not touched by the Humane Slaughter Act, including a lot that goes on at the slaughterhouse. It's at the very moment of death. Because we don't want the animal moving around a lot, because there were all sorts of worker injuries, and there was carcass damage. And so if you look at the legislative history, you see Congress was quite explicit in saying "We believe this is good legislation, because it will cut down on worker injuries, it will produce higher quality meat – it's economically justified". And if you look at the campaigns we're dealing with right now, whether it's the gestation crate campaign which is going on, or the controlled atmosphere killing campaign. And again, I have a blog essay coming out on this probably when I get home tomorrow night, so it will probably be Tuesday sometime in which I talk

about this. But if you look at the most recent campaigns, the gestation crate campaign, the controlled atmosphere killing campaign, you see HSUS and PETA basically promoting these things. They will cut down on production costs. That if you, for example, the sow productivity – that’s not my expression, that’s HSUS’s expression – is higher if you don’t use a gestation crate. Studies showed it, and that’s true. If you take an animal out of a gestation crate and use what they call electronic sow feeding, which allows you to have animals in this – you don’t give them a lot of space, you give them more space, but not a lot of space – it actually cuts down on veterinary costs. It causes their reproductive cycles to function more efficiently from the producers’ point of view. And it makes the animals more productive, and it cuts down on the production costs. For controlled atmosphere killing, even though the Humane Slaughter Act did not apply in 1958 to chickens because people thought, “What the hell? Chickens? If they move around, they’re not really going to kill anybody are they? It’s not like a cow would move around a lot, chickens moving around a lot, bumping into somebody, ain’t going to cause worker injuries”. But one of the things we now know, as a result of studies done by the meat industry, is that the way we’re killing poultry now results in a lot of carcass damage. That’s economically un-cool, that’s not good for the producers, and that’s not good for those of us who eat chicken. Because the more bodies they have to throw away, the higher the cost – it’s not efficient. So one of the arguments which is made explicitly – actually I’ve written other essays about this in which you can find these links, but the one I’m going to do on Tuesday deals specifically with this. You can actually find the website, [unintelligible] the links for HSUS and PETA, and you can read *their* literature, and you can see what *they’re* saying – and what they’re saying is, “Look at the studies”, they’re citing the studies done by the meat industry, done by poultry scientists, done by sow productivity scientists – basically, agricultural economists. And what they’re telling us is those studies show that by providing *some* added protection to animal interests, you’re actually putting *more money* in the pocket of producers.

Ted Barnett, do you have a question, sir?

**Ted Barnett:** Why would something that helps the industry require legislation?

**Gary:** Ted, that’s a good question, and if I had planted that one, it couldn’t have been any better [laughter]. Because the industry is inefficient Ted...

**Ted:** Why is it inefficient?

**Gary:** Well, the reason for that is because factory farming, intensive farming, developed about 50 years ago on the theory that if you got ten animals and you got them in a space and you’re making a dollar, and if you add ten *more* animals you’re going to make two dollars. And basically, it was we’ll get a greater economy scale, the more animals we shove into this building, the more money we’re going to make. And nobody ever thought about the fact that these are sentient beings, these are beings who are going to respond to the stress that we impose on them, in ways that will economically screw us. So what’s happening now is the industry – I mean, I don’t know enough economics to know, although my economist colleague tells me this is not uncommon in other industries –

basically, this industry developed fairly rapidly, and the information wasn't perfect. There wasn't perfect information, so there couldn't be a purely rational response. So it is only now that information is starting to come out which suggests that these practices which have been used by animal agricultural people are not economically efficient.

And you can look at this with respect to animal experimentation. I first started thinking about this when I was teaching at Penn. I went to a meeting of vivisectors at the medical school. And this was at a time when they were thinking about the 1985 [unintelligible] Animal Welfare Act, which would require an animal-care committee and certain sorts of animal – I hate to use the word “husbandry” – improvements. And I remember going to that meeting, and a lot of vivisectors were really very unhappy about it. This one guy got up and he spoke. He said, “I don't know why you all are upset about this. Because think about it, all it says is we can't expose the animals to stress. If it's not a dehydration or starvation experiment – which we can do, we can do those, it doesn't stop us – but if it's not a dehydration or a starvation experiment, and we don't give them food and water, what that's going to do is it's going to introduce stress. That's going to result in scientific data that is compromised. So we're going to be adding a variable that is not a good variable to add. It's a variable that we're not controlling for. And this is going to result in bad science. All this is doing is saying that we've got to use the animals in a way to get good data out of them”. I'm sitting there and thinking, “Wow, this is really very interesting”. And I believe that the Animal Welfare Act of 1985 actually passed. And subsequent to that, I had all sorts of talks with people at NIH who said yes, publicly we're going to oppose it, but it's going to be great for us, because it's going to allow us to go around saying “We've got animal care committees, and they function just like institutional review boards which decide human experimentation”. And they do. Every time I'm debating with a vivisector, they're always saying “I don't know what these animal people are upset about. The animals have the same protection as humans have. They have institutional review boards that say whether *human* experimentation is OK, and they have animal care committees that say whether *animal* experimentation is okay”. Of course, the big difference is humans have to give informed consent, animals can't – and they can be used for all sorts of purposes that you could *never* humans for. So there's a huge, huge qualitative distinction. But the Animal Welfare Act of 1985 was a great boom for vivisectors, and it doesn't *stop* them from doing anything, except introducing variables which are going to result in an inefficient use of this animal proper. So animals are economic commodities. And if we look at animal welfare, both historically and current, contemporary animal welfare campaigns, we see that these are based upon the concept of efficient exploitation. That basically the argument that's being made is, “Do this, it will actually make things better – it will improve your production efficiency”. And it shouldn't surprise us that this is the only sort of thing that – I mean, think about it. If you're a producer, you're not going to say, if something is worth a dollar, and you can use it productively by spending 30 cents – your total cost of use is 30 cents, and you're getting a dollar. You're not going to spend 35 cents to make that same dollar – that would be economically inefficient. That example was from the production standpoint. And as

consumers, some of us – “affluent altruists” or whatever – might say, “All right, I’ll pay a little bit more for quote humanely raised meat or something”. But the bottom line is, most of us, if we really *cared* about animals, so that we would *really* be willing to pay *a lot* more money for our animal products, we wouldn’t be *using* them. If we really thought that much, if we really *cared* that much, if we really thought they had that much value that we could impose that sort of cost on our use of them, I suggest to you we wouldn’t be using them.

So, from a production standpoint, a consumption standpoint – and let me also say this: there’s something in economics called elasticity of demand, and that just has to do with how the demand functions in response to increased costs. So if the demand curve is inelastic, you can raise prices and people will still buy the product. For example, if you smoke a particular brand of cigarette, and you really like those cigarettes, they can raise the price, and you’ll end up spending less money on other items, and you will buy that brand of cigarette. At some point in time, because it’s too expensive, you’ll switch and you’ll buy some sort of generic brand, or you might even stop smoking. But the elasticity of demand for particular brands of cigarettes is quite inelastic: you can raise the price, and people will still buy the cigarettes. On the other hand, there are certain products that you can raise the price, and people will shift to another product. That’s what you call an elastic demand curve. If the demand curve is *elastic*, then price increases will result in changes in demand fairly quickly. If it’s an *inelastic* demand curve, then changes in prices will not result in demand changes – at least until you get a significant increase.

For many animal products, the demand is very inelastic. You can raise prices, and people will continue to pay: the demand isn’t going to change dramatically. But, *even if it does*, if the price of animal products goes up... If you look at the demand for a particular animal product, for cows or for sheep or for fresh beef or for fresh pork or something: even if the price goes up and people stop buying fresh beef and fresh... they don’t buy tofu. If you look at the demand for animal protein as a general matter, the demand is all infinitely inelastic. You can keep raising prices, and people will simply buy other animal products.

So if you raise the price of beef too much, they’ll buy chicken. If you raise the price of chicken, then they’ll buy fish. Or they’ll buy canned beef, or they’ll buy canned pork products, or they’ll buy frozen stuff. But they don’t buy tofu. This notion that I keep on hearing from animal welfare people: “Well, if you raise the price, they’re going to eat vegetables”. I actually had a debate with one guy. There’s a fellow in Austria who was debating with me about this, and he basically said, “If you raise the price of animal products, people eat vegetarian foods”. The answer is, no they don’t. They don’t! If you raise the price of animal products, then people buy *other* animal products – they don’t buy tofu. They don’t buy zucchinis and say, “Beef is a bit expensive this weekend, let’s have zucchini”. [laughter] It doesn’t work that way. It’s crazy, that’s what I mean.

And the other thing that we’ve got to keep in mind, because the economic reality is that we now live in a world of free trade agreements. Whether it’s the European Economic Community, NAFTA, GATT, or whatever. So this guy I was debating with in Austria, he

said, “Well, since they got rid of battery cages in Austria, which they have to do (there’s a directive that says that the European community is supposed to get rid of battery cages by 2012, we’ll talk about that in a second. That’s never going to happen, but that’s what the directive says). Austria has gotten rid of battery cages before, and he was claiming that the production of eggs fell 35% in Austria. Now, I haven’t been able to find any evidence of that. As a matter of fact, all the statistics I have show that the production of eggs has actually *gone up* in Austria, it hasn’t *gone down*. But let’s assume it went down 35%. What’s going to happen? If there’s a demand for battery eggs, for the cheaper eggs, they’re going to come in from Poland, they’re going to come in from Spain, *and you can’t stop them*. Because under NAFTA, under GATT, under the European Community rules, you *cannot stop* the import of a product from a member nation simply on moral grounds. So you can’t say, “Well, we got rid of battery cages, so we’re not going to let Poland export...”. The answer is no, it ain’t going to happen. So, keep in mind: welfare regulation basically makes animal exploitation more efficient. It doesn’t *increase* production costs, it *reduces* production costs. It doesn’t *decrease* output, it *increases* output. It doesn’t *decrease* demand, it *increases* demand. But *even if it didn’t*, even if welfare reforms had *some* effect on price and that effect had some effect on demand, it would *still* be the case that people would just turn to other animal products (number one). Or, they’re going to demand the same product coming in from a market which is not regulated. So this just *doesn’t work*.

Now, I also suggest to you, animal welfare regulations really do not result in significant protection for animals. There is a big campaign going on now, and I know that people at Rochester are involved with this Wegmans egg campaign. Let’s go cage free, and let’s go free-range, etc. I think it’s nonsense. And this is not just in Rochester, it’s all over the place. Vegan Outreach and HSUS and everybody promoting cage-free eggs, free-range eggs. As far as I am concerned, it is *at best* a fantasy. It is empirically wrong to tell people that they are doing *anything* morally desirable by buying cage-free eggs or free-range eggs.

I want to show you a four-minute film made by the folks over at Peaceful Prairie Sanctuary, which is out in Colorado.

[Difficulties with the equipment prevented Gary from showing the video. It’s available on-line at <http://peacefulprairie.blogspot.com/2007/11/faces-of-free-range-farming.html>)]

**Gary:** I’m going to keep going, and I will show this later, if it is wanted. I have some brochures from Peaceful Prairie Sanctuary here. They have a sanctuary out in Colorado. They have farm animals there. It’s really an interesting place.

The film I was going to show you basically shows animals that they have rescued from a free range situation. I have seen cage-free facilities myself.

[A second attempt at setting up the video does not work]

So, I don’t think it makes any real difference. I’ve got some literature up here. If you want, afterwards, I can show you the video. You can see the video by going to



[www.peacefulprairie.org](http://www.peacefulprairie.org). I think it's called 'Free Range Myth'. You watch it, you draw your own conclusions about whether you want to spend your time talking to people telling them, "You can do the morally right thing by eating eggs from *these* sorts of birds rather than from *these* sorts of birds". It doesn't make any sense to me, maybe it does to you – if it does, God bless you.

I also think that if you look at some of the animal welfare regulation... For example, look at the European Union. We hear from people like Peter Singer or institutions like Animal Rights International, some of the other animal groups, "It's wonderful that the Europeans are so far ahead of us – they're getting rid of battery cages by 2012". Nonsense. First of all, it's never going to happen. Secondly, under the EU directive, you can use what they call "enriched cages", which are basically battery cages with some straw in them. That's what people are calling a great victory, a tidal wave of progress, things like that. It's nonsense, it's absolute nonsense.

There are a lot of loopholes in animal welfare legislation. For example the Californian foie gras ban is a perfect example. I cannot understand why anybody thinks that that's a victory for animals. It's a ban that's supposed to be coming into effect in California in 2012. It was supported by the guy who owns the only foie gras place in California, the Sonoma Company. Why was it supported by him? Because it basically immunized what he was doing until 2012, and the legislation is absolutely clear: if they can come up with a more quote *humane way* – and they're doing experiments right now to show that there are more humane ways of force-feeding geese or producing this product. That law is never going to come into effect. So it doesn't come into effect when it was passed in 2005 or 2004 or 2003, or whenever it was passed, and even though it's not going to come into effect until 2012, it will probably *never* come into effect.

Look at the Chicago ban which was repealed last week. A lot of these things aren't enforced. Look at Britain with the hunting ban: it is not enforced at all, and it's probably going to be repealed as soon as the Tories get into government. And I think that basically these sort of things have one great effect – if you want to talk about animal welfare having an effect, I'll tell you the effect it has – it makes people feel *better* about exploiting animals. It makes us feel *better*. Because we feel, "Hey, we're doing something right."

Vegan Outreach, I met one of their representatives – they said I should eat cage-free. "We've got cage free eggs in the college cafeteria, and we're doing the right thing". So what we're telling people is, "Yeah, this is a good thing to do. Eat cage free eggs, you're actually reducing suffering". I suggest to you if you could only see this video – maybe you will sometime tonight. But if not when you go home. If we can't figure out how to deliver it to you, when you go home tonight, you watch it – draw your own conclusions about whether you want to spend your time trying to tell people that eating cage-free eggs is anything you want to spend your time asking people to do. Yeah [calls on questioner].

**Female:** From what I remember, Karen Davis of United Poultry Concerns has the same point of view as you, right.

**Gary:** No, actually, I don't think she does.

**Female:** Oh, she used to, sorry, I'm not...

**Gary:** Anyway, and I think it's interesting, Farmed Animal Net, which is a website that is sponsored by PETA, HSUS and a couple of other organizations, they had a big article about how wonderful it is that Strauss Veal, the biggest veal producer in the country, is going to get rid of, phase out veal crates. Go read the article. Go read the article, and see what Randy Strauss, head of Struass Lamb and Veal I think is the name of the company, what he says. And what he says, basically, is that, "We will increase the consumption of veal by getting rid of veal crates". And the studies show, again, that if you get rid of veal crates and you have the calves in slightly larger units, your veterinary costs go down, your production efficiency increases, and because you can market this stuff as humane, per capita consumption increases.

By the way, there's an article in the *New York Times*, not always known for accuracy, but nevertheless – the *New York Times* said that in 1961, the world meat supply was 71 million tons. In 2007, it was 284 million tons. And before anyone says, "Yes, but the population's increased", per capita consumption of meat in that 46-year period has doubled.

Third point: Regulation does not lead to abolition – there is no empirical evidence whatsoever to suggest that animal welfare regulation causes people to think in an abolitionist way – that it moves us toward the abolition of animal exploitation. Look, we've had animal welfare for 200 years. Factory farming developed at a time when animal welfare was very, very popular in terms of Western thinking. We have more animals now, being exploited in more horrific ways than at any time in human history. The idea that animal welfare regulation is going to lead to abolition is sheer fantasy.

Fourth point: The idea that the abolitionist position is not normative – it doesn't give us anything practical to do – is again wrong. The foundational premise of the abolitionist perspective is veganism. As far as I'm concerned, *veganism is the single most important form of social activism that anybody can engage in*. And it's not a lifestyle thing. It has to do with a commitment to non-violence, and it has to do with a commitment to the respect for persons, whether they are human persons or non-human persons.

The title of my new book, which is quite deliberate, I mean as most titles of books are, is, *Animals as Persons*. This book is going to be out in two weeks – that, by the way, is one of our dogs, she's a Maltese, who was going to be killed because she had been returned to the shelter twice as non-house-trainable [points to photo of dog on enlarged graphic of book cover]. We have had her for seven years. It is either the case that she has never had an accident, or she's so small we've just never noticed it [laughter].

So Columbia University Press is publishing it. They gave me a bunch of flyers, they're giving pre-publication discounts. Before anybody asks the question, let me say this: all of my book royalties go to [charities]. Last year, they went to feral cats and to Peaceful

Prairie Sanctuary, and to other sorts of organizations like that. So, don't think that you're putting money in my pockets.

So veganism is the principle of abolition applied to the life of the individual. Just as an abolitionist of slavery would not own slaves, people who really believe that we ought to abolish animal exploitation should not be consuming animal products. We shouldn't be eating them; we shouldn't be wearing them; we shouldn't be using them on our bodies; we shouldn't be doing that. As I say, this is not a lifestyle thing – this has to do with non-violence and respect for persons, human and non-human. And I want to get to the fact that when I say human, because I think that veganism has a lot to do with *human* rights, just like it's got to do with the rights of *non*-humans. And it has a lot to do with the respect of *human* persons, just as it has to do with respect to *non*-human persons.

Things are never going to change – this society is never going to change – as long as we *own* them, as long as we're *eating* them, we ain't *never* going to find our moral compass while they're sitting there on our plates. It's never going to happen, it's never going to happen.

It's important to understand that when welfarists talk about this “two-track” approach – “Oh, well, it's all right to be vegan, but, you know...” – it's like, “It's all right to be vegan”, although you've got people who describe it as fanatical. The welfarist literature about veganism is in my judgment very, very disturbing. To the extent that the welfarists say, “We ought to promote regulation, *and* we ought to promote veganism” – first of all, I don't know why they're promoting regulation. I don't know what empirical evidence any of them has to show that welfarism does anything except increase production efficiency. Nothing. Absolutely nothing. I don't understand why they do it.

But what I *do* see happening is this notion that veganism is a way of reducing suffering, so it's just like everything else. So whether you're vegan, or whether you pass out literature about cage-free eggs, or whether you're in favor of some other welfarist campaign, it's all the same, it's all lumped in. And I suggest to you that that doesn't make a whole lot of sense. Yes, obviously to the extent that veganism helps reduce suffering, yeah I think it's a great idea. But I also think that it goes well beyond that. And as I said, it has to deal with a real personal commitment to ahimsa, the principle of non-violence. And I think that really is what the center of what the movement ought to be. The idea that violence is not good. That violence is responsible for the mess that we are in – I mean, this world right now. And if we really want to think seriously about moral solutions, we need to be thinking about the principle on non-violence. We need to be thinking seriously about it, and non-violence starts with what you stick in your mouth three times a day. And it's really great to talk about non-violence as some abstract thing, while you're having coffee in your New York café, eating a hamburger or some meat. It's very interesting to talk about it as an abstract matter. But you know what, *it begins with what you stick in your mouth*. And if you start with violence three times a day, then the rest of it is just mental masturbation. I'm sorry, I just realized there are children [laughter]. Sorry,

because they're not sitting there. Sorry, those in the back: It was Ted Barnett who said that [laughter].

It's interesting, and I quote this in the blog post that I'm about to publish – literature from Vegan Outreach and from Peter Singer, saying that we might actually even have an obligation *not* to be vegan. If other people think that – you know, if it's going to make other people feel uncomfortable, for example. If we go to somebody's house and they produce something that's got animal products, or when we go to a restaurant and we start quizzing the waiter or the service person or whatever, “Has this got butter in it? Does it have cream in it? Does it have cheese in it?”, that we're just going to make people think, “Oh, well, these people are *fanatical*”. Let's imagine you're sitting in your friend's house, and your friend is showing family movies from the vacation. And all of a sudden your friend says, “Let me show you a movie I took of the 6-year-old child next door not wearing clothing”. Would you say, “Look, I don't want to be sort of too fanatic about child molestation, so I'm just going to sit there”? Or what if somebody tells a racist joke? Are we supposed to just sit there and say, “Oh, I don't want to be politically correct”? Or, is the right thing to do to say, “I don't like racist jokes. Please don't tell racist jokes. I don't want to hear racist jokes”. And so I think this idea that, with respect to veganism, when it comes to animals, when somebody brings out the meal that they've made, and it's got cheese on it, you're supposed to say, “Hey, that's cool, I'll eat the cheese because I don't want anyone to think that I'm like *fanatical*. I don't want anybody to think... God forbid should they think that I'm consistent about my moral principles”. And so I suggest that this way of looking at things is really very strange.

Finally, I wanted to state that it's a zero-sum game. We live in a world with finite resources. And every dollar that we spend, every moment of labor that we spend promoting things like cage-free eggs, is a moment that we're not spending engaged in social activism, in the form of creative, non-violent vegan education.

I was thinking before, as I was eating – way too much of that food... I was engaging in gluttony before [laughter]. And I was thinking, you know what activism is: *this* is activism. Yeah, we're a bunch of converts. But I was thinking, activism is getting people to taste this stuff. Like being at fairs and festivals and events and having this sort of stuff. Put your time into that, put your money into that, so people understand that, you know what, if they become vegan, they're not going to be eating paper [audience claps]. It's really, really good: that's social activism. And that's social activism: creative non-violent vegan education. But it's a zero-sum game. If you've got two hours to spend tomorrow, you have a choice: you either spend it passing out leaflets at the U of R saying, “Let's start the revolution – get your commissary to have cage-free eggs from less tortured birds”. Is that really what the revolution is about? Or is what we want to do spending our time trying to convince students not to eat eggs *at all*, not to eat dairy *at all*, not to eat meat *at all*. And you know what? Yeah, with a lot of people it's not going to work. But with some it will. And what we need to do is to build a political movement – it don't exist now. The existence of a movement that is opposed to inhumane treatment – it's worthless, it's useless – *everybody* is opposed to inhumane treatment.

I just came from Vanderbilt University, where I was talking with people who are doing animal research. And *they* say they're opposed to inhumane treatment. And everybody I've ever worked with in the university for 25 years of my life – and everybody I meet who uses animals: they all agree. And they mean it sincerely – we are not to treat them inhumanely. *Everybody* says that. *Everybody* agrees with that.

So the existence of a movement... If what a movement is, is a movement that is opposed to inhumane treatment, it is useless, it is meaningless.

Final point. On education. People always say to me, "If people do not want to go vegan" – you know, you're talking to somebody, and they say, "I just don't want to do it." Should you tell them, "well, eat humane"? And the answer is no. Never, ever, ever, ever say that the consumption of animal products is ever anything that you put your imprimatur on and that you think is morally right. When I talk to people and they say, "Look man, I agree with you but I can't do this right away". I always say, OK, fine. You really should, because eating this stuff is not good. But, if you can't do it right away, what you ought to think about doing is, start off with breakfast being vegan. Do that for a while. And then go to lunch vegan. And then do dinner vegan. And then do all your snacks vegan. And then watch that beer and wine, because not all of them are vegan. And get to your substance abuse, and get that to be vegan. [laughter]. And basically, work incrementally towards it – but never say that eating animals is okay. Never say to people that, "Oh yeah, you can be socially responsible". I'm using this expression intentionally, because this is a quote I believe is attributable to Paul Shapiro at HSUS that cage-free eggs is – I think, is that right – a socially responsible thing to do. *Never* tell people that. Because what you're saying is, "That's good, that's a *good* thing to do". Social responsibility is a good thing. So you're telling people that social responsibility: that's a good thing. When you have your Wegmans campaign, saying, you know, great organization – *one glaring spot* [exclaimed]. 'One glaring spot'. That's a quote from someone – I was looking it up last night. 'One glaring oversight' or 'one glaring thing' or 'one glaring omission'. I don't know what it was. Something glaring [laughter]. Glaring was the adjective, I don't know what the noun was. But cage-free eggs. The fact that they're selling battery eggs. So let's get down to selling cage-free eggs. *What does that say?* It says if Wegmans does this, it's a good organization. Nonsense. Nonsense. That's complete nonsense.

So two other points. Single issue campaigns – people ask me about that all the time: what do I think about single issue campaigns? Then I'll take your questions. What do I think about single issue campaigns? I think they can be very dangerous. Because, in a society where animal exploitation is the default position and is considered normal, focusing on one thing suggests that – for example, when you focus on meat. In a society in which meat, dairy and eggs are all considered normal things to do and that's all part of the default position, you focus on flesh, you're basically saying there's a morally relevant difference between flesh on one hand and eggs, dairy on the other. When you talk about fur – I mean I've always had problems with fur campaigns, because I've thought it's sexist. I thought it was yet another opportunity to go up to women on the street who are

wearing things... For some reason, it's not all right to campaign and go up and give people a hard time who are wearing leather jackets, because people didn't want to lose their teeth [laughter]. But it's all right to go up to women who are wearing fur coats, I've always had a problem with that. So my deal is when I have to speak at these anti-fur things, to the extent that I do it, when I did used to do it, I always said as long as I can call it an anti-clothing event – because as far as I'm concerned, there's no difference between fur and leather and wool. I mean wool is absolutely *horrible*. The way wool is produced is absolutely horrible. And so I think these single issue campaigns are really problematic, because they suggest there's a morally... in the fur case, it suggests that there's a morally relevant difference between fur on the one hand, and leather and wool on the other hand – but there isn't.

Final point – human rights, animal rights – there's a huge intersection. We are right now seeing food riots in the world. And you know, if I have to hear another NPR story about how the problem is ethanol, and the problem is the demand for corn. Is that a problem? You know what the problem is? The problem is *animal agriculture*, that's the problem. Because it takes between 6 and 12 pounds of plant protein to produce one pound of flesh; it takes 1,000 times more water to produce flesh than it does to produce potatoes or wheat.

We feed enough grain every day to animals in this country that we are going to slaughter that we could give two loaves of bread to every human being on the planet. You know what? I don't care if you don't care *at all* about animals – if you care about *human* animals, that's got to be resonating somewhere that this is not right, this is not good. Because we are selfish, and we eat animal products, we are condemning a substantial part of the world's population to starvation – and that is just wrong. And I think that we really do need to see. That's one of the reasons why I have problems with these sexist campaigns – as far as I'm concerned, speciesism is a lot like sexism. And I really think that as long as we're treating women like pieces of meat, we're going to treat meat like pieces of meat.

I used to work with PETA. As a matter of fact, I was like their first regular lawyer. And I met the PETA people in the early 1980s and worked with them. And there were two things that basically caused an end to that relationship. One was the killing of healthy animals at the Aspen Hill Sanctuary which occurred. The fact that PETA kills animals at its Norfolk facility, apparently, from what I've been reading, is really no surprise – it's been going on for a long time. There was that, and there was the issue of "I'd rather go naked than wear fur". It never made sense to me. I never understood why we want to eroticize the fur issue. Sexism is a problem. And really, the relationships between pornography and meat-eating are very, very close. And so I think that we really need to be thinking about that. But as far as the food issue was concerned, it ain't ethanol we've got to be worried about. It's the fact that China and India are increasing their meat production, their meat demand by zillions of percentage points. And that *we* all eat this stuff. And that rich Western nations are condemning a lot of people in the world to starvation because of selfishness. I think this raises very, very important issues. I think

it's all part of the same puzzle. I think it's all part of the same problem. I think ahimsa non-violence is the answer to all of it.

And now I am done, and I would be happy to answer your questions.

[applause]

**Ted Barnett:** Before we take any questions, I would like to make a presentation. At Gary's request, we have our honorarium made out to Peaceful Prairie Sanctuary.

**Gary:** Thank you, thank you very much.

[applause]

**Webmaster's note: The question-and-answer section has not yet been edited and double-checked for accuracy. It's a work-in-progress.**

**Lois Baum:** I encourage everyone to look at Gary's website. It's at [www.abolitionistapproach.com](http://www.abolitionistapproach.com). It's got everything he just talked about.

**Gary:** What I have on that website is four video presentations: theory of animal rights, welfare, animals as property, and animal law. It's got it in English, French, German, Portuguese, and Spanish. And I've also got blog essays, which are basically why animal welfare is equivalent to, like, vampires or something [laughter] – you know, criticism of animal welfare. And then I've got an FAQ section in which I answer questions like, 'What about abortion?', 'What about insects?', 'What about plants?', – they're canned answers which you can use when you're talking to people, in terms of answering the sorts of questions that come up. Like 'Who would you save if you were in a burning house?', like that sort of thing. Because we all get that sort of stuff, like 'Well, if you were walking by the house, who would you save – the human or the animal in the burning house?'. The answer is, I would try to save both. But let's assume that I can only save one, and I chose to save the human. What does that tell me about whether it's okay to exploit the animal? It doesn't tell me *anything* about it, any more than it does if every time I go up inside the burning house I see a young person and an old person who's 115 who I know is going to be dead. If I would only save the young person simply on the basis that the person's got his or her whole life ahead of him or her, that doesn't mean it's all right to use elderly people in circuses, rodeos, zoos, or [inaudible] [laughter]. But it's those sorts of responses.

**Chris Hirschler:** I was listening to a lecture by Carl Cohen...

**Gary:** Carl Cohen? Wow.

**Chris Hirschler:** ...about why animals don't have rights. He spent most of the lecture talking about research and the need for animals in research so that we can get immunizations... Would you see the point in even *conceding* something like that?

**Gary:** Nope.

**Male:** ...because the average omnivore might say, "That's so important to have this immunization, and they're only 1% of all animals killed".

**Gary:** You ask a very, very good question. And in the book that I have coming out, I have a chapter on experimentation. I make the point that it's interesting to look at the movement in Britain and America in the 19<sup>th</sup> and 20<sup>th</sup> centuries; there's a real focus on vivisection. And we all claim to agree with the principle of "unnecessary suffering" – that it's wrong to inflict unnecessary suffering on animals. Now, we could have an interesting philosophical discussion, which we don't have time to have, but we could have an interesting discussion on what "necessity" means. But *whatever* it means, it's got to mean as a *minimal* matter that it's wrong to inflict suffering or death for reasons of pleasure, amusement, or convenience. And yet, 99.9% of our animal use can *only* be justified by human amusement, pleasure, or convenience – mainly our eating of animals, our use of animals for entertainment, our use of animals for sport hunting, etc. The *only* use of animals which is not transparently frivolous (although I don't agree with it) is the use of animals to cure important human illnesses. I don't agree with it – I want to make it clear, I don't agree with it. I just think you need a more complicated sort of analysis on that, because there is a situation where people really *do* perceive there to be a conflict situation. There isn't a conflict situation in any of these other situations.

So it's interesting, and I think a lot of it has to do with the fact that you have this very, very weird sort of focus on vivisection. And I think that has to do with the fact that animal people have historically *not wanted to be vegans*. So it's easy to say, "Hey, I'm an anti-vivisectionist", and so you have all these weird situations in England in the 19<sup>th</sup> century, where they have these really sometimes violent demonstrations against vivisection in London – and then they all go out and they eat meat.

And I think a lot of that has to do with the fact that we don't know people who do vivisection. I know a lot of vivisectors, because I work in a university. But if you don't work in a university, you don't *meet* a whole lot of vivisectors – it's not like there are vivisectors crawling all over the place [laughter]. But we're not confronted with them socially, and they're easy for us to make abstract enemies out of.

What I always tell people is this: I always focus on the eating issue, and I will talk about vivisection – but I always try to steer the discussion over to eating. But when people want to discuss it, I discuss it. And I always say, "Look, let's take animals out of the equation. Let's imagine you could find a cure for cancer by using mentally disabled people – would *that* be okay?" And sometimes you're at a party and you're talking to some university people and they get a few drinks in them, and they'll say, "Well I don't really think that that's a bad thing". But by and large, people don't say that that's a good thing. As a matter of fact, most people think it's really monstrous. Most of us think, or many of us think, that not only is that wrong, but we have a special obligation to more vulnerable humans. I think we miss the fact that it doesn't capture the morality. It doesn't capture the moral view that many of us have, that we feel we have *special obligations* to really vulnerable humans. And I think we have really special obligations to non-humans, in part because of their vulnerability. But I think you've really got to put the question to that person: "Would you use a mentally disabled person? Why is it that you think it's all right to use animals?". And they'll give you some sort of nonsense, "Well, you know, they can't



reason, they can't think". Well, I think that's wrong. I think that as a matter of evolutionary theory that's probably wrong. One of the things Darwin said, whether he was right or wrong about it, one of the things that Charles Darwin said is that the distinction between humans and other animals is a distinction of degree and not kind. It's a *quantitative* distinction, not a *qualitative* distinction. As a matter of fact, Darwin rejected the use of the expression "higher" and "lower" animals.

And so for Carl Cohen, what is it, Carl, that makes it OK to use them? I know Cohen's views, and Cohen's views are basically that animals can't act in morally reciprocal ways. It's sort of a Kantian argument, that they can't engage in moral reciprocity. And the answer is: lots of *humans* can't do that *either*. Lots of humans are incapable of acting in morally reciprocal ways, does that mean it's okay to use them as forced organ donors?

**Adam Hayes:** Do you have any hope for...

**Gary:** No, I have no hope, period. [laughter]

**Adam Hayes:** Under capitalism, I mean how close do you think [inaudible]–

**Gary:** Are you a communist? [laughter]. Do you realize, do you understand that there's a Republican sitting in front of you? That you're within striking distance? [laughter] The question is, do I have any hope of the situation improving, and of our achieving abolition under capitalism? That's an interesting and complicated question.

I think *in theory* it would be – just as you could get rid of chattel slavery... We have a capitalist society, we don't have chattel slavery. We exploit people in the Marxist sense of exploitation, we alienate people from the value that they... When you work, you get paid only a portion of what your labor is worth. I, the capitalist, take the rest of it. And I appropriate, and I take, and I alienate you from your labor. So that exists, but we don't have chattel slavery. It is *in theory* possible that we could eliminate the chattel slavery of non-humans in our society, but I *do* think you have hit upon an important thing. We need to be more critical of capitalism as an economic system. Capitalism creates a lot of mischief, and there are good arguments that... For example, we live in a society, one of the few, that doesn't regard health care as a basic right, so that people like [Dr.] Barnett can make lots of money [laughter].

Now we're starting to change a little bit, and we're starting to say, "Well, gee you know maybe it would be good if we had a more socialized healthcare system. But yet, the expression "socialized medicine" is something of an expression that isn't even used in political discourse because it is so charged. But we really do need to be looking at capitalism a bit more critically. However, having said that, we got rid of chattel slavery in a capitalist economy – we could, in theory, get rid of animal slavery in a capitalist economy.

**Female:** I've been re-thinking (I've been a member of PETA for a long time), but I've been thinking of dropping out, because I'm upset about this latest publicity stunt where they're offering a million dollars to somebody who clones meat in the laboratory. And

I'm also upset that they wanted to kill the fighting dogs [Michael Vick's dogs], but they were opposed by the Best Friends Animal Sanctuary. Are you still a member of PETA?

**Gary:** No!

**Female:** OK, answer the other questions now. What do you think of the wacky million dollar –

**Gary:** Well, I was asked to comment on that. And I said, first of all they're not risking any money, because the idea that there's going to be commercially viable quantities of *in vitro* meat by 2012 is ridiculous. Number two, the idea that an animal rights organization – as far as I know there was no limit on the use of animals, because you have to use animals in various ways to develop those products, whether it's the media you're growing the cells in. And so animal use is involved. And I just think that PETA has become a gimmick organization. It stopped a long time ago being an animal organization. It's got nothing to do with the animals — it's got to do with PETA. And it's for the promotion of PETA. PETA is one big publicity stunt after another.

As far as the Michael Vick situation was concerned, I actually wrote about that. I think the Michael Vick thing has nothing to do with anything but racism. We're all sitting around saying Michael Vick... It's like the OJ Simpson business: "My God he's married to a blond woman, this is frightening, they're getting close". And I think the OJ Simpson thing was racist, I think the Michael Vick thing was racist.

There's no difference between sitting around watching fighting dogs, and sitting around you're barbeque pit and having hamburgers. I don't think there's any difference, whatsoever except one's a rich black guy doing it. So I just got tired of that Michael Vick thing.

I was on a radio show, and I was asked "Was I in favor of killing those dogs?" And I said, "absolutely not". I said I'm a great believer, for example, what Cesar Millan can and has done with pit bulls at in his place in Los Angeles. And I called on PETA on the radio show. PETA is now like a multi – I think they're like a 60 million dollar – I *think*, I don't remember what their... I do know that HSUS, the organization which is so *horribly* concerned about suffering is sitting on top of a quarter of a billion dollars. Do you know how much money that is? A quarter of a *billion* dollars. There's lots of suffering you could stop with that money. And they take in 125 million dollars a year. And what I did was, I said why doesn't PETA use some of the 'X' millions of dollars they have in helping those animals to overcome their aggressive tendencies? Because you know what, that can be done. And that can be done without violence. Cesar Millan does not use violence. At least as far as I'm aware, and what I've read and seen of him, he doesn't use violence.

**Female:** Is this the trainer Oprah Winfrey got to teach her dog not to do something?

**Gary:** I don't know. He's the dog whisperer. He's an interesting guy.

**Female:** This is my approach: What about teaching people to become vegans because of *health* issues? I'm a nurse, and I belong to a group of people, and we are on a diet called the Hallelujah diet. You're familiar with it?

**Gary:** No.

**Female:** [Unintelligible]... George Malkmus. It's a vegan diet. We do 85% raw most of the time, we're juicing a lot. And he has books and a lot of information teaching people that meat, chicken, fish, dairy products, all that, eggs, everything, are really a detriment to your health. And I found a lot of people are very interested in listening to this, at least, and maybe trying it. And his organization is getting humongous all over the world. He has a growing community of people that are becoming vegans for health issues – *and* also because they care about animals and don't want them to suffer. And that's my way of doing things.

**Gary:** When I talk to people about this, I always mix the moral issue, the environmental issue (and by environmental issue, I'm not an ecologist in the sense that I do not believe that plants or ecosystems have any interests. I think that only sentient beings have interests, and that we can only have obligations to sentient beings). But I talk about the environmental issues because I think that the resource allocation that is involved in the meat-based or animal protein-based diet is horribly bad for the environment, but also it has a bad effect on people.

And I talk about health. I talk about the fact that we're all taking drugs for high blood pressure or for cholesterol, for this, for that – when we could be dealing with these issues in a *natural* way through eating healthy, whole foods. I don't know the person you're talking about – but, as a matter of fact, Ted Barnett has been talking about this stuff for a long time. There are people like Joel Fuhrman, like T. Colin Campbell, and...

**Ted Barnett:** Caldwell Esselstyn?

**Gary:** Yes, yes. And there's Milton Mills. So there have been a number of people who have been talking about it. I think that's important. The only issue I have with really focusing on health issues exclusively is because the meat and animal protein industry is a *huge* business. If you want to make the argument [for veganism] rise and fall on the health argument, they've got more money. So anytime we're saying this is *bad* for you, they can come back and they can say this is *good* for you. And they really brainwash people to the point where a large part of the population still believes if they don't eat animal protein, their arms and legs are going to fall off [laughter] and they'll go blind.

What's really disconcerting is I have lot of younger people that I teach at Rutgers. And I go to other universities and I talk, and I always have kids come up to me and they say, "Are you a vegan?" And I say, "Yeah I'm a vegan". And they say, "How long have you been a vegan?", and I say, "For 26 years". And they say, "How do you feel?" [laughter]. *Right now?* I feel really good.

And the really odd thing is that at the end of this month, I'm going to be 54 years old, and I have more energy than most of these 26-year-olds. And I think a large part of it is that I

don't eat processed foods, I don't eat any animal protein. I eat mostly raw but some cooked. And I think that has a lot to do with... I teach at a university, and I have people sneezing on me all the time. I never get these flus. I don't know, but I think it *probably* has to do with my vegan diet. But I think we *ought* to talk about the health issue – but *really*, the important issue to me is the moral issue, the non-violence point.

**Female:** I do that too, as well.

**Gary:** Yeah, and that's fine. But I always say to people, "Look, let me be real frank with you, just so you understand where I'm coming from. If it *were* necessary to eat meat to live an optimally healthy life, I *still* wouldn't do it, because I'm much more concerned about a different aspect of my life. I'm much more concerned about my *moral* life, in many ways, than I am [about my health]. To me, violence is a serious problem, and I think that's really...

**Ted Barnett:** I think it's important, though, to have examples of people who have lived all their life as vegans...

**Gary:** Absolutely.

**Ted Barnett:** ...to be able to point to them and say, "Look, you know, you can do this". Because I think, as you said, there are people out there who think their arms and legs are going to fall off if they don't eat animal products, but God forbid their refrigerator should not have a quart of milk in it someday – they're all going to die in the family. I think it's important for people to know that this experiment has been done, we can survive.

**Gary:** I always say that. And the thing I always find – and you probably get the same thing – is people say "Where do you get your B12 from?" And I would say "Look, what is this mystery? You get your B12 from meat, I get my B12 from yeast. You've got to get it from somewhere, so the fact that you get it from *one* food and I get it from *another* food doesn't make the fact that if you give up this source then there's something deficient about what you're going to do, because it simply means you'll get it from another plant source".

**Ted Knight:** Yeah, a couple of things. I was wondering what your stance on the Animal Liberation Front is, and coupled with that, the Animal Enterprise Terrorism Act, and then coupled with that, the 2.3 million people who are imprisoned right now in this country, being used as basically slaves for corporations.

**Gary:** Well, I think it's appalling, and you're raising a whole bunch of questions. Your name is Ted, right? Ted wants to know about my views on the prison system in the United States, which involves millions of people who are basically being imprisoned by now private corporations who are using them for profit purposes. And he wanted to know how I feel about the Animal Liberation Front, and he wanted to know how I feel about the Animal Enterprise Terrorism Act.

As far as the prison system is concerned – as I said, I teach criminal law and criminal procedure – I think it's horrible what's happening in this country, in terms of the privatization of the criminal justice system, and the fact that we have the Corrections

Corporation of America, CCI and some other corporations who basically – they are corporations that run prisons. Prisons are being run by corporations which are using and exploiting prison labor. I think it's horrible, but I also think even *before* that, our criminal justice system was rotten. We've always had two criminal justice systems – for the rich and the middle class, and for the poor. Well the rich don't have to worry about [inaudible]. But the middle class, they have a criminal justice system, and then the poor people got nothing – the criminal *injustice* system. And so even before it became corporatised, I think there's been problems with it.

As far as the Animal Enterprise Terrorism Act is concerned, I mean really, what do you expect in a society which is as paranoid as this one is now? When you get people from animal organizations going on "60 Minutes" saying, "I think it's all right to kill vivisectors". I thought that was *crazy*, and I thought what he did was hand the government an excuse for something like the Animal Enterprise Terrorism Act.

What do I think about the Animal Liberation Front? I'm opposed to all violence. People ask me "What happens if the building is completely empty? Is it all right for us to fire bomb it?" Let me say this: first of all, I'm a lawyer. I can't tell people that it's all right to break the law. But from a moral point of view, there's no such thing as fire bombing a building or burning down a building in which you do no harm. There are animals that live in that building, you burn down an empty building which is used for vivisection, you're going to kill a lot of animals. If you engage in illegal activities, often times what happens with these liberations, or what *can* happen with these liberations, is you encounter people who are working in these places – the security guards. This sets up a confrontational, possibly violent, situation. I don't believe in violence.

Again, it's a zero-sum game. You want to know how to efficiently use resources? If we all spent time – if you took all of the time and the energy... You know, I remember saying in 1985 when we had a big meeting of the large animal groups that existed at that time, it was actually 1984. And the issue was whether or not we were going to support the Animal Welfare Act of 1985, which I thought was a very bad idea, I thought it was a very stupid piece of legislation for a lot of different reasons. And I said "Look, if we take all of our money and we put it into creative, non-violent, vegan education..." Had we done that in 1985, then we'd be sitting here now in 2008, and we'd have, conservatively speaking, a few hundred thousand more vegans than we have now. Because all of that money, we're talking about hundreds of millions perhaps billions of dollars... If we put that into unequivocal, clear vegan campaigns, we'd have a political movement, we'd have the beginning of a non-violent political movement for the liberation of animals that was really going to do something.

Because let me tell you something, there is no context to this liberation stuff, the comment that Chris made. We live in a society where 99.9% of people think it's all right to kill animals for the purpose of eating them, because they taste good. When people go in and steal animals from laboratories or they burn down buildings or they threaten vivisectors or they get into confrontations with vivisectors in which there is physical

violence – you’re attacking the one use of animals that *isn't* transparently frivolous. I don’t agree with it, I think *all* vivisection is wrong, and I wouldn’t kill *one* mouse to find a cure for cancer. No. But there’s no meaning, there’s no social context in which those acts can have any sort of meaning. All it does is make us look like a group of lunatics, because we live in a society which people think it’s all right to have rodeos, in which people think it’s all right to have circuses and zoos and eat hamburgers and hotdogs and all sorts of things which can’t be described as anything but frivolous. So I don’t see how the Animal Liberation Front... What really bothers me is that a lot of these Animal Liberation Front people aren’t even vegans. You know they’re *not even vegans*.

I’m sorry, I’m not directing this at you, but I think the Animal Liberation Front has a lot to do with sophomoric, very immature thinking. And I think it’s a lot of bravado and a lot of “Hey, wow, this is cool, we’re Che Guevara” And I think it’s [unintelligible]. And I think it’s counterproductive, I don’t think there’s any social context for it. And most importantly, I am totally opposed to violence. I think violence is wrong. I don’t think there’s any such thing as that sort of activity which doesn’t put you and non-human lives at risk. Other questions?

[applause]

[Some house-keeping matters discussed, regarding when the meeting hall needs to be shut for the night]

**Female:** I have a couple of very quick questions. Number one: Vitamin D. Is D3 better than D2? And D2 is only like two-thirds of what D3 is.

**Gary:** So you just take more D2, I’m aware of that. D3 is cholecalciferol. She’s saying that D3 is better than D2. D2 is ergocalciferol. Ergocalciferol is plant-based D2, cholecalciferol D3 is animal-based. It’s generally from sheep wool. And anybody who tells you that that doesn’t involve suffering or death is lying to you, because D3 is made from animals that are being slaughtered. And the whole process of shearing animals, if you’ve ever seen it, is really quite brutal. So the idea that it’s really just fun, that the sheep are sort of lying up and saying, “No, sheer *me* next” is nonsense.

But I have heard or I have read that people absorb D3 better than they absorb D2 so just take more B2. So just take more D2. I buy vegan D2, and I take more of it. I don’t have any D3 deficiency. None of my vegan friends have vitamin D deficiencies. If you don’t have enough D, you just take more D2.

**Female:** [Some unintelligible comments about D2 / D3] The other quick question is, could much of the vivisection be done by virtual reality?

**Gary:** The problem is there are a lot of things we could do, like using mathematical models, using computer models, using alternatives to animal experiments... Actually we’re using more animals for vivisection than we used to, because we’re doing all this genome stuff and genetic engineering stuff, and because we all want to live forever we’re doing this stem cell stuff. So we’re actually increasing the numbers of animals that we’re using. But could we have alternatives? And the answer is, yeah. The problem is the alternatives

are not going to keep in pace with the demand for new uses of animals, that's the problem.

**Female:** Because there are so many new machines out there. Technologically.

**Gary:** Yeah. Absolutely.

**Greg Baum:** You know, actually, Gary, animal research has nothing to do with cures or anything like that, it has to do with money.

**Gary:** Sure it does. Sure.

**Male:** If the money incentive was taken out of animal research, it would probably come to a death.

**Gary:** There used to be a guy, I think he's now passed away, named [Hans Ruesch](#). And he took the position that we haven't learned *anything* from the use of animals in biomedical research. Now I don't know if that's true or not. And you know what, to me it's irrelevant. And so I don't want to get into an argument with somebody about – because the Rueschians get really upset when you say, “Well, we may have learned something from the use of animals.” And they say, “Well, how could that be?”. And the answer is, maybe we have, and maybe we haven't.

We can talk about to what degree the profit incentive has to do with it. And I'm sure that you're right. But in order to make the point to people, I don't think we need to convince them of that. Because in a sense, you can the same comment about a lot of practices in our society, and then you start getting into the question Adam asked before, namely, ‘What are the restrictions on moral change in a capitalist society?’. And then you really are in an abstract space, and you're no longer talking about the exploitation of non-humans, or how the exploitation of non-humans relates to exploitation of humans. You're now talking about whether or not we should overthrow the capitalist system. I'm not sure if that's a discussion that we really are ready to have in our society. Because, if anything, if you look at our current political campaign, even the candidates on the Democratic side are proposing quite conservative positions. If Barack Obama is the nominee for the Democratic Party, I will vote for him, because I am a Democrat and I would rather see *anybody* other than John McCain as president. But on the other hand, to analogize Barack Obama to Martin Luther King is, in my judgement, not an appropriate analogy, because look at their positions– they're really very different people in terms of what their positions are. And Barack Obama is considerably more conservative.

So I think in a sense we're not really ready to have a discussion in this society about whether we should dramatically change our economic system. I think there are very good arguments for why we *ought* to, but I'm not sure we need to get there in order to make the point that we want to make. But I certainly don't disagree with what you've said.

**Greg Baum:** The second part of what I wanted to say was: I believe you you would find very little difference in results simply because everything goes through clinical trials in the end, anyway.

**Gary:** Sure. Sure. The bottom line is, how ever many animals you use it on you've got to try it on somebody first. I think animal research, as a matter of science (putting aside the moral issues), is a barbaric, primitive way of finding answers to problems. And it's so imprecise. One of the things I talk about in one of the chapters in this book is all the problems with the use of animals in experiments, just from a scientific point of view.

For example, if you use different testing methods, you get different results. If you use different species, you get different results. It's such an imprecise, it's such a sloppy, such an inexact, such a *primitive* way of getting data that one wonders why intelligent people would be attracted to it. It sort of becomes circular, because if you had a different incentive structure, economically, people would be responding to *that*. I've known a lot of vivisectors in my lifetime, and I think some of them actually *do really struggle* with this. Some of the ones I've met are clearly mentally problematic individuals who enjoy inflicting pain. But I also think there are a lot of people who really think this is the right way to do science, and they struggle with it. I tell you something: I once had a very interesting conversation with somebody who worked in a drug company, doing animal tests. And he was a vegan for moral reasons. And when I asked him about this, he said, "I do animal testing because I believe it's necessary, and I really think scientifically it's justified. I don't eat animals, I don't eat meat or dairy, because I don't think that's necessary"."

So it's complicated.

**Male:** I'm definitely [unintelligible] animal rights vs. animal welfare, and I'm still [unintelligible] getting through all that. And I guess where I'm struggling sometimes is the kind of deal with the *immediacy* of suffering, the *primacy* of what's going on today.

**Gary:** What's your name?

**Male:** John.

**Gary:** John, how is the welfare regulation – let's look at the cage-free eggs –

**Male:** [unintelligible, about battery-cage hens] And if I was speak to them and say, "You and your future generations are going to have to suffer in that small cage, but if I go for a welfare reform and give you a little bit bigger cage, you'll suffer less, but that means more of your brethren... I mean the industry is going to grow over generations. So you're going to just have to suffer, and I'll try to hopefully deplete the industry through vegan abolition". But it's tough, because I had to face them and say, "You're going to have to put up with sacrifices."

**Gary:** This is an argument I had with people when I was in Europe recently, when we were talking about the directive to get rid of battery cages by the European Union. It's not clear to me that there's a hell of a lot of difference between a battery cage and one one with a bit more straw. And it's not clear to me that there's a difference between taking them out of that cage and sticking them into a cage where there's thirty thousand of them crawling over each other and urinating on each other, crushing each other. It is not clear to me *at all*. And I think I would get to the point where I would be



anthropomorphising if I said, “I looked and those chickens and those chickens are telling me, [said in a squeaky voice] ‘I’d rather be in a large cage’ ”. [laughter] And I think it does become anthropomorphic.

And also what you’re doing in the meantime is this: by encouraging people to believe that eating cage-free eggs is a morally acceptable solution, you’re actually increasing net suffering. Because even if you’re reducing suffering a bit more, you’re causing the demand to go up because people feel better about eating these products, you may be increasing *net* suffering.

Again, I think it’s a zero-sum game: you’ve either got two hours tomorrow. You’re either going to have to spend that two hours trying to talking to people on campus about eating cage-free eggs and getting the dining facility to do cage-free eggs only. *Or*, you could spend those two hours talking to people about veganism. And it’s zero-sum. Every bit of time you’re spending on regulation is time you’re not spending on vegan education. And so that’s the choice you’ve got to make. But I suggest to you there’s a trade-off there.

I understand the whole thing about the immediacy of suffering. What I suggest to you is that welfarism is not doing *anything* to deal with that immediacy of suffering – *except* make people feel better about it. Go home tonight please, log on to Peaceful Prairie Sanctuary and look at their video called, “[The Faces of ‘Free Range’ Farming](#)”. Look at that video and ask yourself whether we’re doing those birds any favor. Just ask yourself that question.

**Harold Brown:** I’ve got a quick question. I get this all the time from welfarists: we can’t spend a lot of money on education because there isn’t a quantifiable return. That’s *why* we don’t spend money on it.

**Gary:** Well the reality is that welfarists do not want to spend money on education, because they would rather have meaningless campaigns that they can win – like the foie gras ban in California – and then go out and do fundraising. Or the gestation crate thing in Florida, like two producers in Florida were even *using* gestation crates, both of them were going out of business [unintelligible] and huge subsidies from the state, or eligible for huge subsidies from the state. And then basically what’s happening is that you get these large organizations going after meaningless campaigns, so they can fundraise.

Every time I go to my mailbox there’s a zillion pieces of mail – everybody taking credit for the same thing saying, “Activism. Do you know what activism is? Sitting down and writing a check for our organization. That’s what activism is.” They have really turned us into a bunch of check-writers. And that has become activism, and that’s nonsense.

So when they say education isn’t quantifiable – you know what? Those of us who are in education can tell you, that is nonsense. You may not be able to quantify it in the same degree that you can quantify the welfarist victory. But in the welfarist’s victory, you can multiply seven billion times zero – and it’s still zero.

Any other questions?

**Male:** The difference between abolition and welfare – the conversation that could take place in a location. For example welfare could take place within the grocery store so you can try to influence people at the grocery store, that’s where the conversation takes place. Where does abolition take place?

**Gary:** You know what? It takes place at the grocer store. For example when I go to Wholefoods, because I shop at Wholefoods, it’s right nearby by ..... Not all the time but sometimes. And I go there and I always wear one of my Vegan Freak t-shirts. Vegan Freak is a website podcast. And I always wear my Vegan Freak t-shirt because somebody always asks “What’s that mean?” and I’ll talk to them about it and so I can have conversations with people, I’ve had a lot of conversations with people. When I first started shopping at Wholefoods it was called Fresh Fields. They didn’t sell any fresh corpses, they sold meat products but they didn’t sell meat and fish and fresh chicken, they didn’t sell that sort of stuff. They didn’t have a salad bar with all this meat stuff. Now they all have big meat counters and they have big signs that say “Humanely raised”. And last year I was walking through Wholefoods and I think it was a young guy who was working in the grocery section and he moved them over to the fish section and I saw the guy and I said “Oh my God they’re actually selling these corpses” and he said “Yeah PETA gave us an award”. This is the sort of thing. Peter Singer’s fine. A letter, Dear John letter. Here John we love thank you for your compassion and attitude towards animals. And then they’ll sign by Peter Singer with the support of PETA, Vegan Outreach and a lot of other organizations. What the hell? I mean want to talk about confusion; this is confusing people. Because you know what, if you weren’t into this, if you weren’t sitting here tonight, if you’re like a ‘normal’ human being who doesn’t know anything about this stuff and you’re concerned, you say “Peter Singer and PETA, they say that this stuff is good, so why the hell are you at me for? I’m doing the right thing, I’m going to Wholefoods, I’m buying my compassionately raised corpses and my cage-free eggs, why the hell are you at me for?” So I do disagree with you. The discussion about abolition happens everywhere. I have had a debate in vet offices, vet offices are great places. I can’t go to the vet because my animals don’t like it but it’s a great place to have a discussion because you’re sitting there with other people who are concerned about their sick dogs and cats and it’s so easy to start a conversation in a place like that and say “What’s wrong with your cat?” and then you say “Oh wow that’s really horrible” and then I say “Isn’t it interesting how we’re sitting here with our dogs and our cats and we’re going to go home and stick forks and other animals”. I do that all the time [laughter, applause]. The abolitionist discussion you can have anywhere you want it to happen. I’m relying hopefully: I’ve got a vegan t-shirt on and somebody says “What does that mean?” [and I say] “As long as you’ve got enough stuff in your cart, as long as the person in front of you has got a lot of stuff in his or her cart, it’s going to take a while – I’ve got you” [laughter]. It’s just a matter of time, you could have that discussion with people.

**Male:** You can start talking to the manager of a grocery store right? I had a discussion with your customers.

**Gary:** The manager of the grocery store is basically a business person.

**Male:** They're just thinking of themselves, it's something for them to sell. But telling them not to sell something, that's a whole different . That's the whole problem – you're telling someone not to –

**Gary:** Wait a minute Ted the problem isn't the seller, the problem is the customer who demands it. These people would be selling lawn.... if that's what the demand was for. Capitalists are indifferent to what the demand is for. The capitalists only care if the demand has shifted, the investment capital will shift. So capitalists are indifferent to what they're selling. So the problem really is when people talk about animal exploiters and the talk about animal industries as if those are the evil people – yeah those people are doing bad stuff. Why are you doing bad stuff? Because we demand it. We want it. If we didn't buy it, if we didn't demand it, they wouldn't be putting their capital into it, they'd be putting it into lawn chairs or they'd be putting it into something else. They'd be investing their money in widgets. They wouldn't be investing their money in the corpses and ..... they only do that because that's what we demand and what I really love is when I talk to animal people who aren't vegans and they're busy talking about how evil the exploiters are. And I want to say like “Let's have a little self-reflection here, you're the one who's demanding this stuff, you're the one who's buying this stuff”. When we go out I get a question: What about these dogs? And I always say my dogs are vegan. My dogs are like eight million years old, I believe it's because they're vegan. I had a dog that was 18-years-old and these dogs are vegan and they're very healthy animals. And when they get illnesses they come through them I think because they're not eating rotten flesh. However, then I get: What about cats? I don't know for cats because I have never lived with cats and it's not a good idea to have a lot of dogs and cats because the dogs chase them around a lot. A lot of cats don't think of it as fun [laughter]. And there are vegan catfoods as I understand. But then people will say “Well I wouldn't give the cat anything but the vegan cat food, the cat went down for four ounces??” [laughter] and then I ask the person “Are you vegan?”. And I would say 70% of the time they say no. And I say “What the hell are you talking about the cat for? Why aren't you talking about you?” [laughter]. I wish I lived in a world where the only issue was ‘What are we going to do about the cats?’. The animal rights movement consists largely of people who are vegetarian and aren't vegan which to me is like saying “I eat meat from a small cow but not from a big cow”. Because there's no difference between flesh and animal products. As far as dairy is concerned, eggs is concerned, if you're just concerned about suffering, there's probably more suffering in a glass of milk than there is in a piece of meat. The dairy animals and egg animals are kept alive a lot longer and they all end up in the same slaughterhouse anyway. The idea that we can make some distinction between flesh and between other animal products is crazy. Again, you can do this in a non-confrontational way. When an animal person says to me “I'm really sick of those animal exploiters, they're evil people”, I say “Are you a vegan?” and they say “No” and I say “Well who's the animal exploiter. These people are different. They're just there to satisfy demand. They exist because you exist. They exist because you're making the demand”. If you stop making the demand

they lose their capital and they put it into something that gives them a greater return...like prison corporations [laughter].

Any other questions? Let's call it a night. Thank you very much.

[applause]