

Vegan Freak Interview with Gary Francione – Part 1 (June 20, 2008)

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Bob Torres: It is our great pleasure to be here again with Gary L. Francione on Vegan Freak radio. Gary's been with us many times in the past. When we ask our listeners, "What do you want back on the show?", many of you say, "Gary." So here we are with Gary.

You should know who Gary is. But in case you don't know, Gary L. Francione was the first academic to teach animal rights theory in an American law school. And he has lectured on the topic throughout the United States, Canada, and Europe. He is Distinguished Professor of Law and Nicholas deB. Katzenbach Scholar of Law and Philosophy at Rutgers University, Newark. His books include, *Introduction to Animal Rights* and *Animals, Property, and the Law*.

Gary is joining us today to talk about his new book which is just a brilliant volume actually. I think it's a really nice capstone to his thoughts. But I hope it's not a capstone – I hope there's more after this. His new book is called, *Animals as Persons: Essays on the Abolition of Animal Exploitation*.

Welcome to Vegan Freak Radio, Gary.

Gary Francione: Hi, Bob. Hi, Jenna. It's great to be back. And let me allay your fears: I'm actually working on another book and was working on it right before you called.

Jenna Torres: That's good to hear.

Bob: You are a workaholic.

Gary: Yes, well, a man with a mission.

Bob: Indeed. Maybe we could begin by having you tell us a bit about where this book is going, giving us a little summary for people who aren't familiar with it yet.

Gary: Well, it's a series of seven essays. Five of them are recent essays, two are older essays. And they deal with issues like this, for example. I took a look at animal welfare development over the past dozen years or so since I wrote, *Animals, Property, and the Law and Rain Without Thunder*. I looked at animal welfare legislation to see if anything had changed, to see if animals were indeed getting more protection. Because when I wrote, *Animals, Property, and the Law and Rain Without Thunder*, which I did in 1995 and '96 respectively, people who disagreed with me said, "Well, yes, we agree that there's a problem with animals being property, but that doesn't mean we can't give them significant protection. We just have to do better, and we have to give them more protection. But the very fact that they're property doesn't mean that we can't give them more protection."

Now, of course, I never said we **can't** give them more protection. What I said was, because animals are economic commodities, it's difficult to give them more protection. To give animals protection (or more protection), you have to **purchase** more protection. And doing so adds to the cost of production of animal products. If people aren't willing to bear that cost, and if it's going to result in demand changing and in revenues being lost, then producers aren't going to be interested in it. And consumers aren't going to be interested if they're going to have to pay more money. There will always be some people who will pay more – affluent people, who will pay more – so that they can ease their consciences and feel that they're eating “happy meat” or whatever. But, by and large, most people aren't really going to be willing to do that.

But what I did was I took a look at the past dozen years or so since I wrote those books to examine the legislation and the industry changes that had happened. I wanted to see whether they fit my paradigm or **didn't** fit my paradigm. And what I conclude in one of the longer essays is that it **does** fit the paradigm. Everything that's happened actually fits exactly what I was saying in '95 and '96. And that is this: animal welfare reform is very, very limited, does not provide much protection, and it's limited by efficient exploitation – that is, we protect animal interests only to the extent that it's economically beneficial for us to do so. And that's basically the limiting principle of animal welfare. It's not the **necessarily** limiting principle, but it is **in practice**, because of the status of animals as economic commodities: it is the principle which matters on the ground, it's the practical principle that does limit this stuff. And so, I analyzed that in the book.

I also explored the development of animal welfare theory in a couple of the essays, and by that what I mean is: in the 19th century, when animal welfare theory developed first in Britain and then in the United States, it was based on the idea that, “Well, yes, we've been wrong to exclude animals from the moral community, because animals can suffer. So, therefore, they have to matter morally”. But we have to remember something. And that is that Jeremy Bentham and John Stuart Mill and those people who were sort of the founders of the animal welfare movement – or the whole idea of animal welfare – and the people who promoted it legally.

The fact that they thought that animals suffered and therefore mattered morally and that they should receive legal protection didn't mean that they thought that non-humans and humans were the same. Bentham and Mill thought that there were very significant differences between humans and non-humans and they did not think that animal life had the same moral value as human life, which led both of them and basically the entire animal welfare movement to the conclusion that it was okay **that** we used animals, the problem was **how** we used animals. And so the welfare movement was founded on the idea that animals had less moral value; their suffering mattered but their lives didn't.

Bob: mmhmm.

Gary: So animal life had less moral value than human life. It was alright for us to use animals as long as we treated them well because their lives didn't matter. They didn't have the same sorts of minds that we had, they didn't care about whether we killed them; they just cared about how we killed them and how we used them while they were alive. And so I got into that and sort of discussed the historical developments of welfare theory and what I wanted to do and what I did

in a couple of essays in the book was sort of show how that's linked with contemporary welfare theory.

It's that sort of thinking that leads people like Singer to say, "Well, animals don't have a life, they can't grasp that they have a life in the same way that we do." And Singer actually says in 'Animal Liberation' that animals can suffer and the fact that animals can suffer, that animals suffering shouldn't be discounted simply because of species. But because animals are not, according to Singer, self-aware or because they don't have the same sorts of minds that humans have, it's those cognitive differences that matter to the value of life. And it's what leads Singer to say that, "We can be conscientious omnivores as long as we are careful to make sure that we eat animals that have a relatively pleasant life and a relatively painless death," and things like that.

Bob: Well, that's not surprising, right, because you've said in the past that, that Singer is Bentham's modern proponent.

Gary: Well, yeah, I mean, one of the reasons why I got into this issue was, when I wrote "Introduction to Animal Rights" in 2000, I had that chapter in which I talk about Bentham and Singer and I talk about the similarities and how where I think both of them went wrong. I got a really tremendous reaction from that in terms of both people being very interested and also people coming back and saying – the welfare movement which is very much sort of a cult around Singer – very, very upset in saying, "How can you say that Singer doesn't care? That he doesn't think that killing animals raises a moral issue?" And, and so I wanted to explore that further which I do in a couple of the essays in this book and I think it's very clear and I know understand, better than I ever have, really, where Singer's coming from; both in terms of his contemporary thinking, but also historically where those ideas came from, and the fact that you have people like Mill and Bentham saying, "Animals have different minds and because they have different minds, it's okay that we use them, we just have to be kind to them when we use them." Which is really the philosophical foundation of the welfare movement.

So I get into that. One of the essays deals with ecofeminism and the notion that the ethic of care, the feminist ethic of care goes beyond animal rights, which I dispute and say "no it doesn't." That the ethic of care is, in essence, what I argue in this particular essay, is a consequentialist theory, very, very similar to utilitarianism; it requires that we accord more weight to animal interests but it doesn't really go beyond animal rights, by no means.

One of the other essays deals with a significant difference I have with Tom Regan. Regan actually likes Singer. In "The Case for Animal Rights," Regan talks about the problem of the dog and the lifeboat. And he says, if you're on the lifeboat and you've got a human and you've got a dog, that you should throw the dog over because, for a dog, death is a harm, but it's not as great a harm as it is for a human. So, Regan departs from Singer in that he acknowledges clearly that death is a harm for the dog, but he's somewhat like Singer and very, very much like Mill, John Stuart Mill, when he says, "Well, the opportunities for satisfaction for a dog are much more limited than the opportunities for satisfaction for a human."

As a matter of fact, what Regan says in the book is that, if you have a human being sitting on the boat and a million dogs, you should throw the million dogs overboard because the harm of death

for the human is qualitatively different than it is for any of the dogs. So, since all of the one million dogs will be harmed much less than the human will, then, we ought to get rid of the one million dogs; we ought to throw the one million dogs overboard. Now, of course it would have to be a very large lifeboat to have a million dogs. But, it's not a question of numbers for him and actually I don't know whether he actually says a million dogs or he just gives another high number, but the point is it doesn't really matter what the number is because he thinks that death is a greater harm for humans than it is for non-humans. So therefore, when we're in the situation where we have to choose, we ought to choose the non-human because humans have many more opportunities for satisfaction. Which strikes me as being outright speciesism because, I mean, I'm sitting here right now and I'm looking at my Border Collie with whom I am pictured in the jacket of the Columbia book –

Bob: A very cute picture, by the way.

Gary: I'm looking at Katie-Jane right now. And, can I say that I have more opportunities for satisfaction than she does? And the answer is, "I'm not really sure I could say that." I'm not sure how relevant it would be anyway, but I certainly don't think, as an empirical matter, we can say that humans have greater opportunities for satisfaction. And this again goes back to things like John Stuart Mill, writing in the 19th century that, because humans are able to engage in intellectual idea, we can sit around and have intellectual discussions like we're having right now, but we can sit around and have intellectual discussions and that gives us much more pleasure than the pleasure that animals feel. And the answer is "Well, who says? John Stuart Mill?"

Bob: I completely agree, I mean every night when we eat dinner, we give our dogs a treat and the enjoyment that our dogs get from this simple treat we give them every night, to me, is so complete and so thorough. And I can tell that it is complete and thorough for them in a way that it probably isn't complete and thorough for me if I get a treat. And I find that's why I agree with you fully here. I find that's a very troubling way to compare and to make these moral choices.

Gary: Well, you know, it's interesting. One of the things I discuss in the book is, it's really interesting how these ideas, these crazy ideas that we have about animals don't care about their lives, or they don't care that we use them, they only care how we use them or animals don't have as many opportunities for satisfaction as we have. These ideas are so deeply ingrained in our **speciesist** little pea brain that they even permeate people like Singer and Regan and others who are animal ethicists, or put themselves forward as animal ethicists, and put themselves forward as people who oppose speciesism. But yet there's really no way that you can justify these ideas except in terms of species discrimination; I mean, just outright discrimination based on species which leaves you to empirical conclusions about what these animals value and what they don't value. They're just nuts and totally arbitrary.

And I agree with you. I know we take the dogs out now that the weather is warm. We like getting up early in the morning and taking them for a walk so that they don't bake if we don't take them out at 12 o'clock. And when we were walking around this morning, I said to Anna – because the dogs, they like to stop at every tree and look up and look at the birds and look at the squirrels and it's clear that they're totally engaged and they're totally enjoying themselves; do I enjoy myself as much as they do? I don't know, but the one thing that I can say with certainty is I don't know

with certainty and it's certainly an open question in my mind so that I could never say that humans have greater opportunities for satisfaction because we can sit around and read books or play on the internet or do whatever it is we do that we find satisfying that represents some sort of qualitatively greater degree of enjoyment; I just think that's nuts.

Bob: Well, I agree with you. You're an interesting person to interview because I have all these questions and I think you just hit four of them in the last few minutes so, it's pretty cool. I kind of want to change gears for a second and make sure...

Gary: Ok.

Bob: I just want to make things clear, because in a lot of ways I think one of the things that continues to perplex people – I mean, even though we've talked about it repeatedly on our show and you've written about it and I've written about it – is this distinction between new welfarism and abolitionism. And one of the things I very commonly hear is, is this kind of like, not Rodney King, but, you know, remember this, "Why can't we all just get along?", right? After the Rodney, wasn't it after the Rodney King beatings?

Jenna: Yeah.

Gary: Yeah.

Bob: Yeah, ok, so why can't we all just get along? I keep hearing this kind of thing where people think, "Okay, that ultimately new welfarism and abolitionism, this is a false dichotomy, that ultimately we're fighting for the same thing and that we're taking sides, we're fracturing the movement into camps, it's all wrong-headed." And in your book, I think you do a very nice job – in all of your books, actually – but in this latest book, I think you do a really nice job, reflecting on the main insights that you've developed in your other two books, *Rain Without Thunder* and *Animals, Property, and the Law* and things like that. So I'm wondering if you could talk about why this distinction between welfarism and abolitionism is not a false dichotomy. I mean, why this is an important distinction and why it is one that matters.

Gary: Well, first of all new welfarism, when I first used that term, in '95 or '96, whenever I wrote that book, *Rain Without Thunder*, I was using it to refer primarily to people who took the position that it was wrong to use animals at all and that we ought to abolish all animal use but that the only way we could do that or the most effective way we could do that was to regulate, regulate, regulate and eventually one day we would achieve abolition. I would expand, and I actually did in *Rain Without Thunder*, and talk about it in different contexts, but now I'm more explicit about it.

New welfarists are people who either believe that regulation is going to lead to abolition in the future or that welfare regulation is going to lead to significant changes in how we treat animals until we get to some future point and we'll reduce animal use. In other words, the new welfarists can be the person who says that, "Welfare regulation is going to lead to abolition down the line." The new welfarist can also be the person who says that, "Well, I don't know whether it's going to lead to abolition down the line, and I may not even be in favor of abolition, but I am in favor

of animals being treated a lot better and I'm in favor of, of reducing animal use, uh, significantly from the point at which it's at now and I think regulation will do that." Those are related but different arguments, because there are a lot of folks out there who don't really talk about abolition being the end point. As a matter of fact, there are more now, there are more quote 'animal advocates' unquote, now have sort of gotten away from the idea that abolition is the desired endpoint.

But let me just say that the problem with that is. I mean, again, it's crazy, it's like saying, "What happens if this overweight guy who comes down the chimney at Christmas time and puts gifts in the stockings and stuff?" It's just not true; there's no proof that this works. As a matter of fact, there's quite a bit of proof that it doesn't work in that welfare regulation does not provide significant protection for animal interests, number one. Number two, there is absolutely no evidence, absolutely none, that regulating animal exploitation will lead to the abolition of anything, number one. Number two, there is no evidence that it leads to the significant reduction of animal use. I mean, the theory there apparently is – and this is, again, what I read from the welfarists – is that they take the position that, "Well, by regulating exploitation, we'll make it more expensive and thereby decrease demand." And the problem is that the regulation of animal use doesn't decrease demand because what it does is it increases production efficiency.

Bob: That's right.

Gary: Let me give you an example to put that into plain English. Look at this incredibly absurd campaign that PETA has to get poultry producers to adopt the controlled-atmosphere killing.

Bob: You just hit another one of our questions.

Gary: Ok, well, there you go, you see? It's a seamless web. And let's look at that campaign. If you look at the literature that comes out of groups like the Humane Society of the United States and People for the Ethical Treatment of Animals, it is focused on the idea that controlled-atmosphere killing will require a capital investment to change the equipment over to provide for gassing the birds. There are different ways of doing that, you can do it in a truck, you can do it in the factory and things like that, some are more expensive than others. But the studies show that the producers can recoup the costs in about a year and their profits go up dramatically in a number of different respects. So, controlled-atmosphere killing, which is the big campaign now, is something that is not going to result in people eating fewer chickens because the price is going to go up because of the welfare regulation. The production cost is going to go down. If anything, price will go down; price is not going to go up.

And if anything, the one thing that we can be certain of, is when you have PETA and HSUS and these other organizations praising poultry producers, when you have PETA saying that, "We have no differences with Kentucky Fried Chicken," what does that say to the public? What does that say to the public? What it says is that they called the boycott off of KFC Canada and they've said, "We don't have any differences, we don't have any welfare differences, we think that they're concerned about animal welfare." When you have statements coming out like that, what does that tell people? It tells people that it's okay to go eat at Kentucky Fried Chicken.

Jenna: mmhmm.

Gary: And it doesn't help to say, "Well, we really think people shouldn't eat chicken at all." But because you haven't even produced the argument for why people shouldn't be eating chicken, what you're doing is saying, "For those of you who think you shouldn't do it, but we think that Kentucky Fried Chicken is doing a good job and respecting the welfare of animals." What that does is, to the person who is concerned about the issue, but doesn't really understand the issue and has a family and a job and doesn't really have time to sort of think about this stuff, what the message that that gives to that person is, 'Go ahead and eat at Kentucky Fried Chicken.' So I don't really see how this is leading in the direction of abolition.

I've just been reading this past week some things coming from people like Bernard Rollin, who's out at Colorado, I guess – I don't know if he's at Colorado State University or University of Colorado – but he's a big animal ethics guy and he's an adviser for one of these welfare groups and he says that he doesn't think that he can say that controlled-atmosphere killing is more humane than electrical stunning. And there are a number of welfare scientist types that are used by these animal welfare groups quite a bit who are not willing to say that they even think controlled-atmosphere killing is a better situation than electrical stunning. But putting that aside, to say that this is going to lead in the direction of abolition or that it's going to reduce animal consumption because it's going to increase cost, not only is crazy, but it's crazy given the literature. Go on the PETA website. Read PETA's literature. And they've got study after study showing that controlled-atmosphere killing increases production efficiency and puts more money in the pocket of the poultry producers.

Bob: Yeah, you know, I...

Gary: I'm sorry.

Bob: Well, I looked at modified atmosphere killing for egg producers, actually. And it is the recommended way that the United Egg Producers recommends getting rid of quote unquote 'spent hands', right. So, it is something that the industry itself at least in egg production and also in poultry production, is recognized as extremely efficient.

Gary: Well, you know what this whole controlled-atmosphere thing, this whole campaign, shows. It really puts the spotlight on the business of animal welfare and the business of these organizations. Because what they do basically is, they identify practices that are on their way out anyway – because, I mean, you can look at the gestation crate campaign, look at the veal crate campaign, look at the controlled-atmosphere killing campaign. Basically, intensive animal agriculture was something that developed in the 1950s, basically in the United States. And, we are only now beginning to see the inefficiencies of the whole intensive agriculture situation. That is, the idea was when intensive agriculture first started was, "well, the more animals we can cram into a small space, the more money we'll make." People weren't thinking, the producers were not thinking, the people who developed intensive agriculture weren't thinking, "Well, we put all these animals together, they're going to get stressed, they're going to get sick, there's going to be diseases." People weren't thinking about that, they weren't factoring in the stress, because they think of these things as machines. They think of these animals as machines.

Bob: mmhmm.

Jenna: mmhmm.

Gary: And so they weren't thinking about the fact that these are sensitive, sentient beings that get stressed out, that get sick, that cannibalize each other. They weren't thinking about these things. And so, these inefficiencies are only now coming to light and Europe is clearly ahead in terms of there's more literature coming out of Europe about the inefficiencies of animal agriculture. It takes a while to get over here it takes awhile to come over here. But what's happening is the animal organizations are looking at things like gestation crates, which were on their way out in terms of the pork industry. Because the pork industry was realizing that gestation crates impose all sorts of costs that can be mitigated by giving the animals slightly more space and putting them in a slightly different situation. And using the electric sow-feeding method, for example.

The European producers are recognizing this. The European agricultural economists and agricultural scientists are publishing papers explaining why alternatives to the gestation crate or why alternatives to the veal crate are cost effective. And eventually, you know, that information – because it's an inefficient industry, the whole food industry is very inefficient from an economic standpoint – so that information takes a while to filter into the industry, the industry starts changing and what happens is you get these organizations. They are looking at practices that are on their way out anyway because they are economically inefficient. So then they start campaigns to have happen what's going to happen anyway, sooner or later.

One might even argue – it's interesting, my intuition tells me that there are probably a number of things that actually get delayed, changes that get delayed, because the animal people start focusing on something, and it may actually have the effect of delaying the implementation of what the industry is going to do anyway because it sets up a confrontation. But in any event, whether that's true or not, I am just saying, intuitively that strikes me as something that should be explored. But in any event, whether it does or doesn't, the organizations focus on things like gestation crates, veal crates, and the controlled-atmosphere killing issue. What we might want to call 'being vegans', the low hanging fruit of intensive agriculture, they campaign against these things. And then, when industry agrees to the change, which industry would, it's in the interests of industry anyway, industry goes ahead and says, "Yeah, we agree with this change," and then it's a win-win situation...

Bob: Sure.

Gary: ...because then industry gets to say, "We really care about animal welfare." And the animal people then say, "We've had a victory," and they all sing 'Koombaya' and you have these situations like you had with Kentucky Fried Chicken in Canada and PETA where you have PETA saying, "We think they really care about animal welfare" and you have Kentucky Fried Chicken saying, "We stand shoulder-to-shoulder with PETA," you know, "we really care about these issues." And it's great PR for the exploiter and it's great PR for the animal welfare organization, which will then paper the world with fund-raising appeals about 'Look what we did, this is revolutionary.'

Jenna: But it also proves that you have these victories and then they stop; it proves that welfarism is the end, not abolition.

Gary: I agree with you. The response that you'll get when you raise this with people is, "Well, we're not really telling them the truth, We really want to go further"; if I'm not mistaken – well, I shouldn't say because I don't really remember, but I have a recollection that this was actually stated explicitly with respect to the Humane Society of the United States. Certainly people say on the internet – whether it's true or not I don't know – but people certainly say on the internet that HSUS has got a more radical agenda, but they're just not upfront about it.

Bob: They're hiding it.

Gary: They're hiding it. And I mean this is silly, it's just silly, it's just completely silly. Anybody who thinks that Paul Shapiro's campaign to get colleges to get cage-free eggs and promoting cage-free eggs as being a really good alternative and a socially responsible alternative to the conventional battery cage is... If you really believe that that's the campaign to spend time on then we disagree. But the idea that that's going to get us to abolition, it's crazy. And I agree with you, Jenna, it really shows that it's an end in itself.

And let me mention another campaign that people are all excited about, it just bewilders me. In 1999, there was a directive that came out of the Council of Europe that said by 2012 the member states of the European Union had to get rid of the conventional battery cage. And all the animal people, PETA, HSUS and others, were all excited because several months ago, the European Commission, the EU, said that they weren't going to postpone the implementation of that directive. That, in fact, by 2012, the battery cage has to be gone. Now, of course in one sense that was silly because the reality is it will be impossible for all of the member states of the European Union to comply with that by 2012 given the present level of egg production in conventional batteries. It is impossible, actually, I believe, that the member states will be able to comply by 2012.

But putting that aside, what nobody ever talks about is the fact that the directive makes very clear that producers can satisfy the directive by implementing something called an enriched cage system. Which is basically a cage system that's a little bit bigger and has some litter for the hens to scratch and what not. And it has a perch. It's an enriched cage basically. In other words, the producers are not required to go cage-free or free range, not that those alternatives are a hell of a lot better, but they're not even required to do that. They're required to do enriched cages. Enriched cage eggs will cost less than one more Euro cent to produce than conventional battery eggs. And it's basically not going to put the producers at a cost disadvantage relative to the conventional battery eggs.

And what I find fascinating is, you have some of these animal organizations have actually put out papers. The Compassion In World Farming in 2002 put out a 27-page report about how enriched cages work. I mean, they put out this report saying enriched cages are terrible. They said enriched cages are no better than conventional battery cages, they don't provide any significant welfare benefit over the conventional battery cage. Nevertheless, when the

Commission in January of this past year said that were not going to postpone implementation of the directive – that basically everybody had to have enriched cages at least by 2012 – Compassion In Word Farming comes out says this is wonderful, this is great, it doesn't even bother to say, “And by the way, we think that the method that most of the producers are going to use – because it's the cheapest method and it's allowed under the directive – is no better than the conventional cage.” But again it's a situation where the organizations get to declare victory and get to say, “Oh, this really shows that the public and animal producers are sensitive to the public's concerns about animal welfare” and blah, blah, blah. And yet the change, the reform if you want to call it that, that is going to happen – which is going to be the enriched cage because that's the cheapest of the three methods and that's the one that most of the producers are going to use – is something that the organizations themselves acknowledge does not provide significant improvement of welfare benefit over the conventional cage. So this is really smoke, mirrors, and entertainment.

Bob: But Professor Francione, people often claim that abolitionism has to have an incremental strategy.

Gary: It sure does, Bob. It's called veganism. [laughter]

Bob: Well, exactly; that's what I'm getting at. But here's the thing, right. The critique is that we ultimately put our own ideology over the everyday suffering of animals, that we're asking too much of people, that veganism is too difficult, and I'm wondering if you could give a response to those critiques and how you view veganism as that incremental change.

Gary: Well, if we're ever going to change anything we have a paradigm to shift. In other words, we need to get people to stop seeing animals as things and stop regarding them as commodities. And we need to get people to understand that if we take animal interests seriously, the first thing we do is we get them off of our plates. And so yes, abolition does involve an incremental strategy. And that is: you go vegan, Jenna goes vegan, I go vegan, Anna goes vegan, and we educate everybody that we can to become vegans and we have more and more and more vegans, demand does drop if we have more and more vegans. I mean, just think about it for a second. If we took the millions, and I actually think it's probably billions, if we took the billions that we have spent in the United States alone. This is an argument I made in 1986 or '87, nobody listened to me then either. If we took the billions of dollars that we have spent on animal advocacy since 1986 and we put that into vegan education, really good, clear vegan education, unequivocal vegan education –

Bob: With naked people or no?

Gary: No, no naked people [laughter]. No, no. Just straight, clear, creative, non-violent vegan education, we would now in 2008 – I was going to say 2009 but it's not quite – we would by 2008 have many, many more vegans than we do. And that would be significant not only for reducing demand, but for forming the foundation of a political movement that was truly an abolitionist movement. To call the animal rights movement 'a movement' is a misuse of the word 'movement', it really isn't a social movement at all. I don't regard it as a social movement at all, I think it's part business, part cult, not a whole lot of social movement.

Bob: It's incoherent if it is.

Gary: Exactly, as a social movement it's absolutely incoherent. But I think that if we had put that money into vegan education, I think we would be a lot better off than we are now. We're using more animals now in more horrific ways than any other point in human history. So where are these people coming up with this idea that welfare regulation is going to lead to reduced use, welfare regulation is going to lead to abolition. And as far as the comment you made when, at the outset of your question when people say, "Well, we've got to do something now to help the animals." And the answer is, "what is it that you're doing now to help the animals? How is this helping the animals? How is the European egg battery directive, how is that helping animals? How is the controlled-atmosphere killing thing helping animals?" It was going to happen anyway, I mean, to the extent that it's economically efficient, as you pointed out. The United Egg Producers recommend it as a cost efficient way of dealing with spent hens in the egg-laying business, correct?

Bob: That's right.

Gary: Alright, so it's going to happen anyway, so what is it that we're doing except reinforcing – you see this is problem, welfare reinforces the property paradigm, it reinforces the idea that it's okay to use animals and the only question is how we treat them. And that reinforces the property paradigm, it doesn't get us away from the property paradigm. What we need to do is get away from the property paradigm.

And when people say, "Well, people aren't going to become vegans," you know what, I'd like to tell you, and I'm sure this happens with you to, but I wish I had a nickel for every email I have gotten over the years, or every letter that I got before we started with email, where people say, "I've read your stuff, I really never thought about it that way before, it's absolutely clear that veganism is really the only solution." I think it's tremendously negative, I also think it's tremendously elitist, to think that only those of us who are smart enough or good enough or whatever can understand the argument about veganism. It's a very simple argument.

Most people do, or many people do, certainly we have enough we can work with right now, we can worry about how deep the pool goes, there's a pool there that we haven't really begun to tap, of people who are concerned about animals and are concerned, and do think that animals have moral significance, have their own companion animals or have had companion animals, and have deep feelings about animals and what not. Those are people who that we should be talking to saying, "Well, look, if you cared why are you acting in this morally schizophrenic way and eating them." If we regard them as members of the moral community at all, then we ought to stop eating them. That's the first step. We can talk about the other issues, should we be using them for experiments – no, I don't think that we should. But I think that's a more complicated argument.

Bob: It is.

Jenna: mmhmm.

Gary: It requires a ramped up argument in essence whereas there is no argument for using animals for food. It's a completely frivolous, trivial use of animals. It results in enormous amount of suffering and death, it is an absolutely, inexplicably, unjustifiable practice and people really need to be sort of confronted with that. And when I say confronted, I don't mean in an aggressive way, I mean in a clear way, in a non-violent way, in a creative way. And I often get the question, "Well, what if somebody says to you, "I hear what you are saying and I agree with you and I would like to do it but I can't do it right away, so therefore I'm going to eat cage-free eggs." And I always say, "No, no don't do that." There's an answer for that: don't go to cage-free eggs, what you should do is if you really feel – first of all, it's really not difficult – you can do it, you can start today, it's easy, it's a lot easier than it was when I became a vegan 26 years ago or whatever. But if you feel you can't do it, well, let me make a suggestion: why don't you start with one vegan meal a day.

Bob: mmhmm.

Gary: Start with breakfast and eat no animal products. Not cage-free eggs, but no animal products whatsoever, no butter, no eggs, nothing. And then see that you're not going to die and see that in fact you can figure out what foods to eat without having nutritional deficiencies and in fact it's probably going to even help your health. Get used to vegan breakfast. And then go to vegan lunch. And then go to vegan dinner. And then get them out of your snacking regiment or whatever and do that, if you want to do that in three or four steps, do that in three or four steps. But I don't think we should ever be in a position of saying to people that the morally acceptable solution is to eat something that's been made in the concentration camp that had color televisions rather than in the one that didn't. And it is to me obscene, that we have people who claim to be animal rights advocates and I'm using that deliberately, they claim to be animal rights advocates. Going around to colleges or any place else and saying to people, "Eat cage-free eggs, that's a morally acceptable thing to do." And the answer is, I don't think we should ever be in a position of saying something like that. If somebody says, "Look, I really buy the arguments but I'm not really sure I can go vegan right away," I would not say to that person continuing to eat any level of animal products is okay. I would say it's never okay. If you feel you can't do it, then at least try to do it in stages.

Bob: I agree.

Gary: The idea that animal people, people who call themselves animal rights advocates, are going around saying to people – I mean, like Singer. The idea that Singer goes around saying to people being a conscientious omnivore is a defensible ethical position is in my judgment obscene.

Bob: I completely agree with that and interestingly one of the first moments I had where it was really driven home to me just how horrible the new welfarist approach was, was actually in that cage-free campaign. I was actually starting to work on one of those cage-free campaigns a number of years ago on our local campus and I was in the position where I was being asked to provide information to our dining services about cage-free egg producers. And I had this moment where I thought, 'Holy hell, what am I doing? I am a vegan, I am opposed to it at its root. Why am I passing on information about cage-free egg producers so that these people can buy more

eggs?,' things that I'm opposed to the production of to begin with. So I completely understand that point. I do want to play devil's advocate a bit, I mean, the thing that often comes up is – it's akin to kind of negotiating for the rights of prisoners, right? One of the examples I've often heard is this: there are prisoners in Guantanamo Bay, they are held there unjustly. One can recognize that their imprisonment is unjust, but one could also be the Red Cross and go in and fight for better conditions for those prisoners. That is often the same kind of argument I hear for animals under the ideas of new welfarism, that okay look, these are simply prisoners of a system, the system is unjust, we're working for abolition, but since we're not going to have abolition tomorrow we need to actually watch out for the interest of those prisoners. How do you respond to that argument?

Garry: Well, there are a number of different responses. First of all, I'm not going to defend what goes on in Guantanamo Bay or indeed what goes on in non-Guantanamo Bay prisons in the United States.

Bob: Oh, I agree.

Gary: I'm not going to defend that. But I do think that there's a huge difference between – I'm not saying we're not violating, we are violating people's rights and it's horrible, it's dreadful and it should be stopped. But I do think that what goes on with animals is qualitatively different in the sense that even though people in those settings and a variety of other settings are abused and exploited, the exploitation of non-human animals is qualitatively different because they are property. There's discrimination and then there's slavery. Discrimination is horrible. Discrimination still exists in the United States of America. It undoubtedly exists in racial discrimination. It's different from slavery. This is one of the reasons why slavery is regarded under the laws of every nation and as a matter of international law – as a matter of fact, the prohibition against slavery is a rule of customary international law of which there are very few such rules. It bespeaks sort of a universal agreement that slavery is a qualitatively different sort of harm. Chattel slavery. And the idea that humans are commodities is something that we regard as obnoxious in a way, it sort of puts it in a separate category. Again, we do all sorts of things we shouldn't do. We discriminate in all sorts of ways we shouldn't discriminate, we do all sorts of terrible things to people. There's a difference between discrimination and chattel slavery where all of one's interests, including one's interests in life and not suffering, can have a price tag attached to them and can be sold away depending on whether or not it's in someone else's benefit to do so, someone else's economic interest to do so. That's point number one. I think that chattel slavery, just as chattel slavery represents to us a qualitatively different sort of harm that we put in a category by itself and that the laws of all nations and international law put in a category by itself, I think there's that difference.

Number two, when you have people doing reforms in whatever context, whether it's in Guantanamo Bay or whether it's in anything, you're dealing with situations in which people are saying, "Look, we're not going to end this today. We would like to end it, we think this is terrible, but we think that people ought to be given this particular benefit or that particular benefit in the interim." At least they're making clear what the endpoint is. What really troubles me about the new welfare movement is that they'll say at conferences, "Oh, we think animal exploitation is terrible." But let me tell you something, if you don't go to these animal

conferences or you're really not reading literature – the literature's all confusing anyway – but basically if you're a normal human being who's just reading the newspaper, you come away with the idea that at best the animal people are terribly confused. You don't get the idea that the animal people think that all animal use is a bad idea and is morally unjustifiable and is moral obscenity. You just don't get that.

Bob: That's so true.

Gary: You just don't get that. But again, what I think is going on in Guantanamo Bay is terrible, I think what goes on in most prisons is terrible, I think the fact that we're such a rich nation – or we used to be – and that we have so many poor people, we have such a level of poverty and we have such a level of horrible healthcare situations, these are things that are terrible, they're terrible. But I still think that those injustices, as bad as they are and as much as I would like to see them rectified, are still very, very different from the commodification of sentient beings. I mean, look, we do things to animals in the best of these new welfare delusional happy havens. It was Erik Markus I think that described the difference between...what was the distinction he made between –

Bob: The Connecticut minimum security prison, right?

Gary: Yeah, he said that conventional eggs were like Guantanamo Bay and cage-free eggs were like a minimum security Connecticut prison or something like that, is that a fair characterization of what he said?

Bob: I believe it is.

Gary: That's my recollection at least. I just think that is...if it weren't so pathetic, it would be funny. Anybody who thinks that cage-free eggs represent any sort of significant welfare improvement over battery eggs has never seen a cage-free facility. They're horrible places. I would urge anybody and everybody who's interested in the question to log on to the Peaceful Prairie website and take a look at the free-range...they have a video that they have of hens that came from a free-range facility. And take a look at their videos, take a look at their literature, and tell me that cage-free eggs represent any sort of significant welfare improvement over the conventional battery eggs. And I think that if we look at how we're treating animals under the best situations, free range, cage-free, whatever, it constitutes torture of a sort that we don't put any human beings through and when anybody finds out that we do anything even remotely similar, there's a huge outcry. So, I just think that it's just different. It really is different. And again, I want to emphasize I am not in any way denigrating the human rights issues that are pressing, important, and the tremendous injustice going on towards human beings. I just think our institutionalized exploitation of animals represents something that is torture of the most severe sort. We readily get upset and concerned when we torture people doing things like water boarding and yet we do things to non-human animals that are far, far, far worse than water boarding.

§ End of Part 1 of 2 of Gary's interview >