

Gary Francione Interview with Andy Clegg on WAMC (August 11, 2008)

Transcribed by David Stasiak

Many animal rights groups in the United States focus their attention on providing more humane circumstances for the farm animals and pets that have become integral to human survival.

Gary Francione, a professor of law and philosophy at Rutgers University, has become a prominent voice in the animal rights debate because he presents an alternate view. He argues that any system that treats animals as property is inherently immoral.

*Professor Francione has been an advocate of his version of animal rights for almost thirty years. He's published several works on the subject including his newest work, *Animals as Persons*. Producer Andy Clegg recently spoke to him about his ideas.*

Gary: Many years ago when I was in law school, I visited a slaughterhouse and saw what was going on there, it was quite shocking. I had never thought about the issue in my entire life until that point. And a friend of mine who was vegetarian took me to the slaughterhouse, and I saw it, and it provoked me into thinking about the issue. And I decided that I really couldn't participate in that anymore. So I gave up, I immediately stopped eating meat, you know, all meat: beef, pork, poultry. And then, this is probably Andy going back to 1978 or so, it's a long time ago, and then I learned that fish were sentient, could feel pain, I stopped eating them. And then I learned about the dairy industry, how horrible that was, so I gave up animal products altogether and became a vegan by about 1982 I think.

Andy: What is your idea of animal rights? How should we treat animals and why should we treat them that way?

Gary: Well my view is a little bit different from what is commonly thought of as the animal rights view. I mean, first of all, let me say this: I don't really think that the law, even though I'm a law professor, that the law is going to be the primary mechanism that's going to address the problem. I think, you know, one of the themes of my work has been that animal welfare regulation, that is, laws and regulations which are supposed to ensure the humane treatment of animals, really just don't work. There are reasons for that, the most important of which is that animals are properties, so they're economic commodities; protecting their interests costs money and consumers, and producers are not going to incur those sorts of costs. Particularly given that markets are now such that even if they were to incur those costs, if the demand is not changed, then the products just come in from another markets, which are not regulated (as a consequence of these free trade arrangements and what not).

But my bottom line is that it's not the law – I was doing an interview earlier and someone said "Would you support legislation that prohibited the eating of meat?". And the answer is "That'd be crazy, it wouldn't work", I mean, that's like, that would be probably even more unenforceable than prohibition was. It's not the law that's going to lead here Andy, it is our thinking morally about the issue; it's going to be a moral change, a moral paradigm shift that we are going to affect if we are going to

make any progress in our thinking about this. Let me just throw a proposition out there: I have never in my whole life met anybody who disagrees with the proposition that it's wrong to inflict unnecessary suffering and death on animals. I mean everybody agrees with that, never met anybody who disagrees with it. Now we can have interesting discussions about what necessity means in various philosophical contexts, but if that norm means anything at all, it means we can't inflict suffering and death on animals for reasons of pleasure, amusement or convenience. We have a rule that says it's wrong to inflict unnecessary suffering and death, but it's alright to do it if we get pleasure, amusement or convenience. We've now got an exception that is so large that it's rendered the moral principle to be meaningless. And so we all accept that. But yet our eating of animals, I mean most of our animal use, I would say the overwhelming portion of our animal use, can *only* be justified by pleasure, amusement, or convenience. Case in point: our eating of animals. We are killing 53 billion animals in this world every year for food, and that doesn't include fish and other aquatic animals, as the UN figures on basically beef to pork, chicken, rabbits, and what not. So we're talking about 53 billion animals a year. Now we don't need to eat those animals. Indeed an increasing number of healthcare people are now saying that eating animal products is detrimental for your health. We certainly don't need them.

Andy: If you don't think the law would work to discourage people from eating animal products, what would be the catalyst that would need to happen for significant change to happen, and how we think about the use of animals?

Gary: One of the experiences that I've had that's really very interesting is, I don't have any sort of organisation, I'm just a professor at Rutgers, and I don't have an organisation, I don't accept contributions or anything, I just do the work that I do, whether it's writing books or teaching classes or whatever. And I launched a website last year, www.abolitionistapproach.com, in which I argue that we really needed to rethink these issues, and the thing that we needed to do is educate people about these issues, and engage them in sensible, coherent, rational discussion about these issues. And encourage them to become vegans. And that, by doing that, we reduce demand.

That's how you do it. You can't do it any other way. It doesn't work any other way. Because if you think about it, this is an important moral issue. Because it has to with violence. And we all, all of us wear our moral high hats and say "No, we don't like violence". And yet we all participate in it, three times a day, ritually. And don't even think about it. And, you know, if you live in a world where 53 billion animals are being killed every year, and the best justification we have is they taste good, it's not surprising that we have an awful lot of violence in the world, and that people have become immune to it, because it's part of our lives. And we're not really even interested in getting rid of what we can get rid of; neither you nor I can solve all the problems of the world, but we certainly can do things in our own lives to make statements about non-violence, to say that we really do take it seriously. But I also think there are important health implications – eating animal products is clearly not a good thing to do. I mean, everything I read, and I read this stuff constantly, study after study that comes out that says that animal products create this disease, or cause this disease, or are involved in this sort of disease process. And the environmental impact. I mean –

Andy: But Gary, I mean, ultimately, in your formulation, I mean, even if animal products were comparatively no less healthy than a vegan diet and –

Gary: Right.

Andy: – even if animal agriculture didn't have the environmental effects that it has, you would say that it would be a moral imperative to not eat or use animal products where they can be reasonably avoided?

Gary: Absolutely, absolutely. If I said anything that suggested the contrary, let me correct it. No, absolutely. I think it's a moral imperative, and I don't think that the health issues are – I raise them because I think it's important to point out that *not only* it is a moral imperative, but there's no *need* for it from a health point of view, indeed there seems to be a problem with eating animal products.

Andy: Right.

Gary: Number one. Number two, we are all concerned – I mean, we're all concerned about global warming. I find it comical that the media has sort of focused on the fact that, well, is ethanol a good thing because it's causing grain prices to go up? And the answer is ethanol is a small part of that particular problem. The problem is animal agriculture, and the problem is that countries like China and India are exponentially increasing their consumption of meat, and that is, you know – it takes between 6 and 12 pounds of plant protein to produce flesh, to produce a pound of flesh. It takes a lot more water. I mean, the conversion ratios are insane. It takes like I think three and a quarter acres to support one omnivore for a year. Where twenty vegans can be fed from an acre. So the resource issues are just stunning. But you're right, it's a moral imperative, we shouldn't be doing it.

Andy: Now, before you mentioned your approach is sort of an abolitionist approach and what I was looking through your website before, there's a lot of examples of you go through and take an argument that someone makes for eating meat, and sort of apply that maybe to a human issue.

Gary: Yeah.

Andy: Like somebody says eating meat is, it's a very old human tradition, people have always eaten meat. And you said, sort of used slavery as an example, where tradition is no justification for enslaving human beings. To you, in your framework, what is the morally significant difference between a person and an animal, if there is any?

Gary: You mean a human person that is?

Andy: Yeah, a human being.

Gary: Well, you know, if it's just an empirical question your asking me, the answer is there are clearly differences between human and non-human animals. The most significant of which is that we use language, we use symbolic communication, and our concepts, our conceptual structures, are very very much linked to that language. And so I suspect, I don't know, because I can't get into the minds of other animals, I can't get into your mind either, but I suspect it's somewhat similar to mine in that we think in somewhat similar ways in terms of our conceptual structures. But I don't know what goes on in the mind of a dog. It is clear, given that I have

rescued dogs that live with me, it is clear that they have some sort of equivalence of rationality and abstract thought. You can't explain their behaviour without positing at least equivalence. And I was just reading something in New Scientist this morning, an article that was I think in May in the New Scientist, about supposedly uniquely human traits, mental, cognitive traits, that are present in non-human animals. Now, you know, I think that there is a very good argument that there probably are a lot of differences between us and them. But let's assume, that for the purposes of argument we say there is a big difference between our minds and their minds, because we use language and they don't, so their conceptual structures have to be really different. And the answer is "Yeah okay, I'll concede that" for the purpose of the argument. But my response is "So what?". They're sentient, they feel pain, they have an interest in not suffering, they have an interest in continued existence. And so I think there are differences but there's an important similarity.

Now, if what you're asking me is, for purposes of treatment, how do I think those differences play out? And the answer is, well, let's assume we link moral value with cognition. I don't think we should do that but let's assume we do. We have situations, we don't treat everybody equally, we don't treat all humans equally. We don't compensate somebody who's a brilliant surgeon or musician or whatever the same way as we compensate somebody who is working at a minimum-wage job, and so we allocate resources differently. We don't treat a person who has normal mental faculties the same way that we treat somebody who has mental disabilities, who has a mental disability. I mean, if someone's severely mentally disabled, we might not want to give that person a driver's license, or we might not want to accord that person certain privileges or certain rights or whatever, that we accord to people that don't have disabilities simply because there are compelling logical reasons for differential treatment. But for the purposes of treating someone as chattel property, for the purpose of treating someone exclusively as a means to the ends of the rest of us, I would argue that the brilliant surgeon and the severely retarded person are equal. In other words, I would say they have the exact same moral claim not to be used as a forced organ donor, not to be used as a subject in a painful biomedical experiment, not to be used as a slave or whatever. I mean, for those purposes, they are equal.

So, is there a difference between a dog and a human? The answer's "Sure there are", and I'm all in favour of not giving dogs drivers licences and I'm not arguing that we ought to give them scholarships or the right to vote (although we might be in a better political situation if we did), I'm not saying that. I am saying though that for the purposes of treating me or the dog as forced organ donors or subjecting us to pain or treating us as a thing, I say my claim is the same as the dog's claim: you shouldn't treat either of us that way.

Andy: Back in 1970, when you went to a slaughterhouse, in most of your writing that I've seen, I don't see you use the visceral, gruesome examples that some animal rights groups do in terms of demonstrating that the circumstances that a lot of farm animals live in. But if you'd gone, let's say instead of, rather than going to a slaughterhouse, if you'd gone to some kind of bucolic farm that we imagine where the animals are left free to roam and they're all very happy and all of this. Even though, in both cases the animals are going to be killed but they're living very differently. Do you think that would have made a significant difference in your thinking and how that developed if that had been your model, and obviously it's not

for how we eat meat in this country, but if it had been, do you think that would have made a difference in how it developed?

Gary: Well, I don't really think that there is such a thing as the bucolic farm. I mean, there are some places that there are less intense than some places, and there are individuals who may have a couple of animals on their property that they use for their private purposes, but as a general matter commercial operations have been pretty bad for a long time now. And some are better than others but they're all really horrible. So I would probably not even in '78 have visited a bucolic farm. I clearly would have seen it as different – well, remember something, what I went to was a slaughterhouse. I have been to intensive places, I have been to intensive agricultural places since then, but what I went to originally was a slaughterhouse. And if you are buying, whether those cows were raised in a less horrible setting than the cows that are raised intensively, or the chickens that are raised intensively or whatever. They're all ending up in the same slaughterhouse. The slaughterhouses are hideous. Even the ones that are considered to be the best among them, they are all horrible, hideous, nightmarish sorts of places.

Andy: I agree with you that certainly that the vast majority, the percentage of animals that are raised like that is insignificant in this country certainly. But just as a theoretical construct, is killing the animals alone, if you're going to kill them at all, no matter how they're treated, is that completely unacceptable?

Gary: Yeah, I don't think we have the right to kill. You've actually put your finger on something that I think is extraordinarily important from a conceptual point of view. From a sociological point of view you have identified something, and that is, we generally tend to think that animals don't care about whether we kill them, they just care about how we treat them and whether they want to be killed painlessly, that they don't really care *that* we use them, they only care about *how* we use them. And I think that's wrong. I think that's a cultural perspective that we have about non-human animals. I think that's wrong. I think that animals – anything that's sentient; remember something: sentience, or the ability to feel pain, is a means to the end of continued survival. So to say that an animal is sentient but doesn't have an interest in continued existence is in my judgement – I don't even understand what the means because the sentience is not there as an end in itself, the sentience is a characteristic that certain beings develop, evolve, they have nervous systems, they have benzyl diazepam receptors et cetera, they evolve these characteristics in order to survive. Some fast food chain says "We're going to buy our eggs from suppliers that provide more humane eggs", which I think is nonsense anyway, I don't think those eggs are any more humanely produced as an empirical matter, but they say these things, and the animal organisations get all excited and give them awards and promote eating at the fast food places et cetera, and I think that's crazy. I mean, yes, it's always better to do less harm than more harm, but that doesn't mean that the lower level of harm, assuming that it is a lower level of harm and I would argue that it's not, but assuming that it is, that doesn't imply that the lower level of harm is morally justifiable, it doesn't at all.

Andy: Gary Francione, I want to thank you coming on the show today and sharing this very interesting viewpoint.

Gary: I thank you very much for having me.