

**UNIVERSITY OF WINCHESTER**

Unleashing the Synergisms of Animal Ethics to Advance Animal Protection

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Doctor of Philosophy

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This thesis has been completed as a requirement for a postgraduate research degree of the University of Winchester.



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# UNIVERSITY OF WINCHESTER

## ABSTRACT

Unleashing the synergisms of animal ethics to advance animal protection

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The animal protection movement, like many social change movements, has become divided into moderate and more radical branches, leading to conflicts over the morally correct and strategically most effective approach to achieving their cause (*i.e.* the animal welfare *versus* rights debate). These substantial disagreements have supposedly harmed the movement, as they can lead to inefficient use of resources, and weaken the inner cohesion of a broad movement, while strengthening identities of fringe groups, causing alienation of animal advocates, the public and other stakeholders. This is a worrying development, given that the animal protection movement is the major driving force protecting animals, working to fulfil human values, such as avoidance of unnecessary suffering, and aiming to mitigate negative impacts of, for example, intensive farming on the environment and human rights.

This thesis explores the disputes between animal welfare and rights through sociological enquiry, using fifteen semi-structured interviews with animal activists, that shed light on differences in opinions, motivations, and experiences. While the results might not be generalizable, they provide a deeper understanding of animal activists than current literature on the topic does.

Based on the results, it then engages in a philosophical and practical discussion over how to best resolve disputes, so as to strengthen the animal protection movement. The thesis introduces the principle of proportionality, used to settle human rights conflicts, but which does not appear to have been applied to interspecies rights conflicts (conceptualised as moral tragedies in this thesis). This approach is developed as a non-ideal theory to allow for some anthropocentric concessions, acknowledging current economic, legal, social, and psychological barriers to fully ethical behaviour, which crucially affect the work of animal activists. Moreover, the approach forms a middle-ground between the various approaches as it is a deontological/rights approach at its core, but also contains consequentialist elements, allowing for some weighing with regards to conflicting rights, and because of its non-ideal character.

Lastly, the thesis argues that, while individual campaigns might be called into question, a general dismissal of a wide array of approaches cannot be reasonably established. Even the consequent polarization caused by different groups is not necessarily harmful, while uniformity most likely would be. Hence, the movement should acknowledge its shared goal to protect animals and seek unity in its diversity.

**Keywords:** animal welfare, animal rights, utilitarianism, animal advocacy, animal activism, principle of proportionality



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## **PART I**

### **CHAPTER 1: INTRODUCTION**

In recent decades, concerns for animal welfare have increased considerably; as has scholarly work on the topic of animal ethics and welfare; and the number, size and impact of animal protection organisations. Despite this upwards trend in interest in animals and their wellbeing, the abundance of welfare problems is rising as well. Farming is becoming increasingly industrialised (FAO 2006a:xx, 15), meat production is expected to double by 2050 (compared to 2000) (FAO 2006a:xx), the fur trade is increasing globally (WeAreFur 2015), dog fighting is still an issue, despite the ban in the UK (Symonds 2016), as is pet overpopulation in many countries including the UK and US (ASPCA 2016) – and these examples name just a few of the issues.

The animal protection movement is the major social force addressing these areas of concern. It advocates on behalf of animals, highlights their suffering, and challenges the lack of recognition of the animals' moral status. Moreover, their work addresses not only the lives and wellbeing of animals, but has the potential to contribute also to human health, the environment, and human society (issues associated with for example animal production are described in Baroni *et al.* 2007; McMichael *et al.* 2007; JRC 2010; UNEP 2010; Foley *et al.* 2011; Sutton *et al.* 2011; Thornton *et al.* 2011; Tukker *et al.* 2011; Bouwman *et al.* 2013; FAO 2014). However, the movement is not as successful as it would like to be. Various reasons have been put forward to explain its slow progress, one prominent reason being a lack of philosophical and strategic unity among animal advocates, and subsequent internal disputes (Hollands 1979:206; Garner 1993:48; Ryder 1998:41; Francione 1996; Regan 2004 [1983]; Phelps 2007:284-85; Armstrong and Botzler 2008:9; Donaldson and Kymlicka 2011). This thesis focuses on those disputes with regard to the disagreements between animal welfare and animal rights, and in particular abolitionism. Each position accuses the allegedly opposing approach of dubious ethical commitments, and ineffective strategies and tactics; which in one way or another might negatively impact on the animal protection movement as a whole. This thesis seeks to explore, theorise about, and constructively contribute to these debates. Overall it seeks to highlight and find common ground through philosophical and sociological inquiry, and it aims to unite, rather than divide animal advocates.

#### **1.1 THE PROBLEM**

The debates centre around utilitarianism *versus* animal rights, and welfare *versus* animal rights. The most recent development saw a rise of abolitionism (*e.g.* Francione and Garner 2010) as a distinct philosophical and strategic approach for animal advocacy, *versus* more traditional positions. These various disagreements are often subsumed under the term 'the animal welfare *versus* rights debate.'

This term implies two camps but does not nearly grasp the variety of philosophical viewpoints that influence it.<sup>1</sup> The animal welfare *versus* rights debate, however, is not just a philosophical dispute but also encompasses discussions over strategies, tactics,<sup>2</sup> effectiveness<sup>3</sup> and end goals. For example, welfare reforms have been criticised for making people feel comfortable about the treatment of animals while the actual conditions for animals do not considerably improve (Phelps 2007; Francione and Garner 2010). Animal rights activism<sup>4</sup> is regularly viewed as too radical,<sup>5</sup> extremist and even violent, which alienates the public, and therefore, is considered unable to create change (Jasper and Nelkin 1992:173; Garner 1993:211). In contrast, abolitionism promotes (grassroots) vegan education because of its supposed moral and strategic superiority (Francione 1996; Francione and Garner 2010). Though these disagreements concern practical approaches, their origins can be traced back to underlying philosophical and ethical convictions. To give just one example: while some activists might believe in animal rights, they could also hold an ethical view that in a situation where suffering is inevitable, animal welfare improvements should be sought. Such an inevitable situation could – in these activists’ opinion – include intensive farming as they do not believe that it will be abolished anytime soon.

Several authors suggest that the animal welfare *versus* rights debate has impeded the movement, or that one particular approach is harming it as a whole (Garner 1993:48; Francione 1996; Ryder 1998:41). However, these are only suggestions lacking clear indicators and empirical evidence of the debate’s effect, or the effects particular groups and campaigns have on the movement. While scholarly engagement with animal ethics, especially utilitarianism and animal rights, has gained prominence since the 1960s, the debate in its entirety (*i.e.* including practical approaches) has received little academic attention (*e.g.* Cochrane 2013 is one of few examples). One prominent book, *The Animal Rights Debate* (Francione and Garner 2010), discusses only two viewpoints, and

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<sup>1</sup> Hence, whenever the term ‘the animal welfare *versus* rights debate’ or ‘the debate’ is used, I am referring to not only the debate between welfare and rights approaches but the sum of disputes between different viewpoints within the animal advocacy movement.

<sup>2</sup> Strategies and tactics, although often used interchangeably, are not necessarily the same. Strategies are a general plan an organisation adopts, while tactics are specific techniques used by groups as part of a strategy (Munro 2005:77). In this thesis, references to either strategies or tactics should be understood as referring to both.

<sup>3</sup> Effectiveness is defined here as the capacity to reach a campaign’s goal and/or create actual change.

<sup>4</sup> Activism, for the purposes of this thesis, is defined as involving outreach work (such as education or lobbying) in order to affect change. Activists ‘work for social or political causes and [...] encourage other people to support the cause’ (Curtin and McGarty 2016:228).

<sup>5</sup> To be called a ‘radical’ group or approach might be related to one or more of the following characteristics: demanding fundamental (economic, political, and/or social) change that would require people to dramatically alter their lives; using strategies and tactics quite different to mainstream ones (*e.g.* humiliation, terrorism, boycotts); blaming people and organisations (rather than behaviours and conditions); not adhering to the norms of society in their communication strategies, using ‘invectives, chants, and diatribe as instruments of force;’ and expressing hostility (for example through manners, gestures, signs, and clothing) (Derville 2005:528).

presents rather stereotypical images of two opposing camps instead of acknowledging the movement's diversity. Most importantly, most of the work has had little to no impact on creating a more united movement – a goal which received surprisingly little attention, given that the disagreements allegedly impede its success.

Assuming, for now, that the debate is a hindrance to the movement's progress, what is needed is a framework capable of uniting advocates. Given, however, that traditional approaches have not managed to provide such a framework (and in many cases probably never aimed to do so), new solutions are needed. This thesis aims at finding such.

## 1.2 THE RESEARCH QUESTIONS

In order to address the lack of unity, and in order to be able to provide a new approach, several things need to be considered. First of all, the animal rights *versus* welfare debate is more than just a scholarly exercise; it is as much a social as an ethical issue. The debate takes place not only between academics, but between animal protection organisations, or more accurately between activists who work in these organisations. Secondly and related to the previous point, purely philosophical works in animal ethics are often accused of arguing 'from the philosopher's armchair,' thereby failing to include empirical evidence (or failing to include stakeholders) (Schmidt 2011:155). In comparison, MacIntyre (2007) argues that contemporary debates are irresolvable because they fail to acknowledge the historical, cultural and social context from which they originated, and in which they are negotiated today.<sup>6</sup> Thirdly, the current representation of the debate within the literature is most likely an incomplete one. It does not acknowledge empirical evidence, the stakeholders, or the historical, cultural and social context of the movement.

An interdisciplinary approach is needed; however, no thesis or research project, conducted by just one person, is capable of encompassing all of the historical, cultural and social aspects of any movement at once. Hence, this thesis focuses on the actors within the debate, and explores their opinions and attitudes through sociological research. Qualitative research in particular aims at a rich understanding of the individuals who form society (Ritchie and Lewis 2003:3). Understanding the debate entails understanding the people who fuel it, and is a prerequisite for subsequently transcending it. Once the social context of the debate is clarified, only then can a normatively guiding framework be developed. Based on these considerations, the following research question was established for the exploratory part of the thesis:

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<sup>6</sup> MacIntyre's argument has been acknowledged in this thesis by including empirical evidence and the voices of animal advocates. It is important to note though, that his argument proposes an approach more far-reaching than the inclusion of sociological investigation in philosophical enquiries.

1. *Which aspects divide activists within the animal protection movement, and what common ground do they share?*

The exploratory part looked for agreements and differences with regards to ethical opinions, strategic convictions, but also structural and personal difficulties that contribute to disputes. The results emerging out of research question one informed two further research questions:

2. *How can those insights be integrated into a framework that bridges welfare and rights concerns, creating a space for ethical discussion and collaboration?*
3. *Is it theoretically and practically possible and feasible to prescribe how animal activists ought to campaign, with respect to both purposes and methods?*

### **1.3 THE APPROACH**

The aim of this PhD thesis is to provide new insights into, and a framework capable of positively contributing to, the animal welfare *versus* rights debate. Therefore, it first examines the different positions through philosophical and sociological enquiry, and identifies differences and commonalities. This enquiry follows a constructivist epistemology and ontology. It aims to gain a deep understanding of opinions and experiences of animal activists about the debate, which subsequently results in a better understanding of the tensions and disputes. It is acknowledged that the debate constitutes a social construct, deeply embedded in the historic, cultural and societal context of the Western world; and this thesis itself also constitutes such a construct. The method consisted of fifteen semi-structured interviews with activists from various animal protection organisations in the UK.<sup>7</sup> The interviews were analysed using thematic data analysis. Based on interview results, the thesis then develops a new framework for ethical deliberations concerning animals, which incorporates important insights from the various positions (stemming both from interview data and existing literature). Lastly, the claim, that a uniform approach (as proposed by abolitionists) is ethically and practically feasible and necessary in order to advance animal protection, is scrutinised and rejected.

### **1.4 THE THESIS**

The thesis consists of ten chapters: the introduction, the literature review and the methodology (part I); a discussion of results (part II) comprising a chapter concerning ethical differences and commonalities, a chapter on opinions regarding campaigning approaches, and a chapter on

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<sup>7</sup> The research focuses on the UK, as firstly, the animal protection movement originated in the United Kingdom. Secondly, the animal welfare *versus* rights debate is more prominent here than in other European countries; only the US faces similar disputes. Thirdly, a limitation to the UK was considered more feasible for the empirical study.

interpersonal and identity differences; and part III including a chapter discussing the moral status of animals and the need for a non-ideal theory, a chapter proposing the proportionality approach as non-ideal theory for our deliberations concerning animal issues, a chapter that theorises animal activism ethically and strategically; and finally, the overall conclusion of the thesis.

The literature review includes a summary and discussion of historical, philosophical, and sociological aspects of the animal welfare *versus* rights debate. The main focus lies on the variety of ethical theories that have been developed to conceptualize how we ought to treat animals. Differences in practical approaches to activism, and in sociological aspects (such as public image) are discussed towards the end of this chapter.

The methodology introduces the reader to the research context including the rationale behind the research. It is based in a constructivist epistemology and ontology, and utilises fifteen semi-structured interviews to explore the opinions, attitudes, and experiences of a variety of animal activists. This chapter elaborates on the design process of the purposive sampling technique, the topic guide, data collection and the thematic data analysis used.

Part II consists of three chapters, discussing the differences and commonalities between the participants with regards to ethical opinions, opinions on strategic approaches, and social and interpersonal differences. The issue of suffering was identified as a shared concern across all interviewees, while opinions regarding the killing of animals and its necessity varied (chapter four). While most participants held views quite closely aligned to animal rights, their campaigning preferences differed more strongly. However, a consensus emerged that a variety of strategic and tactical approaches is needed to create wider social change for animals (chapter five). Overall, differences appeared to be based more strongly on personal characteristics and aspects concerning identity (*e.g.* idealism *versus* pragmatism), often being the root cause for conflict (chapter six).

As addressing interpersonal conflicts was beyond the scope of this thesis, part III addresses ethical and strategic disputes. Chapter seven discusses the moral status of animals and concludes (as did most interviewees) that there is indeed no convincing argument at this point in time to consider the moral status of other animals as unequal to humans, at least with regard to (moderate to severe) suffering and death inflicted by moral agents on others. However, as some participants repeatedly pointed out, human-animal conflicts do occur and other non-ideal world constraints render ideal ethical theories difficult to apply to actual human-animal questions. Hence, this chapter further conceptualises human-animal conflicts as moral tragedies that need to be addressed through a non-ideal theory, in order to acknowledge real (but not absolute) barriers caused by moral corruption.<sup>8</sup>

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<sup>8</sup> Moral corruption refers to a tendency to rationalise our behaviour in a manner that suits our own (selfish) interests rather than fully adhering to ethical principles (Gardiner 2011:307).

While ethical values and principles are nevertheless to be upheld in a non-ideal theory, it is acknowledged that moral corruption hinders their full realisation. Therefore, a non-ideal theory looks for the next best course of action that realises ethical principles to the greatest extent possible, and ideally moves society closer to the ideal state (Gardiner 2011:400; Garner 2013:12). Chapter eight introduces the principle of proportionality to guide deliberations concerning animal issues and the most just course of actions in a non-ideal world. It clearly differentiates those conflicts that concern fundamental rights *versus* any other claims (*i.e. legitimacy*), assesses whether a course of action is *suitable* and *necessary* to realise a particular fundamental right, and whether the realisation of one's fundamental rights is *in proportion* to invading a crucial claim of another being. This essentially rights-based approach allows for weighing within a narrow framework, contextualises ethical problems, and takes into consideration the claims and concerns of all involved stakeholders. Hence, it incorporates elements from different approaches in animal advocacy, and offers a framework for discourse over animal issues.

Chapter nine theorises animal activism, with a focus on whether it is theoretically and practically possible and feasible to prescribe how animal activists ought to campaign, with respect to both their purposes and methods (as the abolitionist position attempts to). This chapter partially rejects abolitionist assumptions, and argues that animal activism also constitutes a moral tragedy in which helping animals in one way necessarily means not helping them in others. Establishing moral superiority of any course of action is not straightforward, as either way some good occurs at the expense of not doing a different good. Knowledge on effectiveness and impact of campaigns on the wider movement could help to discuss such matters in a more decisive matter. However, the academic debate on effectiveness and impact tends to be theoretical and vague.

Moreover, chapter nine argues that diversity, rather than uniformity, within the movement can be a strength. For a movement to be successful it needs to reach out to a variety of audiences, which cannot be addressed by one type of organisation, activist, or message alone. A variety of communication channels, which are potentially even contradictory, is needed. The resulting polarization can weaken the inner cohesion of a movement, but can also positively impact on it, if so called positive flank effects occur (Haines 1984:32; Jasper and Nelkin 1992:43; Derville 2005:530–31; Munro 2005:81; Goodwin and Jasper 2015:380; Hirsch 2015:106; Whittier 2015). Lastly, the chapter offers some considerations for future directions of the movement that potentially will increase its impact. Increasing the effectiveness of animal protection will hopefully positively impact on both human and other animal lives in the long-run.

## CHAPTER 2: LITERATURE REVIEW

The following literature review offers both a summary and discussion of philosophical, as well as practical and sociological aspects of the animal welfare *versus* rights debate. As stated in the introduction, this thesis aims to acknowledge the social, cultural and historical background of this debate as far as possible and practical. Hence, the review introduces the reader to a short historical overview of the animal advocacy movement. The main part of the review will then focus on the academic debate between utilitarianism, welfarism, and the rights view, including a variety of viewpoints from important authors. Lastly, the practical and sociological aspects of the debate will be introduced, including the differences in approaches to activism and campaigning, and sociological aspects like public image. Moreover, the discussion focuses mostly on the United Kingdom and Anglophone literature, given the geographical limitation of the research study, and as continental writers had less impact on the current (Anglo-Saxon) debates in animal protection (Calarco and Atterton 2004:xii).

### 2.1 HISTORICAL OVERVIEW<sup>9</sup>

The onset of modern animal ethics in the late 1960s/early 1970s is characterised by a fundamental change of views. The moral status of non-human animals received not just more attention but was considered (almost) equal to the moral status of humans by some scholars. Religious and secular moral traditions of Western societies rarely considered animals relevant in any other way than their instrumental purposes for humans (Midgley 1983:10), as they were supposedly lacking important traits, such as the possession of a soul, rationality, and so forth.

Nowadays sentience<sup>10</sup> is largely considered a necessary condition for moral consideration within animal ethics, dating back to 1789, when Bentham (1907 [1789]) put the emphasis of moral consideration on the shared capacity to suffer.<sup>11</sup> The treatment of animals and animal welfare slowly

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<sup>9</sup> This historical overview makes no attempts to completeness; it highlights important aspects of the historical development of animal ethics and the animal liberation movement in regard to animal welfare and animal rights organisations. For a more detailed overview see Armstrong and Botzler (2008:1–13).

<sup>10</sup> Sentience is a debated concept; it is more than just the ability to discriminate between different sensory qualities (Clark 2000). The recognition of internal and external stimuli needs to be integrated to generate a mental scene in order to direct behaviour (Chandroo *et al.* 2004). Aspects of sentience include consciousness, memory, and emotions or 'motivational affective states' (such as pain, fear, hunger, thirst and pleasure) (Broom 2014; Chandroo *et al.* 2004). However, their relation to sentience and thresholds to ascribe sentience remain contested. Broom (2014:5), for example, defines sentience as 'some ability: (i) to evaluate the actions of others in relation to itself and third parties; (ii) to remember some of its own actions and their consequences; (iii) to assess risk and benefits; (iv) to have some feelings; and (v) to have some degree of awareness. Others use a narrower definition.

<sup>11</sup> In Bentham's famous footnote (1907 [1789]), he states that moral consideration cannot be based on rationality as certain adult non-human animals are more rational than some humans (*e.g.* infants). He

became considered as moral concerns worth working for. In 1824, the Society for the Prevention of Cruelty to Animals (SPCA) was founded.<sup>12</sup> It was the first of its kind but shortly afterwards similar societies were established in other European countries. However, those humane organisations for animals did not seek justice for animals in the same way as animal rights groups do today. The goal to promote better welfare and better treatment of animals did not challenge the fundamental premise that it was morally acceptable to use animals, which was eventually targeted by the rising antivivisection movement – the predecessor of today’s animal rights activism (Finsen and Finsen 1994:38).

Animal rights activism and animal liberation activities started in the 1960s, targeting justice for animals rather than humane treatment and welfare. In 1970, Ryder (1979:219) coined the term ‘speciesism,’ describing our prejudices against other animals, based on their species membership, leading us to behave unjustly towards other animals. The argument against speciesism relies on the notion that intellectual or physical differences (*i.e.* species differences) cannot provide sound grounds to justify differences in moral consideration, just as they should not justify differences in considerations concerning humans (Ryder 1983:3).

While the idea of rights for animals seemed too far ahead in 1970, as Singer states in the preface to *Animals’ Rights – A Symposium* (Ryder and Paterson 1979:xi), the idea rapidly moved forward since the mid-70s. *Animal Liberation* by Peter Singer (1995 [1975]) provided an ethical theory to be discussed within academia but also an ethical theory that inspired animal protection organisations and contributed to their growth (Garner 1993:63).

Though there was already some division between animal rights organisations and the humane/welfare organisations in the 19<sup>th</sup> century (Garner 1993:49), this split likely grew bigger with the rise of capitalism. Animal rights groups were perceived as a subversive threat to capitalism (Ryder 1998:35) and acts of violence (*e.g.* by the Animal Liberation Front) also led to a backlash against these organisations (Finsen and Finsen 1994:101–2). In contrast, animal welfare groups were always (and increasingly are) reliant on animal welfare science, working within mainstream, and in a dialogue with the government and industry (Garner 1993:208). They are opposed to almost all forms of direct actions except the most benign ones (Garner 1993:221), as they fear being associated with more radical organisations and subsequent loss of credibility and contacts with government and industry.

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concludes that moral consideration should be based on the capacity to suffer: ‘the question is not, Can they reason? nor, Can they talk? but, Can they suffer?’

<sup>12</sup> In 1840, Queen Victoria granted the Royal Prefix to the SPCA, renaming it the Royal Society for the Prevention of Cruelty to Animals (RSPCA), as it is known today (Armstrong and Botzler 2008:6).

This gap between the animal welfare approach and the rights approach led to an isolation of these organisations. Though their goals might be similar, theoretical and practical disagreements divided groups into what seem to be two camps which have difficulties working with each other. This gap between the organisations appears to be a crucial one and has been summarised in the question: ‘should we work for larger cages or empty cages?’ (Regan 2004 [1983]:xiv; Armstrong and Botzler 2008:10–11).<sup>13</sup> Disputes, however, can be detrimental to the original goal of animal protection. Some of the movement’s energy in the United States has been sapped over this dispute according to Ryder (1998:41). Whether this split can be overcome or not, will be the focus of this thesis on a theoretical and practical level.

## 2.2 ANIMAL ETHICS

The theoretical aspect of this thesis deals with the moral theories. In animal ethics, utilitarianism and animal rights are considered to be two fundamentally opposing but also the most prominent theories.<sup>14</sup> DeGrazia (1996:6) states that the first generation of scholars in animal ethics placed an extraordinary emphasis on the utility-*versus*-rights debate, while the second generation broadened the spectrum and argued for moral standing within other philosophical frameworks. The focus of this review will lie mostly on scholars concerned with utilitarianism, welfarism and animal rights. However, it should be noted that important contributions have been made also by others. For example, Midgley and the feminist ethics of care in general (*e.g.* Donovan 2006) argue for compassion and emotion as other relevant ethical sources for the treatment of non-human animals. Ideas from social contract theory meet animal ethics in Mark Rowlands’ book *Animals Like Us* (2002). In contrast, Nussbaum (2006) challenges social contract theory in her book *Frontiers of Justice* because the theory struggles to deal with issues of disability, nationality and species membership; and introduces a capability approach instead.<sup>15</sup> The literature on animal ethics grew substantially within the past decades and the list of authors discussed is far from exhaustive (*e.g.* Rollin 1998; DeGrazia 1996; Sandøe and Christiansen 2008 have not been mentioned). Of course, there were also

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<sup>13</sup> This question focuses on the main difference between animal welfare which is believed to condone the use of animals for our purposes (as long as proper welfare is ensured) *versus* animal rights which is said to condemn it.

<sup>14</sup> This literature review focuses on utilitarianism as a form of consequentialism and the animal rights view as a form of deontology. Virtue ethics is the third major approach in normative ethics which puts emphasis on moral virtues and questions about what kind of people we should be and how we should live (Hursthouse 2013). However, given the focus of this thesis and the developed framework being essentially a rights-based theory, virtue ethics is not further discussed here.

<sup>15</sup> Social contract theories mostly rest on the assumption that individuals equal in power enter a contract in order to ensure mutual advantage. Nussbaum criticises that individuals are not equal in power and that power should not be the basis for whether we are to be considered equal parties in the contract. Moreover, we all are to some extent always, and even more so in certain phases of our lives, dependent on others and their care. The basis for our morality should not only be mutual advantage, but should include our sociality.

a few authors who argued against the moral standing of animals (e.g. Frey 1980; Carruther 1992; Cohen 2008). However, their arguments are less relevant for the aim of this thesis (although some will resurface in chapter seven). It is widely agreed today that sentient animals have moral standing.<sup>16</sup> The question rather is how much do their interests count? And are they weighable against human interests? Utilitarianism would answer in the affirmative.

### 2.2.1 UTILITARIANISM

Utilitarianism is a form of consequentialism (and teleology) which assesses the moral value of an action based on its consequences (or outcomes). Varner (2012:3) describes utilitarianism as a family of theories which hold that 'at least ultimately, the right thing to do is whatever will maximize aggregate happiness.' This principle is summed up in the famous quote: 'the greatest happiness for the greatest number' (Hutcheson 1969 [1725]:283-284). However, happiness does not necessarily encompass all utilitarian theories. Hence, it is better described as family of theories that seek to maximise some sort of good for the greatest number; such good is often defined as happiness, pleasure, fulfilment of interests, or satisfaction of preferences.

Furthermore, the utilitarian family can be roughly classified regarding its level and its measure of utility (to produce some sort of good). Act- and rule-utilitarianism are a division of level; classical- and preference utilitarianism are divided based on their measures of utility.<sup>17</sup> For act-utilitarians, every moral decision must be rationally evaluated in terms of its consequences and with the goal to maximize some sort of good. However, it seems to be a difficult task to calculate the utility of each and every action. Hence, rule-utilitarianism provides basic rules to guide our actions which should bring about the greatest utility. Hare (1981) developed a theory that combines act- and rule-utilitarianism into a two level utilitarianism,<sup>18</sup> which Varner (2012) applied to animal ethics, showing that Hare's theory combines utilitarian as well as animal rights considerations. This approach will be discussed later on.

Jeremy Bentham is often considered the father of classical utilitarianism. His stance is purely hedonistic as for Bentham the consequences matter only in terms of pleasure and pain (and pain is the opposite of pleasure). He is also known for his egalitarian approach, summed up in a quote attributed to Bentham by Mill (1879): 'everyone to count for one, nobody for more than one.'

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<sup>16</sup> As mentioned earlier, sentience became a basic criterion for moral consideration. Not necessarily all species belonging to the animal kingdom are sentient. Therefore, whenever I use the term 'animals,' this refers to sentient animals if not explicitly stated otherwise.

<sup>17</sup> This division of the utilitarian theories is based on literature relevant to animal ethics and does not, for example, include benefit utilitarianism.

<sup>18</sup> Hare's theory assumes that our everyday decision making is based on rule-utilitarianism. However, in new encounters or especially difficult moral dilemmas, act-utilitarianism should provide us with ethical guidance instead.

Bentham's strict egalitarian approach, however, caused a lot of criticism as certain pleasures were considered 'lower' than others. This led Mill to his perfectionist view that indeed certain pleasures, like those of a high intellect, are more valuable, as it would be 'better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied' (Mill 1879). Classical utilitarianism poses a problem though: in order for one to experience pleasure, one's desires need to be fulfilled, and not everyone desires the same things in the same way. Some people might not desire to deal with complex philosophical issues like Socrates and might prefer to watch a soap opera on TV. Some desires can be detrimental (*e.g.* drug abuse), other desires might be uninformed, irrational or distorted; and we might desire things that do not produce more pleasure *per se*.

#### **PREFERENCE UTILITARIANISM (SINGER'S APPROACH)**

Singer (1993:14), too, argues that the best consequences cannot only be addressed in terms of pleasure and pain. For instance, if among all people gathering fruits, everyone received the same amount eventually (regardless of how much they individually collected), it could result in an overall lesser amount of fruit, as some might collect less, anticipating a higher reward regardless. Hence, the better solution would be not to give everyone the same amount of fruit, according to Singer. His form of utilitarianism is based on interests in terms of preferences of all those who are involved. Singer (1995 [1975]) does adhere to the basic principle of equality and equal consideration of interests (but this does not necessarily entail equal treatment). As differences in gender (*i.e.* sexism), racial origin (*i.e.* racism) or other abilities should not determine how much interests count, nor should species differences (*i.e.* speciesism) (Singer 1995 [1975]:5).

In order to find a characteristic which provides moral standing to humans, one should look for a shared characteristic 'pitched so low that no human lacks it' (Singer 1995 [1975]:237). This lowest denominator and the basis for equal consideration is then defined as sentience, as a prerequisite for interests, which is not only possessed by humans, according to Singer (1995 [1975]:7).<sup>19</sup> Hence, all the interests of all sentient beings involved in a decision should be equally considered. If the utilitarian calculation shows that some beings need to suffer (*e.g.* in an invasive experiment) in order to bring about the greater good for the greater number, then this suffering would be justified. Yet, if such an experiment is conducted for example on chimpanzees, while a brain-dead person could have been used,<sup>20</sup> this would constitute speciesism. The interests of the chimpanzees (which have a greater degree of sentience than the brain-dead person) would not have been considered equally.

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<sup>19</sup> While sentience is certainly not only possessed by humans, there are also human beings who are probably not sentient (for instance brain-dead persons). Hence, Singer does not give equal moral status to all humans.

<sup>20</sup> This line of argumentation is called the 'marginal cases argument.'

While Singer argues in favour of equal consideration of interests, especially the interest in avoiding suffering because humans and other animals are sentient beings, he takes a different stance when it comes to the question of taking life. The value of life, according to Singer (1995 [1975]:20), depends on the 'capacity to think ahead and have hopes and aspirations for the future, the capacity for meaningful relations with others and so on.' Death involves the loss of these kinds of characteristics (Singer 1995 [1975]:21) and therefore the death of humans would be more serious than the death of animals without these characteristics. He even goes so far to say:

In general it does seem that the more highly developed the conscious life of the being, the greater the degree of self-awareness and rationality and the broader the range of possible experiences, the more one would prefer that kind of life, if one were choosing between it and being at a lower level of awareness (Singer 1995 [1975]:107).

Though Singer might prefer his human existence and awareness over any other existence, it seems questionable that it can be assumed that a non-human animal would choose a human existence over a non-human existence. After all, we cannot fully understand what kind and range of experiences animals have and even less so how they subjectively experience them (cf. Nagel 1974). Moreover, there are certain sensations humans do not have, for example echolocation. A dolphin might choose a dolphin existence and awareness over a human existence based on the capacity of echolocation.<sup>21</sup> Karlsson (2012:714) similarly criticises Singer for using the anthropocentric idea that more complex (human) minds are more valuable, as a criterion to judge the moral status of other animals.<sup>22</sup>

### **PAINISM (RYDER'S APPROACH)**

The question on the value of life will be set aside for now and I will turn back to utilitarianism and Ryder's approach. Ryder (1999, 2001, 2010) develops a slightly different theory and coins another new term: painism. Bad things are characterised by causing suffering and pain, and moral problems such as injustice and inequality are bad only in so far as they cause suffering. Hence, in the painism approach an individual's capacity to suffer is the criterion for moral standing (Leuven and Visak 2013:411). Ryder's theory aims at endorsing certain aspects of Singer's utilitarianism while at the same time seeking to protect individual interests, by arguing that consciousness and the capacity to feel pain are inherently individual. Thus, suffering cannot be calculated and compared to other individuals (Leuven and Visak 2013:414). By arguing in this way, he tries to protect individual interests by excluding the aggregative aspects of utilitarianism. This, however, bears some counter-

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<sup>21</sup> Francione provides a similar critique of Singer's approach (Francione and Garner 2010:18).

<sup>22</sup> Anthropomorphism is usually defined as the attribution of human characteristics (including mental states) to non-human entities. Karlsson (2012) argues that the transfer of criteria with which human lives are judged, to animals, as a measure to judge their moral status, is also a form of anthropomorphism: cultural anthropomorphism.

intuitive implications as it cannot give guidance whether one ought to save ten people instead of one person from a burning house when one has to choose (Leuven and Visak 2013:416).

### **TWO-LEVEL UTILITARIANISM (VARNER'S APPROACH)**

Varner's approach (2012) incorporates animal ethics into Hare's two-level utilitarianism, arguing that this theory combines aspects of animal welfare and rights views. It is utilitarian (hence, including welfare aspects) as Varner states that moral reasoning would inevitably force us to use the principle of utility because:

if you had to live through everyone's experiences in turn, rather than just your own, you would choose to maximize aggregate happiness, since you would have to enjoy or suffer all of the benefits and costs in some order or other (Varner 2012:13).

Yet, following Hare's two-level utilitarianism, such moral reasoning would only occur in new situations or when intuitions are in conflict. In everyday situations, humans would be guided by rules (such as respecting rights and hence, including a rights perspective), which are, however, given through explicitly utilitarian thinking.

Furthermore, Varner (2012:3) divides beings into three categories: persons, near-persons and merely sentient. Persons are those individuals 'who deserve special treatment or respect in virtue of having certain cognitive capacities,' such as rationality and self-consciousness, being a moral agent,<sup>23</sup> being autonomous,<sup>24</sup> and being an individual with a 'biographical sense of self.' Individuals who are near-persons do not possess the same biographical sense as persons but nevertheless 'have a robust, conscious sense of their own past, present, and future' (Varner 2012:21). The merely sentient are beings who 'live entirely in the present', even though he admits this could be a hypothetical construct (Varner 2012:22).

Like Singer, Varner (2012:24) puts emphasis on cognitive abilities. Therefore, the lives of near-persons have greater moral significance than the lives of the merely sentient (Varner 2012:23). In contrast to near-persons, slaughter of the merely sentient would be permissible as long as it is done humanely in line with welfare principles. Varner, however, does not provide an evaluation of which animals are to be considered near-persons and which are merely sentient.

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<sup>23</sup> Being a moral agent means possessing the ability to think about right and wrong, and to adjust one's behaviour accordingly.

<sup>24</sup> The author refers to being autonomous in the sense of having second-order desires. First-order desires are desires for ordinary things, like having the desire to eat chocolate. Second-order desires are desires about our first-order desires, for instance the desire not to act on my desire to eat chocolate (Schroeder 2015).

## SUMMING UP UTILITARIANISM

Utilitarianism seeks to 'maximize the expected satisfaction of interests, equally considered,' according to Matheny (2006:14). It is usually considered universalist, welfarist, consequentialist and aggregative. Universalist because it considers all interests; welfarist because the individual welfare is usually what matters; consequentialist because the moral value depends on the consequences of an action; and aggregative because it adds up all the interests regarding suffering and enjoyment (Matheny 2006:14–15).<sup>25</sup>

The utilitarian theory seems to be a simple, intuitive framework at first glance as it offers just one principle for each and every decision. It supports many of our moral intuitions and due to its aggregative properties it manages to address questions other frameworks cannot address (Matheny 2006:16). It is based on rationality and according to Matheny (2006:15) it seems to enjoy greater empirical objectivity as it makes 'full use of information about the world.' However, specifying what the principle implies in practice, is a more complex issue as Varner (2012:4) points out.

Is utility really the only value that we should take into consideration when it comes to moral decisions? Something that does not contribute to utility could still have some other sort of value (for example, aesthetic value). Even if we accept the basic assumption of assessing utility, should it be assessed in terms of happiness? Certain things might create a lot of happiness now but cause suffering in the future or future generations. Would it be moral to destroy the environment and make it uninhabitable for future generations if it generates a lot of happiness now? Moreover, happiness and good welfare are not necessarily the same things. The classical hedonistic view only accounts for pleasure, but something that gives me pleasure could be detrimental to my health and hence, for my welfare. Therefore, pleasure has been widely substituted by welfare in animal ethics. Yet, something that is beneficial for my welfare does not necessarily make me happy or fulfil my interests. How should we weigh the happiness or interests of an individual against something that is in its interest?<sup>26</sup>

How should we weigh different interests of different individuals against each other? It is easy to compare equal interests, for example, my interest in avoiding suffering and the interest in avoiding suffering of the individual next to me. However, some interests are crucially distinct from each other, making them potentially incommensurable. Not many people would agree that the interest a human has in his/her life is commensurable to the pleasure others would get by killing a human. Yet, following utilitarianism we could come to the conclusion that killing a human, or reinforcement of

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<sup>25</sup> For example, Bentham's utilitarianism aggregates the value of pleasure and pain regarding the number of beings involved, their intensity, duration, certainty (or uncertainty), their propinquity (or remoteness), their fecundity and their purity (Bentham 1907 [1789]:IV.7).

<sup>26</sup> For instance, it is not in the interest of a diabetic person to eat sweets but the person can nevertheless have an interest in eating sweets.

sexism or racism, could be permissible if enough people would profit from it (Regan 2004 [1983]:137). The possible sanctioning of inequitable distributions of harms and benefits is one of the most frequent criticisms on utilitarianism (Regan 2004 [1983]:211) and in such cases utilitarianism is not intuitive either.

However, Leuven and Visak (2013:417) point out that some examples, which supposedly demonstrate that utilitarianism sanctions immoral conclusions, do not consider that we are rarely confronted with either/or choices. A standard example is about an amphitheatre in which individuals have to participate in cruel games causing severe suffering. Utilitarianism would sanction these games if enough people enjoyed them. The public's pleasure could outweigh the suffering of the individuals but only if there were no alternatives available to create public pleasure (Leuven and Visak 2013:415, 417). Hence, other activities which generate as much pleasure without causing suffering would be the preferable activities to engage in from a utilitarian point of view.

Another objection to utilitarianism is the demands it makes on us. Since there are poor and suffering individuals in the world, utilitarianism would require us to dedicate our efforts to increase their happiness (or some sort of good) even at the expense of our own welfare (Hills 2010:225).

Utilitarianism makes no difference between the immorality of doing harm, allowing it to happen (Hills 2010:228), or not taking chances to increase happiness (or some sort of good).

Lastly, the claimed empirical objectivity hardly comes into practice. For example, Schedler (2005) criticises that Singer's argument against killing is not utilitarian. Indeed, Singer only weighs our palate taste against the animal's interest into avoiding suffering. However, he does not provide a fully utilitarian calculus for or against eating meat which would have to also take into account the suffering of animals during the harvesting of vegetables. Also the cost-benefit weighing in animal experimentation sometimes lacks a profound discussion of the actual benefits of the experiment, as well as the actual consequences if the experiment was not conducted (*e.g.* Smith 2002 is an example for a lack of an actual analysis).<sup>27</sup> Moreover, the question remains whether utility can be quantified at all.

According to Regan (2004 [1983]:205), the current form of utilitarian animal ethics, as promoted by Singer, perceives moral agents and patients as 'mere receptacles of what has positive or negative value but they have no value on their own.'<sup>28</sup> Besides all the other problematic issues of

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<sup>27</sup> In contrast, Knight's book (2011) is dedicated to a more thorough analysis.

<sup>28</sup> This criticism seems incorrect in so far as Singer gives value to sentient individuals. Having an individual welfare entitles beings to moral standing and hence, equal moral consideration. On the other hand, the utilitarian calculation seems to detach their welfare from individuals because of its aggregative features. Utilitarianism, for instance, could allow making some people deliriously happy by treating others badly. These counter-intuitive accounts make utilitarianism appear as if utility in itself has value while the individuals do not.

utilitarianism, this lack of value of individuals themselves is seen as the most important failure of utilitarianism from an animal rights point of view (Regan 2004 [1983]:350).

### 2.2.2 WELFARISM

The welfare approach as a philosophical framework is difficult to define.<sup>29</sup> It is usually associated with utilitarianism, pragmatism, zoocentrism (only and all sentient beings), pathocentrism (focused on suffering), and a hierarchical approach (human interests count more) (Schmidt 2011:157). Welfarism is often associated with Singer's utilitarianism, while animal rights theories are associated with the kind of theory Regan proposed. This, however, is not necessarily the case (Cochrane 2012:204). Schmidt (2011:160) explains that welfare theories are frequently associated with an utilitarian approach because utilitarianism always embraces 'some sort of welfare concept.' However, all major animal ethics theories (including rights approaches) embrace some sort of welfare concept as Schmidt (2011) demonstrates. It is the implications these theories draw from welfare concepts which differ. Also, a welfare approach does not necessarily need to rely on utilitarianism (Francione and Garner 2010:108). Indeed, many welfare organisations frame their concerns in terms of care, compassion, or humane treatment which are indicative of a virtue ethics approach rather than a utilitarian approach.

A hierarchical welfare view is advocated, for example, by Garner who argues that species specific characteristics are decisive factors for moral consideration (Francione and Garner 2010). Important characteristics include, for example, cognitive abilities (*i.e.* high rationality) and autonomy, which humans (even the least intelligent humans) possess to a greater degree than animals (Francione and Garner 2010:189–92). His view is also pragmatic as he argues in favour of moral pluralism, and respect for individual choices and preferences (of humans) (Francione and Garner 2010:148); instead of (non-pragmatically) advocating inviolable rights for animals which cannot be trumped by individual preferences. Some authors portray such hierarchical welfare philosophies as giving outright approval to animal exploitation (cf. McCausland 2014:649):

The animal welfare philosophy holds that humans are qualitatively superior to animals in ways that entitle us to enslave and murder them for our own benefit, but that our own moral superiority calls us to inflict upon them as little suffering as we are able without overly inconveniencing ourselves (Phelps 2007:xvi).

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<sup>29</sup> The welfare approach as a strategy for animal protection is defined as focusing on welfare advancements which does not necessarily imply a welfare philosophy. However, some authors (*e.g.* Francione) argue that campaigns advancing animal welfare necessarily contradict animal rights values. The relationship between welfare as philosophical concept and as strategic approach will be discussed throughout the thesis.

Francione (Francione and Garner 2010:5–6) also shares the view that welfare philosophies assume that animals are less morally significant than humans. He, too, argues that utilitarianism is associated with welfare as early utilitarians built the foundation for a hierarchy of interests.<sup>30</sup> Additionally, the welfare view is said to believe that animals have no interest in continuing to live which is why killing an animal is not considered a moral issue (Francione and Garner 2010:9). Based on these premises, welfare would grant humans free rein over the treatment of animals while trying to minimise suffering as far as possible. Here welfare does not equal modern animal ethics utilitarianism, as interests are not given equal consideration in welfare (Francione and Garner 2010:182–83). Garner uses the term ‘moral orthodoxy’ to describe what is often considered the ‘typical’ animal welfare view (later on in this thesis referred to as conservative welfare position). This position holds that animals can be used in various ways, even if that means inflicting suffering and death, but that there should be a clear necessity to inflict that suffering, and that we ought to keep it to a minimum as far as possible (*e.g.* Garner 2005b:4–5, 2013:83, 2015:217). For example, the Farm Animal Welfare Council adopts such an approach (Farm Animal Welfare Council 2009a), as one of their principles states: ‘any harm to an animal, even if not absolutely impermissible, nonetheless requires justification and must be outweighed by the good which is realistically sought in so treating it’ (Farm Animal Welfare Council 2009a:ii).

While welfarism is assumed to equal a conservative welfare position or moral orthodoxy amongst some authors, people engaged in welfare activism do not necessarily hold this view. Indeed, some welfare organisations advocate abolishing certain practices because they are unable to meet high welfare standards, or because a practice is considered unnecessary, despite strong human interests. For example, Compassion in World Farming seeks to end intensive farming (or ‘factory farming’) (Compassion in World Farming 2017); the International Fund for Animal Welfare campaigns for the end of the seal hunt (International Fund for Animal Welfare 2016); and World Animal Protection would like to see an end to wild animals being taken out of the wild for tourist entertainment (World Animal Protection 2017). Also the Farm Animal Welfare Council (2009a:ii) states that certain kinds and degrees of harm ought to never be inflicted. Moreover, even the prevailing paradigm that killing itself is not an issue is challenged, as it might be unnecessary (for example in the case of the badger cull) or because death might constitute a welfare issue after all (see Yeates 2009).

Hence, the view that welfarism is associated with utilitarianism, or that it ethically allows for anything that humans wish to do to animals is not only an overly simplified description, but a misleading one. Welfarism views the infliction of suffering, and unnecessary killing as wrong; but – unlike some rights views – not the use of animals for human purposes *per se*. Welfarism seems

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<sup>30</sup> See the earlier discussion of Mill’s perfectionist view.

better described in Waldau's words: 'Animal welfare is the ethical responsibility of ensuring animal well-being. Animal well-being is the condition in which animals experience good health, are able to effectively cope with their environment, and are able to express a diversity of species-typical behaviours' (Waldau 2011:206; American Veterinary Medical Association 2018).

### 2.2.3 ANIMAL RIGHTS

Animal rights theory is a form of deontology (Regan 2004 [1983]:144) which is usually considered the opposite of consequentialism (Regan 2004 [1983]:140; Sørensen 2008:69). Deontology does not judge moral value based on an action's consequences. On the contrary – regardless of the consequences – deontology prescribes certain actions for certain types of situations (Broad 1930:162). Following deontological rules or duties provides an *a priori* judgement about the action and its moral value. These duties are based on ethical principles, while utilitarianism can lead to conclusions which override ethical principles.

Deontology is sometimes portrayed by utilitarians as a framework which prescribes duties without rationally considering their meaning (or consequences). For example, Sørensen (2008:89) gives this impression when he argues that Kant was not a deontologist in the strict sense as he wanted rationality to guide our actions in order to act out our duties meaningfully. While it is true that in Kant's theory duties should originate out of rationality in accordance with the categorical imperative<sup>31</sup> (Kant 1940 [1788]), the consequences of an action did not otherwise matter. Also Regan (2004 [1983]:144) claims that for Kant the consequences were completely irrelevant. If a certain action was considered wrong or if certain duties were identified as right, they would be right or wrong regardless of the consequences they would bring about.

Turning back to animal ethics, Kant stipulated that direct duties are held only towards moral agents, while indirect duties are held towards an animal if a moral agent owned it or cared about it. In contrast, the animal rights view goes one step further than other deontological approaches. It states that one does not need to be a moral agent in order to be entitled to direct moral rights. Moral agents have moral rights and moral duties, while those who are moral patients cannot do what is moral or immoral, but still have moral rights (for a detailed discussion see Regan 2004 [1983]:150 *et seq.*). These rights are more important than utility and they can only be overridden if this was the only way to respect the rights of the many (Regan 2004 [1983]:144). One of the basic principles endorsed by the rights view is the principle of non-maleficence:

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<sup>31</sup> The categorical imperative states: 'Act so that the maxim of thy will can always at the same time hold good as a principle of universal legislation' (Kant 1940 [1788]).

We believe that we have a *prima facie* direct duty not to cause moral patients to suffer or to cause them harm in other ways, and that the reason this is wrong is because of the harm done to these individuals, not because of how others (*e.g.* interested relatives of children, pet-owners) will feel about the harm done (Regan 2004 [1983]:187).

Unlike Kant, Regan states that harm done to a moral patient is wrong regardless of how other moral agents feel about it.

#### **THEORY OF INHERENT VALUE (REGAN'S APPROACH)**

Regan's theory postulates that all who possess inherent value, possess it equally and independently of their usefulness to others. Immoral actions are characterised by a failure to disrespect a being's inherent value (Regan 1985:21). The main reason in favour of this postulate is its theoretical basis to avoid inegalitarian implications of perfectionist theories<sup>32</sup> and counterintuitive implications of act-utilitarianism (Regan 2004 [1983]:247). In contrast to utilitarianism, the individual is seen as a cup with valuable things (pleasurable experiences) which, however, do not determine the value of the cup itself: 'the value of the cup (individual) is not the same as any one or any sum of the valuable things the cup contains' (Regan 2004 [1983]:236). Intrinsic value, like pleasure, is distinct and incommensurable with inherent value (Regan 2004 [1983]:263). Hence, the best consequences for all would not justify any harm done to a moral agent.

He proceeds by arguing that inherent value is not bound to having moral agency, as for example human moral patients also possess inherent value. If we attribute inherent value to human moral patients with similar capacities as some animals, we also have to attribute inherent value to some animals (*i.e.* the marginal case argument). Furthermore, Regan (2004 [1983]:243) defines being a subject-of-a-life as a criterion for having inherent value. Being a subject-of-a-life means to have:

beliefs and desires; perception, memory, and a sense of the future, including their own future; an emotional life together with feelings of pleasure and pain; preferences and welfare-interests; the ability to initiate action in pursuit of their desires and goals; a psychophysical identity over time; and an individual welfare in the sense that their experiential life fares well or ill for them (Regan 2004 [1983]:243).

Though it is quite certainly a matter of degree (in general and during development) whether a species/individual can be considered a subject-of-a-life, Regan (2004 [1983]:77–78) believes that normally developed mammals from the age of one definitely fulfil the criteria mentioned above.

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<sup>32</sup> Perfectionist theories attribute more value to those who have more sophisticated abilities (or virtues), especially intellectual abilities, than others. These theories are highly susceptible to a crude anthropocentrism.

Regan also acknowledges that this does not mean that other animals do not qualify for being subjects-of-a-life, or that animals cannot be subjects-of-a-life to differing degrees.

Regan uses the postulate of inherent value as basis to establish several other principles. This includes the principles to respect inherent value; to not harm other beings; to assist beings whose rights are violated; to minimise harm done to beings with inherent value; to override the rights of the few rather than the many (if some rights violation cannot be avoided); to override the rights of those who face less harm, if harms are comparable; and, if no special considerations apply and all individuals are treated with respect, to avoid being made worse-off, despite harm this may cause to the lesser interests of others (Regan 2004 [1983]:262–331).

Regan's principles are all based on strict egalitarian consideration of inherent value which entitles individuals to certain rights. However, when it comes to the question of taking life Regan perceives death as a greater harm to normal, adult humans than to other animals. He argues that if we had to sacrifice one individual in order to prevent a boat with four human adults and one dog from sinking, we ought to sacrifice the dog (also known as lifeboat case). Yet, also the death of a normal, adult animal constitutes a greater harm than the death of a less aware human with fewer desires. For Regan (2004 [1983]:314), 'the magnitude of the harm that death is, is a function of the number and variety of opportunities for satisfaction it forecloses.'<sup>33</sup>

Criticism of Regan's theory concerns his incompletely defended postulate of inherent value. For example, DeGrazia (1996:5) criticises Regan's postulate for not providing justification that all subjects-of-a-life ought to have equal inherent value (cf. Garner 2013:5).<sup>34</sup> This strong egalitarian approach also appears inconsistent or incompletely defended with the more hierarchical argument that we ought to sacrifice an animal instead of a human being, according to DeGrazia (1996). This graduation of the value of different lives, however, only occurs in cases of conflicts of rights. Animal livestock production or animal experimentation do not constitute such cases of conflicts, but are violations of rights and the respect principle. The fundamental injustice inherent to such practices is not only the pain or the suffering of the animals, but the view that these animals have less value or only instrumental value (Regan 2004 [1983]:334). Regan endorses the abolition of animal use because their use means not acknowledging the status of animals as ends in themselves (*i.e.* as beings with inherent value).

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<sup>33</sup> His argument assumes that humans have a greater range of satisfaction due to their cognitive capacities. It has been argued earlier that it cannot be just assumed that human lives are more pleasurable than any other animal's life.

<sup>34</sup> This is problematic because animals are probably subjects-of-a-life to a lesser or greater degree, and hence, it is not clear why they should not have less or more inherent value.

### **ABOLITIONISM (FRANCIONE'S APPROACH)**

Francione (2004), a legal animal ethics scholar, shares this abolitionist approach. By analogy with human slavery, he states that in order to speak about the equal consideration of interests meaningfully, the pre-legal right to not be treated as property must be accepted. As long as a being is considered property, the interests of the owner easily override the being's interests. Being considered property also means not being considered an end in oneself, implying that all our animal use is inherently wrong, according to Francione. In contrast, abolishing the property status of animals would protect individuals from being used exclusively as a resource for others and would acknowledge their moral status (Francione 2004).<sup>35</sup> Thus, a right to not be treated as property would stop all animal use or keeping which would narrow ethical issues to encounters with wild and liminal animals.<sup>36</sup>

### **KANTIAN ANIMAL ETHICS (KORSGAARD'S APPROACH)**

Similar to Francione and Regan, Korsgaard (2013) also talks about animals as ends in themselves. She argues in line with Kantian ethics but includes animals as beings towards which direct duties can be held. Korsgaard assumes that certain things (*i.e.* ends) are intrinsically good or bad for humans; and humans justify their behaviour based on such ends. However, things can be good or bad for animals as well (Korsgaard 2013:643).<sup>37</sup> Korsgaard proceeds by stating that humans need to claim ownership of certain things in order to live a good life, such as land to plant wheat and vegetables. Property rights are therefore a legitimate claim (within the approval of the 'general will') (Korsgaard 2013:644).<sup>38</sup> As humans and animals are 'thrown into the world,' they have to use the land and its resources. This is used as grounds to say that humans, but also animals have a right to do so:

Just as our claim that our ends are absolutely good is based on nothing more than the fact that they are good for us, so our claim that we have the right to use the resources of the earth is based on nothing more than the fact that we are here and need to use them. If that is right, it suggests the other animals should share our standing as among the rightful possessors of the earth (Korsgaard 2013:647).

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<sup>35</sup> This kind of protection is limited though as it does not guarantee equal treatment in all respects.

<sup>36</sup> Liminal animals are wild/non-domesticated animals, living amongst humans (Kymlicka and Donaldson 2014:203).

<sup>37</sup> Things can be good or bad for plants too and hence, plants could be considered as ends in themselves. However, I do believe that the decisive difference is that animals can consciously perceive things as good or bad for them. That poses the problem that something can be perceived as subjectively good while objectively not being good, for example when it is bad for one's health.

<sup>38</sup> Approval of the 'general will' roughly means that the property claim is consistent with the freedom of everyone else.

Korsgaard (2013:648) also states that this does not imply that non-human animals should have the same rights as humans. Nonetheless, it should inspire us to overcome the division of persons (*i.e.* humans) and things (including animals), and instead introduce a third fundamental normative category for our moral practices and the law. She does not elaborate on what these rights should look like, but focuses on the moral standing of the categories ‘things’ (which does not entail any moral consideration) and ‘persons’ (enjoying the greatest moral consideration and protection). Introducing a separate moral category for animals might be warranted, but it would include a vast range of species, although ‘animals, too, are not just “animals”’ (Midgley 1983:19).

#### **POLITICAL THEORY FOR ANIMALS (KYMICKA AND DONALDSON’S APPROACH)**

In order to grasp some of these differences between species, Kymlicka and Donaldson (2014) apply political theory to animal rights (also see Donaldson and Kymlicka 2011). In their opinion, humans have different moral obligations to different animals. For examples, dogs unlike wolves, due to their domestication rely on us as social partners, and hence, different moral obligations apply to dogs than to wolves (Kymlicka and Donaldson 2014:202). Wild animals, in comparison, should be given sovereignty (*i.e.* rights to territories and autonomy); and liminal animals should be considered residents (*i.e.* denizenship) (Kymlicka and Donaldson 2014:203). Domesticated animals, however, were introduced into our society and are dependent on our care. Therefore, they should be granted citizenship, which is seen as a co-operative relationship requiring trust, communication, co-operation and physical proximity. Citizenship would entail the right to an individual identity, rights of residency, rights to protection from harm (both human and natural threats), rights to health care, labour rights, disability and retirement benefits, and the right to have one’s interests taken into account in shaping governmental rules (Kymlicka and Donaldson 2014:204–6).

However, it also includes certain duties. In this sense, Kymlicka and Donaldson (2014:206) state, for example, that it would be legitimate to socialize a dog or to use animals for work in a co-operative manner (*e.g.* for sheep herding<sup>39</sup>). Abolitionists, like Francione, view the socialisation and co-operation of domesticated animals in order to be citizens as inherently oppressive, as it would restrict natural animal behaviour. Kymlicka and Donaldson (2014:206, 215), however, state that any co-operation (also within other social species) requires socialisation and that humans share pro-social tendencies and a certain degree of moral nature with other animals.

Another problematic concept, when applied to animals, is sovereignty. We usually cease to consider human communities sovereign if they fail to protect the basic rights of their members (Speetzen and

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<sup>39</sup> In their example, the function of the sheep would be to graze around solar panels, sparing us the task of mowing.

Clipsham 2014:265), but animals are usually not considered moral agents who can do what is right or wrong.

#### **SUMMING UP THE RIGHTS VIEW**

The rights view is a deontological approach judging actions not on the basis of their consequences, but on whether moral principles were fulfilled or violated. When it comes to animals, the rights view acknowledges that certain moral principles apply to animals as well. For example, if it is wrong to harm a sentient being and animals are sentient, it is wrong to harm animals. In this sense, the rights view is intuitive as it rationalises already accepted moral principles. It is also simple as it gives us a clear guide how to behave. Like utilitarianism it is not based on egoism, but upon what is, or is supposed to be, good for everyone. However, unlike utilitarianism it puts a stronger emphasis on the individual and its rights which are fundamental and are (mostly) a trump card against the (conflicting) interests of others.

DeGrazia (1996:5) criticises that causing minor non-consensual harm to one individual in order to prevent a major catastrophe would be wrong according to the rights view. However, Regan's principle to minimize harm would allow causing harm to fewer individuals if it would prevent an even greater harm. Further critique focuses on questionable outcomes produced by Kantian ethics when adhering to certain duties despite their consequences. For example, conflict occurs in scenarios such as a murderer asking me where one of my friends was, making clear his murderous intentions. Assuming I knew about this friend's whereabouts and that I had a duty not to lie, my friend would get killed if I answered truthfully. According to Kant (1889 [1785]:361 *et seq.*), it would be immoral to lie but it would not be immoral to let my friend die. Of course, it needs to be established first that there is a duty not to lie, and that this duty holds in all circumstances. Following Regan's duty to assistance in cases of injustice, I might lie in order to prevent the violation of my friend's right to live.

Yet, it is not necessarily clear which duties and rights are preeminent in cases of conflicts. Is a graduation of rights and duties permissible and if so, on what grounds? Do I have a duty to save a child from being eaten by a lion? If I ought to save the child, do I have to save any juvenile animal from being eaten by adult predators? It sometimes seems that not everything can be decided based on deontological rules. Alternatively, we would need clear procedures for applying general rules to specific cases. Nonetheless in many circumstances we are more inclined to adhere to the deontological terms of rights than to utilitarian ideas of maximising utility, like in the previous example of the amphitheatre. Regan (2004 [1983]:273) seems right to say:

Whatever ought to be done, in other words, cannot be determined independently of considering the rights of those involved, even though what ought to be done cannot be determined just by citing this or that right possessed by this or that individual.

If we are to apply similar rights and concepts, such as inherent value or citizenship, to animals, these will need some crucial adaptation to the different kinds of species that exist. Still more questions will have to be answered about the differences in negative and positive duties humans have towards animals. Moreover, the implication of protecting and enforcing those moral rights through the law will need to be considered. If animals are granted a basic right to life, should someone who accidentally killed an animal be prosecuted for manslaughter?

### **2.3 ANIMAL ACTIVISM**

This part of the literature review moves away from strictly philosophical discussion, to introducing the differences in practical approaches to activism between welfare and rights organisations.<sup>40</sup> Additionally, sociological aspects concerning how the two approaches are portrayed in academic and public debates are summarised.

#### **2.3.1 ANIMAL WELFARE ACTIVISM**

The welfarist approach often is framed in terms of care, compassion and love which are perceived as too arbitrary by many animal rights activists. In terms of their practical approach, welfarists seek regulation and gradual reformation of animal use but not necessarily the end of animal use itself (Schmidt 2011:154–55). They generally work within the system and with the government (instead of working against it) (Garner 1993:208), respect individual choices and preferences (moral pluralism) (Francione and Garner 2010:148), and aim for what they believe is politically and strategically achievable (Francione and Garner 2010:105).

It is argued that this approach increases awareness and concern for animals (cf. Phelps 2007:192, 286). On the other hand, this concern often is primarily focused on pets and strays (Garner 1993:53; Cooney 2011:28). Since the 1950s and 60s, newly formed groups but also some older ones expanded this traditional focus to include wildlife, vivisection and the treatment of farmed animals (Phelps 2007:192). This shift might be partially related to an increase in members of welfare groups also being sympathetic to animal rights, and to increased understanding of animal welfare. Nevertheless, welfare groups usually refrain from seeking abolition or suggesting an equivalent moral status of animals (as compared to humans) (Jasper and Nelkin 1992:66). Furthermore, they do not encourage

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<sup>40</sup> These differences can be partially traced back to varying normative convictions. They will be discussed in more depth later in the thesis.

direct political activism of members. Jasper and Nelkin (1992:66) suggest that this leads to a stodgy and rigid portrayal of welfare activist by rights campaigners. Other portrayals of welfarists (especially in contrast to animal right activists) depict them as reasonable, well-informed (Varner 2012:20), elitist, more cautious, relying more on expert opinions<sup>41</sup> and as leaving campaigning to their own staff (Garner 1993:51).

However, it has been criticised that welfare regulations were compromises, covering only a minimal standard for the animals, while barely affecting producers or actually increasing production efficiency (Francione and Garner 2010:46). Instead, welfare organisations would give praise to producers for good welfare, legitimising animal exploitation. In particular big animal welfare organisations have been accused of ‘colluding’ with the enemy, paying high salaries achieved through their many donations, but achieving little actual change (Jasper and Nelkin 1992:64, 154). Animal rights advocates assert that welfare regulations alone will not improve lives of animals but that the system needs to change fundamentally. Singer (1995 [1975]:213) also argues that we need not only to improve conditions for animals, but to challenge basic attitudes concerning animals in order to abolish exploitation.

### **2.3.2 ANIMAL RIGHTS ACTIVISM**

In contrast to animal welfare activism, rights activism advocates animal rights on the basis of justice and respect, instead of compassion. It includes a wide range of organisations, groups and also grassroots organisations and activists, with the latter being said to be an indicator for radicalism (Garner 1993:51). Their work usually covers all kinds of species and animal issues, as focusing only on one particular species or problem would seem inconsistent if the latter are all to constitute a moral wrong (Garner 1993:50). Nonetheless, as there are constraints in terms of money, time and expertise, some organisations concentrate on particular issues (*e.g.* animal experimentation, hunting).

Abolitionism, as suggested by Francione (2010), is another approach to animal rights activism, strictly rejecting incremental change and advocating only vegan education campaigns in order to stop animal use. Therefore, abolitionists theoretically also disapprove of animal rights organisations which make use of campaigns to improve welfare for animals in production systems, or which simply campaign for more than just veganism.

Garner (1993:64) describes animal rights activism as appealing to youthful idealism which would be attractive because of its simple slogans. This seems especially true for abolitionism which does not

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<sup>41</sup> However, according to Haynes’ critique (2008) animal welfare scientists are not governed primarily by an interest in animal welfare but by the self-interests of livestock owners and scientists.

ask for incremental change but advocates a total and immediate cessation of all exploitative practices involving animals (Regan 2004 [1983]:xiv). Strong approaches, however, can impede dialogue and are characterised by independent work and non-pragmatism according to Garner. This is considered unprofitable in decision-making and in altering public opinion (Garner 1993:64). Welfarists, believing that animal rights approaches are unable to create sustainable change, then argue that it is morally preferable to reduce suffering through animal welfare measures compared to not creating change at all (Francione and Garner 2010:122).

Moreover, welfarists often disagree that abolition ought to be the end goal; and that it is a realistic one. Unlike animal rights advocates, they do not believe that people would change if they only understood the issues and were converted morally. Change would be more likely to come about if animal interests were incorporated in specific social groupings, interests and ideological traditions (Francione and Garner 2010:155).

However, those rights organisations which also pursue welfare goals and enter into a dialogue with producers and the government face the same critique as welfare organisations, in particular from aforementioned abolitionists. Francione (1996), for example, argues that rights organisations pursuing welfare goals send ambivalent messages. Consequently, the receiving public would be more likely to accept any message approving of animal exploitation, instead of accepting animal rights.

Another issue regarding animal rights activism concerns certain grassroots activities and also intentional negative portrayal by the animal industry (Phelps 2007:281) which have led to the image of rights activism as being violent and threatening (Garner 1993:211; Regan 2008:616). In some instances, rights activists have been accused of terrorism. However, offensive/outrageous and shaming strategies (used, for example, by PETA to generate media attention (Dawn 2006:199)) have also led to negativity and are considered alienating towards the public (Garner 1993:211).

The legitimacy of violent and certain other tactics in the name of animal liberation is a source of strong disagreements between animal rights advocates (Regan 2008:616). Most animal rights NGOs (non-governmental organisations) and activists disapprove of any tactics involving violence towards people. Nonetheless, animal rights organisations are often considered radical and extremist; words like 'wacky' and 'misanthropic' have been used to describe them (Dawn 2006:200). Another source refers to a portrayal of animal rights activists as irrational, poorly informed and in the grip of their emotions (Varner 2012:20).

## 2.4 SUMMARY

Singer's utilitarianism and Regan's rights view<sup>42</sup> both include having individual welfare as a criterion for moral standing. While in utilitarianism welfare (in the sense of having the capacity to suffer and enjoyment) is the only criterion for moral standing; in the rights view welfare is one amongst others (for example memory, a sense of the future, *etc.*). Utilitarianism, therefore, includes a greater range of different species than the rights view. Secondly, Singer and Regan mostly defend an egalitarian approach. For Singer, equality means equal consideration of interests but not necessarily equal treatment. Regan argues for equal treatment of all subjects-of-a-life and hence, makes stronger claims for some animals than utilitarianism. Yet in cases of conflict (like the lifeboat case) both philosophers turn to a hierarchical argument that human lives have greater value.

It seems to be a strong advantage for both theories to provide a simple model based on one single principle<sup>43</sup> which should guide all behaviour. Their simplicity and clarity were probably factors that promoted their predominance in animal ethics and within the animal protection movement.

However, our social capacities, and our social and moral relationships, are far more complex than could be grasped by one single principle or model (Midgley 1983:19). Also Broad (1930:207–8) states that deontology and teleology are ideal-typical ethical theories. Most theories incorporate elements from both realms (as will the approach proposed in this thesis).

Between the animal welfare and rights approach, Francione and Garner (2010:175–76) identify three major areas of disagreement. Firstly, contrary to the rights approach, welfarists are said to assume that animals do not have an interest or less of an interest in their own lives. Furthermore, it is a question of whether the lives of animals and of humans are equal in value. Secondly, welfarists supposedly assume that it is normatively acceptable to use animals but are concerned about animal suffering. Hence, welfare reforms target a right not to suffer, and welfare campaigns aim at reducing or eliminating suffering. In contrast, the animal rights approach considers this to be an inconsistent moral theory and asks for a right for animals not to be used in harmful ways at all. In case of abolitionism, this means a right not to be used at all, and abolishing the property status of animals. In short, animal welfare is associated with regulation and reform, while animal rights is associated with liberation (also Sunstein and Nussbaum 2005:5; Regan 2008:616; Cochrane 2012:2-3; Chiesa 2016:568). Thirdly, the two parties disagree on the strategies as animal rights should focus on nonviolent vegan education only (at least in an abolitionist perspective following Francione) while welfarists combine educational strategies with campaigns targeting legislation (and producers).

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<sup>42</sup> Singer's utilitarian approach and Regan's rights approach seem to have been the most influential philosophical theories not only in regard to animal ethics but also in regard to animal protection organisations. Hence, much emphasis will be placed on these two theories in my thesis.

<sup>43</sup> Though Regan introduces six different principles, all of them rest on the principle to respect inherent value.

There is one last issue which arises in the conversation between Francione and Garner in their book *The Animal Rights Debate*. Francione rejects Garner's use of the word 'fundamentalist' to describe abolitionism. Thus, a fourth controversy can be stipulated in how the two approaches are portrayed. However, these areas of disagreement concern primarily Francione's abolitionism and Garner's welfarism. Their debate neither reflects animal rights activism as a whole nor necessarily reflects animal welfare activism.

The terms utilitarianism, welfarism, and animal rights describe not just one theory but are used to describe families of theories and approaches. Within these families, there are various theories and approaches which share certain commonalities but are also different to each other in important aspects. Similarly, organisations which for instance qualify as animal rights groups still could show great disparities in opinions on human use of animals. In a moderate animal rights approach for example, keeping companion animals might be considered acceptable. Also Rollin (2011) suggests that animal welfare and rights are essentially similar in aims. Animals have certain needs and hence, entitlements which have to be provided by humans (cf. Fisher 2014:646). Granting rights to animals is one way of ensuring that these requirements are met (cf. Rollin 2011).

Moreover, disputes arise not only out of the variety of possible ethical approaches that an organisation can adopt, but also out of strategies for animal protection – adding another important dimension to the debate.

I believe that the distinction of welfare *versus* animal rights ethics and organisations obscures the diversity of approaches (cf. Schmidt 2011:156–57). Overall there might not be such a great difference in ethical opinions, but rather in ideas about how to best advance the goals of animal protection. Some animal welfare activists might actually hold views quite close to classical animal rights activists or *vice versa*, while it is their strategies that differ.

Recalling the aims of this thesis, I seek to explore these differences, and my findings shall inform a framework that can help unite the major approaches and organisations, both theoretically and practically. This is especially important as it seems that the internal divisions take precedence over their shared goal of animal protection (Garner 1993:48).

What opinions do animal activists hold in regard to animal ethics, and on how to pursue animal liberation? What divides them and what unites them? The answers to these questions will be illuminated in the course of this thesis through sociological enquiry. The next chapter introduces the methodology behind this enquiry.

## CHAPTER 3: METHODOLOGY

The animal welfare *versus* rights debate - and the division it causes between animal activists - is considered to hinder progress within the animal advocacy movement (Garner 1993:48; Francione 1996; Ryder 1998:41; Francione and Garner 2010). Literature available on animal activism focuses either on the academic, ethical debate or on particular sociological aspects concerning activism itself; rarely do these two approaches intersect. This thesis aims to combine insights from both realms in order to better understand, approach and subsequently transcend the debate. This chapter explains the methodology behind the sociological enquiry into the debate. Initially the research context will be discussed in more detail, and it will be concluded that semi-structured in-depth interviews are best suited to explore opinions and experiences of animal activists. The chapter will then introduce the design process including the sampling technique and choice of organisations and interviewees; the data collection including the development of the research instrument; and data analysis.

### 3.1 RESEARCH CONTEXT

The two prominent ethical theories in animal ethics, utilitarianism and animal rights, aim at providing a universal framework for conceptualising appropriate relationships with and treatment of animals. The more traditional approaches assume that conflicts can be overcome if we managed to improve the theories. However, it seems unlikely that any one theory could manage to provide a fully satisfactory account for how we ought to treat animals. Moral blind spots exist in any theory which are often better addressed by an opposing theory, as is the case with utilitarianism and animal rights. In response to these insurmountable problems, MacIntyre (2007) proposes that these disputes cannot be overcome as they do not acknowledge the specific historical and cultural background they originated in. In a similar manner, various authors criticise analytical philosophy for providing simple solutions to decontextualized problems that provide little guidance to real world dilemmas (Light and McGee 1998:1–2, 5; Levitt 2003:23; D’Andrea 2006:xv). Formal philosophy usually does not take into consideration social processes behind ethical behaviour (Haimes 2002:112), although it might be fruitful to do so for at least two reasons. Firstly, theories of justice (like the one proposed later in this thesis) need to take into account social, economic, historical, and human nature constraints (Garner 2013:13). Similarly, Levitt (2003:23) argues that usually more than one morally relevant factor needs to be taken into account when making ethical decisions. For example, the decision to terminate a pregnancy needs to consider ‘factors like the social and economic situation of the parent, the health resources they will have available, the ages of their other children, as well as the state of the foetus’ (Levitt 2003:23–24).

Secondly, the approach developed in this thesis aims to be relevant to activists and the challenges they face. Professionals (or activists in this thesis) often cannot make use of abstract principles developed in bioethics, that fail to recognise social life and lived experiences (Spallone *et al.* 2000:192). Sometimes it might just be a simple misunderstanding of technical terms (see chapter four: ‘Conceptions (and misconceptions) of animal rights’), but often it concerns different assumptions and values of ethicists and professionals that prevent fruitful exchange (Spallone *et al.* 2000:200). Moreover, approaches based on philosophical theory alone tend to focus on education and argumentation, considering the individual an independent agent. Yet, sociological and psychological research suggests that context and other ‘agent-shaping’ powers might also need to be taken into account (DeVries and Conrad 1998:249).<sup>44</sup>

Hence, the empirical research conducted in this thesis serves at least three purposes. The data should (1) help to better understand the debate, (2) contribute to existing knowledge on opinions, attitudes and motivations of animal activists, and (3) inform the development of an approach to animal activism that allows for contextualisation, taking into account all relevant considerations (including the possibilities and limits of social actions) (cf. Bennett and Cribb 2003:17), and ideally speaks to important values and principles held by all activists.

Qualitative research provides us with the tools to reveal people’s ethical opinions and behaviour (Haimes 2002:106) and to obtain an *understanding* of the debate’s social context. It offers us means to explore, understand, and interpret ‘people’s perspectives in the context of the conditions and circumstances of their lives’ (Ritchie *et al.* 2014:22). Within this interpretivist framework, epistemological and ontological assumptions are fundamentally based on constructivism as the research seeks to understand ‘constructed realities of people in a particular setting, and explores their meanings and explanations’ (Ritchie *et al.* 2014:18). Societies – and their moral debates – are after all a product of people engaging with each other. Understandings and experiences influencing this debate are relative to the ‘specific cultural and social frames of reference’ (King and Horrocks 2010:9). The debate between animal welfare and animal rights is no less a constructed one, shaped in the Western culture.

Against this background, the research aimed to explore and understand the two questions from the point of view of the people engaged in the debate (*i.e.* animal activists):

*What divides animal advocates?*

*What (ideally universal) common ground exists between people in the advocacy movement which could inform a unifying framework?*

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<sup>44</sup> The relevance of agent-shaping powers and human behaviour constraints will be discussed in more depth in chapters seven to nine.

Interviews, in particular, provide a tool in qualitative research to explore such questions. Holstein and Gubrium (2011:151) suggest that qualitative interviewing is 'a process of experiential animation' which capitalises upon the researcher's and the participant's contributions. This means that both the participant's and the interviewer's opinions and feelings productively influence the whole research process. The interview itself is considered 'a knowledge construction project' (Holstein and Gubrium 2011:156) which is deeply embedded in a specific historical and cultural background. The meanings people attach to the social world can be investigated to some extent but meanings are also constructed and developed through interviews. The interviewer's bias therefore is not only acknowledged as such, but expected to unavoidably co-construct the encounter (King and Horrocks 2010:134). Pidgeon and Henwood (1997:250) identify four dimensions which influence the research: the participant's own understanding, the researcher's interpretation, the cultural meaning system which informs the participant's and the researcher's understanding, and validity judgment of particular interpretations by the scientific community. Thus, within this constructivist approach, facts and values are not distinct; objective value-free research is considered impossible (Ritchie *et al.* 2014:12); and social reality cannot be reflected 'accurately,' only faithfully.

My own bias towards more traditional animal rights philosophies would have influenced the development of thesis. However, before setting out to engage in this project, my knowledge about the animal welfare *versus* rights debate, especially regarding its practical disputes, was limited. Hence, I aimed to provide a fair account of each position, and faithful representation of meanings and viewpoints provided by participants; from a perspective that ideally was as neutral as possible, acknowledging that no perspective can every fully be bias-free. Therefore, epistemological and personal reflexivity (*i.e.* reflection on the impact of one's beliefs, interests and experiences) need to be an integral part of such constructionist research. A thick description and audit trail should guarantee quality assurance within this approach (cf. King and Horrocks 2010:160).

### **3.2 THE DESIGN PROCESS**

In the following section, the sampling technique will be discussed, including the rationale behind the choices of welfare and rights organisations, and a short description of participating groups.

#### **3.2.1 SAMPLING TECHNIQUE**

Numerous animal protection organisations exist in the UK. An initial internet search (see websites such as Animal Rights UK 2012; UK Animal Rescuers 2016; Wikipedia 2016a, 2016b) yielded 23 different welfare groups<sup>45</sup> and 19 different rights groups (see figure 1, p. 48; and figure 2, p. 54). The

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<sup>45</sup> The number of welfare groups eventually amounted to 24, as the Brooke was included at a later stage.

list of groups does not make attempts to completeness as more animal welfare (often focusing on rescuing and re-homing) and rights groups exist in Great Britain. Also branches of organisations (*e.g.* of the RSPCA) have not been taken into consideration to avoid redundancy. Lastly, organisations, which protect animals but do so with a rationale of conservation or protecting nature (*e.g.* the World Wildlife Fund or the Royal Society for the Protection of Birds) have not been included. Nonetheless, the initial search results provide a fairly good overview over a wide range of organisations differing in size, focus and popularity.

Overall, 15 participants were recruited of whom four (two from animal welfare and two from rights groups) took part in pilot interviews<sup>46</sup> and eleven in the final interviews, between March and September 2016. Seven participants were employed by, or volunteered for animal rights organisations; another seven for welfare groups. The interview with an activist from World Animal Net – who identified neither with rights nor welfare specifically – was included within the group of welfare activists to ensure anonymity of the participant. Thus, the total number of interviews of welfare campaigners reached eight instead of seven.

In total, six interviewees were male and nine were female. Of eight welfare activists, six participants were female and two were male. Four of those participants had started engaging in the beginnings of the modern animal protection movement (between 1960 and 1979), and two of the remaining four became active after the year 2000. Out of seven animal rights activists, four interviewees were male and three were female. Four of those campaigners also became involved in animal protection early on between 1960 and 1979, and the other two recently (after 2000).

The sample size of fifteen interviews was considered sufficient as it involved participants from a wide range of organisations, including the most influential, and most controversial groups. An increase in sample size would not necessarily have contributed considerably to the results as phenomena only need to be recorded once to be part of the analytical map, and as statistical inference is not important in qualitative research. Additionally, analysing a bigger sample size would have impeded the depth of analysis and would not have been feasible (*cf.* Ritchie and Lewis 2003). The choice of sampling method was cross-sectional, non-probability, purposive sampling as organisations were selected based on particular characteristics, relevant to the subject matter (*cf.* Ritchie and Lewis 2003). Random sampling was not considered necessary, as statistical representativeness was not the main goal of this research. Instead, the method followed King and Horrocks' suggestion (2010:29) on deciding on one or two key aspects to define a group and to seek diversity in other aspects. The relevant characteristics in this study included belonging either to an

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<sup>46</sup> The term 'pilot interviews' indicates that the topic guide was revised and adapted after these initial interviews. The pilot interviews aimed at testing the applicability of the questions to further improve the topic guide. Pilot interview data was included in the final analysis (see 'Data collection').

animal welfare or a rights organisation. The distinction between welfare and rights groups was based on information available on the websites of the organisations, usually under a section 'About Us', 'Our mission' or the like. Organisations which focused on reducing suffering (without a reference to rights) and used phrases like 'improve animal welfare' were considered welfare organisations, while animal rights groups used phrases like 'end animal exploitation', or 'animals have the right.' A more detailed explanation will be given for organisations which participated in this study.

Within these two aspects, however, diversity constituted the main factor so as to explore the impact of these characteristics (Ritchie and Lewis 2003). The aim was to shed light on meaningful differences and commonalities in relation to the research topic (cf. King and Horrocks 2010:29).

Both, animal welfare and rights organisations show a great variety in size, focus, popularity and impact. It was also assumed that animal activists from different organisations would be able to share different experiences (as focus and strategies diverge between groups). Their varying backgrounds should provide a richer and more complex picture of animal protection. Thus, additionally, a maximum variation sampling technique was used. This strategy looks at a small sample with great diversity. The results are then likely to show two patterns: a high-quality, detailed description of each case which documents their uniqueness; but also shared central themes which derive their significance as they emerge out of heterogeneity (Patton 2002).

The choice of organisations within the two approaches (*i.e.* welfare and rights) was then based mainly on differences in focus which were divided into different (non-exclusive) categories, for example *broad focus* or (*other*) *single issues* focus. One or two organisations were chosen from each category, also considering other factors like (bad) publicity, popularity, relevance within the animal liberation movement and availability/willingness to participate.

### **3.2.2 ANIMAL WELFARE ORGANISATIONS**

The focus of different welfare organisations was divided into: *broad focus* (covering diverse animal welfare issues and species), *other single issues* (*e.g.* intensive farming, sports), *companion animals* (mostly), and *wild animals* (mostly) (see figure 1, p. 48). The categories are not exclusive as for example the International Fund for Animal Welfare's (IFAW) work is not solely focused on wild animals (see the discussion further down).

Within the category *broad focus*, the Royal Society for the Prevention of Cruelty to Animals (RSPCA) has had considerable impact and importance in the animal protection movement, but is also considered a controversial organisation in some circles (*e.g.* Phelps 2007). The Humane Society (HSI(UK)) bears a similar status in the United States, but is much younger and less influential in the

UK. Similarly, World Animal Protection (WAP) is more established in Great Britain than Four Paws. In contrast to the RSPCA and HSI(UK), WAP and Four Paws pursue animal protection primarily on an international level. Thus, the participants from the RSPCA and WAP were chosen for interviews because of their greater importance in animal protection within the UK, and to obtain insight from activists who engage in work nationally and also internationally. The WAP interviewee was part of the pilot phase so as to test and subsequently ensure the applicability of the interviews for a wide range of organisations (because of their broad focus and their international work).



**FIGURE 1 ANIMAL WELFARE ORGANISATIONS**

All considered animal welfare organisations are arranged according to focus (*broad focus, other single issues, companion animals, and wild animals*) in a respective, non-exclusive circle. The grey circle indicates excluded groups. The organisations are listed by their income in descending order within the categories. For further information on income see Appendix 1.

Compassion in World Farming (CIWF), the League Against Cruel Sports (LACS), the Brooke, and the Badger Trust are characterised by focus on one kind of animal welfare issue, *e.g.* the ending of intensive factory farming as in the case of CIWF. CIWF and LACS were invited and took part in the interviews as they were of especial interest given their leaning towards animal rights (Knight 2016).

The category *companion animals* includes organisations focusing mostly on companion animals, their re-homing, and education of pet owners.<sup>47</sup> According to Greenebaum (2009:291), people working in animal shelters or as rescuers often do not identify themselves with the animal protection/liberation movement. Thus, there was some initial uncertainty about the applicability of the interview questions for this category. Wood Green took part in the pilot phase to ensure the applicability of questions within this category. People's Dispensary for Sick Animals (PDSA) was then contacted for the final interviews because of its considerable size<sup>48</sup> and long history, comparable to the RSPCA. However, as they declined to participate and after several failed attempts to establish contact with any of the other organisations by phone and email, groups in other categories were contacted. The Brooke agreed to an interview.

The category *wild animals* comprises organisations with a strong focus on these animals, though not exclusively. For example, IFAW's work also includes companion animals but their website suggests greater emphasis on wildlife. Both organisations in this category are internationally active; and both were considered equally interesting in regard to the research questions and aims. Thus, willingness to participate was the deciding factor and contact was only established with IFAW.

Two exclusion criteria for animal welfare groups were applied: (1) lack of involvement in activism (*e.g.* only re-homing of animals but no educational or legislative work); (2) a strong focus on just one species or breed (*e.g.* Retired Greyhound Trust) in order to avoid including participants with a bias towards one specific species while not being concerned with animal protection *per se*. In the following, a short description of all the participating welfare organisations is provided.

#### *Wood Green – The Animals Charity*<sup>49</sup>

Wood Green (\*1924) is a medium-sized animal charity (cf. Appendix 1) for companion animals including less traditional companions such as chickens or goats. Their mission includes rescuing, caring for and re-homing animals; providing advice, support and guidance to pet owners; increasing awareness for the responsibility towards animals in society; and some lobbying (*e.g.* to improve the Dangerous Dogs Act). They are also members of various associations (*e.g.* C4 Neutering Services). Their vision is 'a world where all pets are well cared for in loving homes for life.' They neither use utilitarian nor animal rights statements but rely on values and virtues of compassion, openness, honesty, and commitment.

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<sup>47</sup> Though this focus is not necessarily always limited to traditional companion animals, as, for instance, Wood Green also re-homes chickens.

<sup>48</sup> PDSA is the second biggest animal welfare organisation in the UK (based on annual income) after the RSPCA (see Appendix 1).

<sup>49</sup> <http://www.woodgreen.org.uk>, accessed 09.11.2015.

*World Animal Protection (WAP)*<sup>50</sup>

World Animal Protection (\*1981, known as World Society for the Protection of Animals until 2014) is a big organisation (cf. Appendix 1) which protects wild, pet and farm animals, and helps animals after natural disasters, in Africa, North and Latin America, Asia Pacific and Europe. Their vision is a 'world where animal welfare matters and animal cruelty has ended.' They also mention a right of animals to live free from pain, cruelty and suffering. To achieve their goals, they conduct direct work (e.g. sterilisation of dogs), educate people, engage in national and international lobbying, and co-operate with other welfare organisations.

Though World Animal Protection considers itself a welfare organisation, they address rights of animals (at least once on their website). Some of their campaigns tackle welfare reforms but others aim to ban certain practices (e.g. the use of wild animals for entertainment). Thus, they are not strictly welfarist and also not strictly reformist as a narrow interpretation of welfarism would suggest (i.e. condoning all animal use, also see 'Literature review'). The narrow interpretation does not apply to any of the organisations discussed in more detailed here. Thus, in the following a reformist approach will refer to a welfare approach which also aims at banning practices that are incapable of providing appropriate welfare standards.

*Royal Society for the Prevention of Cruelty to Animals (RSPCA)*<sup>51</sup>

The RSPCA (\*1824) is the biggest charity in terms of income (cf. Appendix 1), and probably also in employees if their branches were included in the calculation. Their work focuses on ending suffering and improving welfare for farm, lab, wild and companion animals. Following a reformist approach, they aim to achieve this by pursuing legislative changes, raising awareness, providing the RSPCA Assured ethical food label, rescuing animals, and investigating and prosecuting animal cruelty. Their vision is to work towards 'a world in which all humans respect and live in harmony with all other members of the animal kingdom.'

Though the RSPCA mentions once that animals have a right (to be counted as individuals), their approach to solving ethical dilemmas seems to be a utilitarian cost-benefit analysis, as they are trying to 'help maximise positive outcomes for animals and avoid or minimise negative impacts.' Additionally, they address the virtues of compassion and respect.

Given their size and age, they have considerable impact on the animal protection movement, but have also faced criticism and are considered highly controversial in some circles (cf. Phelps 2007; Armstrong and Botzler 2008; Dolan 2016; Kite and Craven 2016; Levy 2016). Last but not least, the

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<sup>50</sup> <http://www.worldanimalprotection.org.uk>, accessed 01.04.2016.

<sup>51</sup> <http://www.rspca.org.uk/home>, accessed 09.11.2015.

RSPCA is the only organisation which has expelled people because of incompatible views (though a small number), according to Garner (2013:44).

*Compassion in World Farming (CIWF)*<sup>52</sup>

Compassion in World Farming (\*1976) is a medium-sized charity (cf. Appendix 1) that seeks to end modern, intensive factory farming practices, which they consider as ‘the biggest cause of cruelty.’ Their rationale of ending cruelty and their vision ‘of a world where all farm animals are treated with compassion and respect’ is neither utilitarian, nor an animal rights approach; it rather seems based in virtue ethics.

CIWF’s reformist strategies include undercover investigations, political lobbying and campaigning, raising awareness and working with food companies. The latter entails the provision of ‘Good Farm Animal Welfare Awards’ and partnership activities for ‘specific projects to improve farm animal welfare in supply chains.’ Additionally, the charity promotes reduced meat consumption, meat free Mondays and meat free weeks.

*The League Against Cruel Sports (LACS)*<sup>53</sup>

The League Against Cruel Sports (\*1924) is a medium-sized charity (cf. Appendix 1), dedicated to stopping ‘cruelty to animals in the name of sport,’ such as hunting, shooting, bullfighting, and so forth. LACS’ main approaches include exposing cruelty through investigations, prosecutions, research and reports, and media coverage; lobbying (also through public outreach); offering advice and support to people affected by cruel sports or wildlife crime; and protecting animals in their sanctuary. They do not seek welfare improvements but the end of these practices. In case of animals for food, the organisation mentions that rearing and slaughter methods should not cause suffering. Interestingly, LACS clearly states on its website that it is an animal welfare group in response to a frequently asked question on whether it is an ‘extremist animal rights organisation’ (LACS 2016), indicating an association of animal rights with extremism that animal groups sometimes have to address.

*International Fund for Animal Welfare (IFAW)*<sup>54</sup>

The International Fund for Animal Welfare (\*1969) is a rather big organisation (cf. Appendix 1) working regionally and internationally in more than 40 countries. It focuses on rescuing individual animals, safeguarding populations, preserving habitat, and helping animals during and after natural

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<sup>52</sup> <http://www.ciwf.org.uk/>, accessed 09.11.2015.

<sup>53</sup> <http://www.league.org.uk>, accessed 09.10.2016.

<sup>54</sup> <http://www.ifaw.org/united-kingdom>, accessed 09.10.2016.

disaster; thus, being one of few organisations bridging the gap between welfare and conservation work. Their work encompasses direct work with wildlife, livestock and companion animals; and also, education and political advocacy.

IFAW's vision is a world 'where animals are respected and protected,' meaning animals should be recognised as having intrinsic value and as sentient beings. Their work and policies are based on science and ethics; and their decisions are guided by ecological and biological sustainability, and the precautionary principle. Their approach is reformist, welfarist, but also conservationist. The combination of welfare and conservation, as well as their clear statement on the importance of working within an ethical framework made them an interesting organisation to include in this study.

#### *The Brooke – Action for Working Horses and Donkeys*<sup>55</sup>

The Brooke (\*1934) is a medium-sized animal welfare charity (cf. Appendix 1), dedicated to improving 'the lives of working horses, donkeys, mules and the people who depend on them' in Africa, Asia, Latin America and the Middle East. Their vision is 'a world in which working horses, donkeys and mules are free from suffering.' Their approach to achieve this goal resembles welfarism in a narrower sense as they do not aim at banning the use of horses, donkeys and mules (on which the livelihood of people in developing countries depends). Instead Brooke works with people, communities, other organisations, and governments to improve practices, policies and regulations and thus, welfare. This organisation was included in the sample at a later stage, as one member agreed to be interviewed, after several failed attempts to arrange an interview with any of the other organisations in the original sample.

#### *World Animal Net (WAN)*<sup>56</sup>

A 15<sup>th</sup> interview was included after discovery of World Animal Net. WAN (\*1997) is neither an animal welfare nor rights organisation, but has aimed to improve communication and coordination among animal protection groups around the world. They have built a 'network of animal protection societies with over 3,000 affiliates in more than 100 countries,' and are consultants to the United Nations. WAN has offices in the UK, the Netherlands, the US and South Africa.

WAN's mission is 'to improve the status and welfare of animals worldwide by offering the animal protection community information, expertise and new opportunities to connect, collaborate, and campaign for change.' Given their mission, and inclusive approach to all organisations regardless of

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<sup>55</sup> <https://www.thebrooke.org>, accessed 09.10.2016.

<sup>56</sup> <http://worldanimal.net>, accessed 09.10.2016.

whether they are welfare or rights based, World Animal Net was considered to provide important insights for achieving the aims of the thesis.

### 3.2.3 ANIMAL RIGHTS ORGANISATIONS

Animal rights organisations were divided into the categories: *diet and services*, *other single issues*, *broad focus*, and *associations and coalitions* (see figure 2, p. 54). Again, these categories are not exclusive, as, for example, Cruelty Free International (CFI), despite being categorised as *other single issues*, also provides a service by certifying cruelty-free cosmetics and household products.

The Vegan Society and Veggies Catering Campaign distinguish themselves from other organisations through their strong focus on plant-based dietary education and provision of services (*e.g.* the vegan trademark) as a mean for animal protection. The Vegan Society was chosen for the interview because of its size and age, contributing to their impact in the movement.

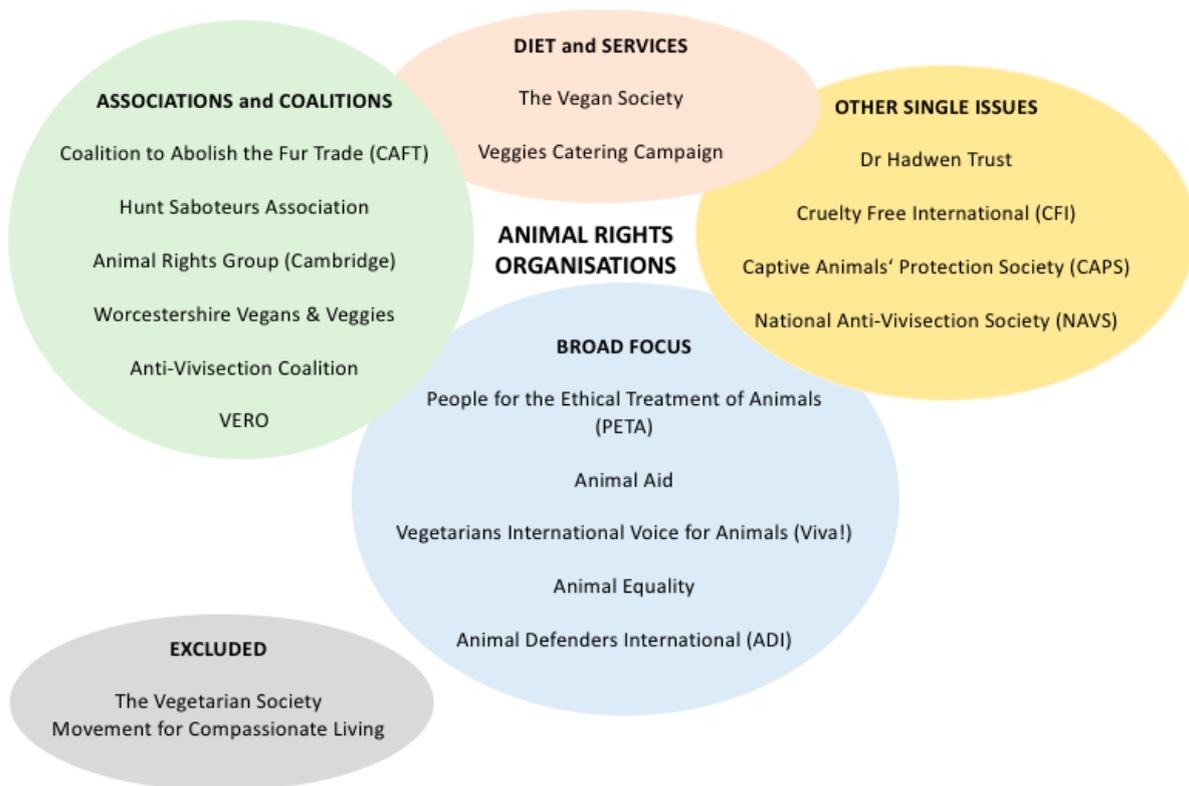
Within the category *other single issues*, most organisations deal with animal experimentation. Dr Hadwen Trust<sup>57</sup> conducts research into alternatives to testing on animals. Cruelty Free International (CFI) and the National Antivivisection Society (NAVS) work to end animal experimentation. Captive Animals' Protection Society (CAPS) aims to end wild animal captivity in primarily zoos, circuses and through exotic trade. Despite several emails and phone calls, no contact was established with any of these organisations. As VERO, or Voice for Ethical Research at Oxford, opposes the use of animals in medical research at Oxford and was willing to take part in an interview, this group was chosen to represent the category *other single issues* (despite also belonging to the category *associations and coalitions*).

The category *broad focus* includes organisations which work on a variety of issues through various means, *e.g.* undercover investigations, educational, and legislative campaigns. Most of them also strongly promote veganism. Animal Aid is one of the most prominent organisations within the UK, working on a variety of issues. Hence, the organisation has been chosen for a pilot interview so as to ensure applicability of questions within all categories, other than *associations and coalitions* (as they work primarily at the grassroots level).

Campaigns by People for the Ethical Treatment of Animals (PETA) have been criticised for sexism, pornography, and other questionable tactics (*e.g.* Pennington 2013), and for using animal welfare strategies (Francione and Garner 2010:30 *et seq.*). Thus, PETA was considered important for research studying the animal welfare *versus* rights debate. For similar reasons, Viva! was chosen for an interview as Francione heavily criticised their single issue campaigns at the London Vegfest in September 2015.

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<sup>57</sup> The Dr Hadwen Trust operates under the working name Animal Free Research UK since 2017.



**FIGURE 2 ANIMAL RIGHTS ORGANISATIONS**

All considered animal rights organisations are arranged according to focus (*diet and services, other single issues, broad focus, and associations and coalitions*) in a respective, non-exclusive circle. The grey circle indicates excluded groups. The organisations are listed by their income in descending order within the categories, except for *associations and coalitions* which do not have an annual income. For further information on income see Appendix 2.

The category *coalitions and associations* comprises organisations which are mostly characterised by grassroots activities and networking, and direct actions. Grassroots are often associated with radicalism (Garner 1993:51) and violence, though it occurs rarely. Coalitions and associations are neither registered as charities nor as limited companies, and do not have offices. The nationally working Coalition to Abolish Fur Trade (CAFT), Hunt Saboteurs Association (HSA) and Anti-Vivisection-Coalition are better known and thus, probably more influential than more local groups. Each group was considered equal regarding their potential to contribute important experiences to the research questions and aims. All groups were contacted but the response rate was low. HSA agreed to take part in a (pilot) interview (to ensure representation in the testing of the questionnaire for *associations and coalitions*), as well as Worcestershire Vegans and Veggies.

The exclusion criterion for animal rights organisations was a lack of focus on animals and animal protection in case of the Vegetarian Society and the Movement for Compassionate Living. In the following, a short description of all the participating rights organisations is provided.

### *Animal Aid*<sup>58</sup>

Animal Aid (\*1977) is a non-profit (limited) company with a strong educational department; and one of the largest animal rights groups in the UK according to their website. Although the organisation engages in some campaigns to lessen suffering, its ultimate aim is to abolish all forms of animal use, in particular with regards to vivisection laboratories and factory farms. Their strategies and tactics focus on educating the public on veganism. Additionally, they conduct undercover investigations, examine existing legislation, and lobby and campaign for legislative changes. Their campaigning policy strictly objects to any violent strategies including threats and intimidation, and property damage. As they do not advocate the abolition of the general use of animals (*i.e.* also the keeping of companion animals), they cannot be considered a strict abolitionist organisation. This is the case for all groups discussed here.

### *Hunt Saboteurs Association (HSA)*<sup>59</sup>

The Hunt Saboteurs Association (HSA) (\*1963) is slightly different compared to other groups in the category *coalitions and associations* as they show greater organisational structure and presence through a website. HSA aims to save the lives of hunted animals through non-violent action tactics disturbing hunts (*e.g.* through distraction and scaring animals away by noises), filming illegal activities, and prosecuting in court. There are local groups across the UK which are active at least once a week either in the field or in fundraising, leafleting and other background work. The Hunt Saboteurs report much on their actions but less on their ethical rationale on their website. Considering the kind of work (*e.g.* direct actions) and the belief that killing animals for sports is inherently wrong, it suggests an animal rights approach.

### *People for the Ethical Treatment of Animals (PETA)*<sup>60</sup>

PETA UK is a large (if not the largest) charity (and limited company) in terms of annual income and popularity (cf. Appendix 2). The organisation is concerned about animal suffering and cruelty, respectful treatment, compassion and the animals' interest in 'leading their own lives.' Their work is 'dedicated to establishing and protecting the rights of all animals' regardless of species, thus advocating a strong rights message. The charity's work encompasses public education (including the promotion of a vegan lifestyle), research and seeking legislative changes. PETA opposes any forms of violent actions and advocates peaceful strategies but they are of special interest to this research, as

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<sup>58</sup> <http://www.animalaid.org.uk/h/n/AA/HOME/>, accessed 09.11.2015.

<sup>59</sup> <http://www.huntsabs.org.uk>, accessed 01.04.2016.

<sup>60</sup> <http://www.peta.org.uk/>, accessed 09.11.2016.

they are well known for offensive/outrageous and shocking campaigns to generate media attention (Dawn 2006:199).

*Viva! (Vegetarians' International Voice for Animals)*<sup>61</sup>

Viva! is a medium to large sized charity (cf. Appendix 2) which wants 'to stop cruelty and harm to animals' through promoting veganism, but they also embrace people who are vegetarian or try to reduce their meat consumption. The organisation works through undercover investigations and educational campaigns which also include environmental issues. Additionally, the organisation provides information and advice on a vegan lifestyle or the way towards it. Though Viva! looks for the abolition of all animal exploitation and though they would like to see a fundamental change, they also approve of welfare improvements.

*The Vegan Society*<sup>62</sup>

The Vegan Society (\*1944) is a small charity and membership society, which works to promote veganism as an 'approach to reduce animal and human suffering.' They not only advocate for veganism through raising awareness and education, but support people in adopting and maintaining a vegan lifestyle. This includes political campaigns, and campaigns to introduce vegan catering in institutions like hospitals and prisons. Their philosophy is animal rights-based as they oppose the exploitation of non-human animals, but they also state environmental and health concerns as motivators to campaign for veganism.

*Worcestershire Vegans and Veggies (WVV)*<sup>63</sup>

Worcestershire Vegans and Veggies is a 'parent group' to smaller, local veggie and vegan groups in the county. The groups aim to educate about 'the benefits of a vegan diet and to help people become vegan, vegetarian, or reduce the amount of animal products in the food they eat.' The groups organise social activities, including food fairs and talks; and support national groups with their campaigns through fundraising or through local outreach work. As the groups promote other national campaigns, and also promote the reduction of animal product consumption, they do not follow a strictly abolitionist approach of vegan education only.

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<sup>61</sup> <http://www.viva.org.uk/>, accessed 09.11.2015.

<sup>62</sup> <https://www.vegansociety.com>, accessed 09.10.2016.

<sup>63</sup> <http://www.worcsveg.org.uk>, accessed 09.10.2016.

### *Voice for Ethical Research at Oxford (VERO)*<sup>64</sup>

Voice for Ethical Research at Oxford (\*2006) is a University-based group to oppose Oxford's proposed new biomedical science building. VERO seeks to raise 'public awareness, especially within the University;' 'to remind the University of its obligations under the 1986 Act' to only use animals where no other methods of research would work; to persuade the University to increase transparency regarding animal experiments; to urge the University to become a pioneer in human-based research technologies; and 'to encourage and support student interest' in the rights of animals.

Based on their promotion of student interest in animal rights, VERO can be assumed to be an animal rights group.

### **3.3 DATA COLLECTION**

As outlined earlier, the aim was to include the stakeholders (*i.e.* activists) and to understand their opinions on, and experiences with the animal welfare *versus* rights debate. Interpretivist approaches usually use existing research and theories to inform the planning and designing of studies, the sampling approach, and the creation of a fieldwork tool. However, during data collection, the emphasis lies on understanding and interpretation, and gaining detailed information on people's lives (Ritchie *et al.* 2014:22). As this thesis is not aiming at accurately capturing 'social reality,' but trying to understand the debate, face-to-face semi-structured interviews were used for data collection. Interviews are able to provide a richer picture of animal activists and to lend them a stronger voice in this debate. Face-to-face interviews are a useful tool to uncover how people make sense of their lives and to share their opinions, experiences and understanding (cf. King and Horrocks 2010:11, 19–21), and are usually considered to 'establish a better rapport between the researcher and the participant' (Ritchie *et al.* 2014:182). In contrast, quantitative methods (*e.g.* closed questionnaires) look for general patterns but cannot uncover deeper meanings.

A set of (mostly open-ended) questions or topics were designed based a) on the philosophical theories and b) on literature on the gap between organisations. Nonetheless, this semi-structured approach was flexible regarding phrasing of questions and their order (King and Horrocks 2010:35). Semi-structure allows to explore certain topics in more depth or to go beyond the topics if participants bring up important issues which had not been considered before (Ritchie and Lewis 2003). This flexibility and openness is paramount to achieve depth of exploration and understanding of the participants' experiences and opinions (Ritchie *et al.* 2014:184).

The interviews provided the opportunity to investigate viewpoints of activists on the treatment of animals, on strategies of organisations and on opinions held on other organisations (and their

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<sup>64</sup> <http://www.vero.org.uk>, accessed 09.10.2016.

strategies). Also gathered was information on successful co-operation or difficulties regarding co-operation between organisations. This was done to shed light on further sources of agreement or disagreement between groups.

### **3.3.1 THE TOPIC GUIDE**

The topic guide – as the name suggests – helped to guide the semi-structured interviews through important topics. Ritchie and Lewis (2003) suggest a topic guide with six to nine discrete subject sections for an interview of one to two hours. A topic guide either simply lists the key subjects which need to be covered or consists of carefully worded questions including prompts and directions for probing. The former enables a more natural flow of the conversation between the interviewer and the participant while the latter is especially helpful for difficult and sensitive topics (Ritchie and Lewis 2003).

The topic guide developed for this project tries to integrate both approaches (see Appendix 3). It covers the key subjects with sometimes only key words and phrases while also including more carefully phrased questions which otherwise could elicit misunderstandings if not worded appropriately. The structure of the topic guide follows the suggestions by Ritchie and Lewis (2003) (*e.g.* including an introduction, main topics with instructions and an ending). The topic guide moves from participants' personal views on animal protection to their opinions on organisational work. The content on the topic was developed based on various literature on animal ethics and on animal protection, in dialogue with the supervisory team, and during a pre-pilot phase with an animal activist. In the following, I will explain the rationale behind the main section.

#### *1. Personal details*

Initially, interviewees were asked regarding personal details including their motivation to engage in the movement, in their specific organisation, and previous involvement in other organisations. These questions were considered fairly easy for participants to answer and were expected to ease them into the interview. Additionally, they served the function of gathering some background information so as to obtain some additional contextual knowledge of the interviewee in the encounter, to further acknowledge and understand situated perspectives (*cf.* King and Horrocks 2010:19–21).

#### *2. Opinions on animal use*

The initial literature research exposed the image of animal welfare activism as being conservative, and reformist while animal rights activism is seen as non-reformist and radical (Garner 1993:48), which, however, might be overly simple representations. Moreover, the literature mostly assumes

that welfarists are utilitarian while non-welfarists advocate an animal rights approach. This might be true for some organisations and their official views, but not necessarily for all organisations and activists.

The first questions on initial and current concerns aimed at a facilitated transition from the previous part into opinions on animal use. Concerns around suffering and killing were explored, as well as the general permissibility of animal use, unacceptable or acceptable forms of animal use, and their dependence on circumstances and human benefits. These questions usually divide abolitionist, more moderate animal rights, and welfare/utilitarian approaches. Additional questions investigated the reformist (or non-reformist) dimension.

Another part in this section investigated the understanding of the term *rights* from the participant's point of view. In the discussion on animal rights, it is sometimes assumed that animals cannot have rights because of how rights are framed and defined. Lastly, questions were asked regarding the meaning and importance of compassion for animal protection. The promotion of humane or compassionate treatment is usually associated with welfare organisations.

Thus, the second theme explored opinions on animal use covering all relevant areas which are commonly discussed in animal ethics. This section was important to think about, and understand the philosophical and ethical tensions between activists.

### 3. *Animal protection strategies*

The third main topic explored the interviewee's attitudes on animal protection strategies. The work of different animal protection organisations can be roughly divided into campaigning (*i.e.* seeking change) and provision of services (*e.g.* of information, labels, awards *etc.*) (Garner 1993:181).

Campaigning can be further divided into constitutional (seeking legislative changes), educational (seeking behavioural change, *e.g.* vegetarian/vegan campaigns), 'organisational policy' (seeking changes in organisational policies, *e.g.* retailers, schools, hospitals, prisons, *etc.*), single issue and direct action campaigns. These are just rough classifications which do not exclude each other. A single issue campaign, focusing on one specific issue, such as the fur trade, can target constitutional change or behavioural change. Francione (Francione and Garner 2010:79) criticises single issue campaigns believing that they would communicate ambivalent messages about one practice being wrong, compared to other exploitative practices being less or not wrong.

Direct actions can be further differentiated into legal direct actions such as protests or obtaining insight into certain industries *via* employment,<sup>65</sup> and illegal actions. Illegal actions especially are a highly disputed form of campaigning within the animal protection movement, whether or not they

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<sup>65</sup> In some instances, the direct action becomes illegal if the gained information is disseminated.

are violent. Non-violent forms may include sit-ins, vigils, breaking into and destroying property; although the latter two are considered violent by some. Judged as definitely violent are threats to, and attacks on, human safety and lives (Garner 1993:216–17). Garner (1993:223–26) argues that it draws attention to the act instead of the cause, and increases barriers instead of promoting dialogue. On the other hand, he acknowledges that important information (*e.g.* on the living conditions on animals) could not have been gained without such strategies. This section intended to provide insight into another area of conflict between organisations, essential to the debate. Additionally, the results in this section aided the development of arguments in chapter nine.

#### 4. *The participant's organisation*

The fourth section guided the participant away from thinking about animal protection in general, to thinking about the work of his/her own organisation. This included a reflection on the organisational views compared to the interviewee's opinions, on the strategies in use, and on disagreements.

#### 5. *Other organisations*

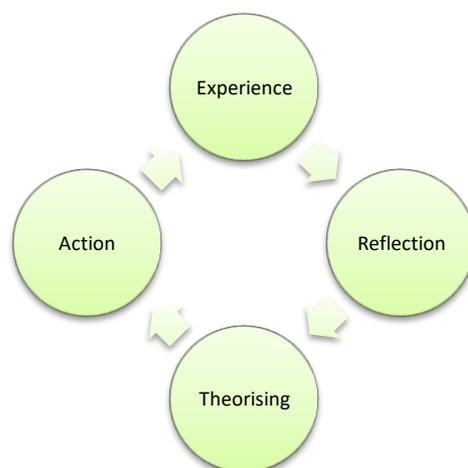
In a next step the participant was asked to reflect on other organisations, on their differences, and on organisations the participant did not approve of. Depending on whether the participant worked for an animal welfare or a rights group, he/she was invited to share his/her views on the organisational approach of the other (including comments on appreciation, and problematic aspects). Animal welfare activists reflected whether they agreed/disagreed with the agenda of animal rights organisations, whether they thought animal rights strategies could result in beneficial change (*e.g.* improving living conditions, raising awareness), and whether they agreed/disagreed with the portrayal of animal rights activists as being radical or extreme. Similarly, animal rights campaigners were asked whether they agreed/disagreed with the agenda of animal welfare organisations, and whether they thought animal welfare strategies could create beneficial change (*e.g.* lead to the end of animal use, increase awareness and respect). These questions further clarified areas of disputes, especially relating to the welfare *versus* rights debate.

#### 6. *Co-operation*

The last section gathered some more contextual information about co-operation between organisations, and about the participant's opinions on factors which lead to (un-) successful co-operation. This section contributed to a better understanding of additional factors which could possibly cause tensions. Lastly, the interviewee was invited to share additional thoughts and ideas which had not been raised during the interview.

### 3.3.2 MODIFICATION TO THE RESEARCH INSTRUMENT

After a pre-pilot interview with one activist who volunteered for several organisations, four pilot interviews were conducted between March and April 2016 to further develop and test the research instrument (cf. Baker 1993:182–83). Holloway (1997:121) argues that separate pilot studies are not necessary for qualitative research. However, it is common for researchers to review the first few recordings and transcripts so as to improve the research protocol and questions for future interviews (Teijlingen and Hundley 2001). Additionally, it trains novice researchers in interviewing techniques (Holloway 1997:121). The pilot interview data was included in the general data set, as so-called contamination (*i.e.* inclusion of pilot data in the main results) is hardly a concern in qualitative research, as Teijlingen and Hundley (2001) discuss. Data collection and analysis is progressive throughout the interviews, as it builds up on and improves through prior interviews.



**FIGURE 3 CYCLE OF EXPERIENTIAL LEARNING AFTER KOLB (2015)**

The pilot interview procedure followed the suggestions by Peat (2001:123) for improving internal validity of a questionnaire and Kolb's cycle of experiential learning (Kolb 2015) (see figure 3). Kolb (2015) suggests that in order to learn from experience one needs to reflect on the experience, analyse it, form concepts and theories about it and eventually let it result in action (see figure 3).<sup>66</sup> If this cycle is complete, similar experiences will be encountered differently (Kolb 2015). Thus, the pilot and reflection procedure covered the following five steps.

The pilot interviews were conducted in the same manner as the final interviews (step 1: experience). Pilot participants were asked after the interview to share their opinions on how well-informed they

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<sup>66</sup> The described cycle of experiential learning is a simplistic account of learning as Kolb (2015:56) points out. The model, however, is a sufficient and pragmatic tool for the purpose of reflecting on the initial interviews.

felt prior to the interview, on the clarity and difficulty of the questions, on the smoothness of the interview and other concerns (see Appendix 4) (step 2: reflection). Furthermore, the duration was recorded to decide whether it would be reasonable (step 3); the aim of sixty to ninety minutes for the interviews was met. Then it was assessed whether all questions had been answered (in order to ensure that they would be posed in future interviews)<sup>67</sup> and whether they yielded the required information (step 4: theorising).

Based on the previous steps, the research protocol remained mostly unchanged, but the questionnaire was re-structured and re-worded for the final interviews (see Appendix 5 for the topic guide used in piloting, and Appendix 3 for the final topic guide) (step 5: action). The research protocol was adapted to put more emphasis on informing people already during recruitment that they would be asked to reflect personal views in the interviews (as one participant expressed insecurity about this). Moreover, the topic guide's structure and discrete sections were communicated prior to the interview (to align with participant expectations).

The topic guide also underwent some changes in order to improve the flow of the conversation. The first questions on the participants' reason for entering animal protection usually led them to talk about their concerns on animal issues, and offered an easy transition from section one to two (opinions on animal treatment). Nevertheless, a question on initial concern was added in the second section in case participants did not mention concerns about animal issues while answering questions in section one. Furthermore, additional questions for members of either animal welfare or animal rights organisations (former section four) were asked earlier on. Questions were moved to either 'opinions on animal treatment' (section two) or 'opinions on strategies' (section three) so as to explore the differences between animal welfare and animal rights throughout the interview. Moreover, the topic guide's questions were improved in various ways. For example, a few questions were re-worded so as to better reflect how participants phrased issues, or to improve their clarity and understanding by interviewees. The word 'animal use' was substituted with 'the treatment of animals;' and instead of asking what participants consider as unacceptable, they were asked about their concerns of how animals are treated.

Questions that yielded only small contributions despite probing, such as a question about the 'good life' of animals, were discarded. Questions on humane treatment and compassion usually also evoked short yes/no answers, except in one interview. Hence, this question was re-phrased to avoid being a closed question but remained in the topic guide. In contrast, questions on co-operation were

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<sup>67</sup> It turned out that the question on equal value of human and animal lives had been left out in three pilot interviews, and one final interview. In one case the question did not need to be asked as the participant provided his opinion while answering a different question. However, the opinions of the other participants cannot be inferred.

changed to avoid leading questions, as previous questions inherently assumed the need for and importance of co-operation. Additionally, activists were directly asked how to achieve more co-operation if they answered in the affirmative. A question was also added asking the participants about change they would like to see in the movement, in order to invite further responses concerning tensions.

Lastly, interviews offered an important chance to practise and improve techniques, especially probing. For example, the question on the killing of animals turned out to result in interesting and diverse answers when probed with questions on euthanasia and animal experimentation. Another important lesson for improving probing resulted from a participant's suggestion after reading the transcript (and subsequent discussion). The participant pointed out a misunderstanding with one probing question on whether illegal activities (like trespass) constitute acceptable methods. I mistakenly assumed that undercover footage is usually linked with trespass; and undercover footage was used as an example for probing on illegal activities. The participant's answer, however, focused on talking about undercover footage itself without a link to trespass. In further interviews, this probing question was phrased more carefully.

### **3.3.3 ACCESS TO PARTICIPANTS, ETHICS AND INFORMED CONSENT**

Contact was established with organisations or their individuals *via* telephone or email, informing them about the study and with the intention to recruit participants. The criteria for participation were also communicated, which included engagement in the animal protection movement for at least five years, being an employee of an organisation and/or being in a position within a group to provide sufficient information on the organisation itself. The latter was considered the most important factor for participation. Although self-selectiveness<sup>68</sup> is considered problematic in some qualitative studies (King and Horrocks 2010:35), informing organisations and their members about those criteria rendered this problem marginal. When a campaigner showed interest in participation, he/she was provided with information in the form of a letter (see Appendix 6) and its content was discussed prior to the interview. This procedure was based on the framework of informed consent by Kent (2000), including information (on the project), understanding, voluntariness (as outlined in the information sheet), competence of participants and actual consent to participate (*i.e.* signing a consent form). All participants in the pilot and in the final interviews underwent this procedure.

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<sup>68</sup> Self-selectiveness means that rather than the researcher approaching individuals, participants come forward voluntarily (selecting themselves).

### THE INFORMATION LETTER

The information letter (or project information sheet) provided a general introduction to the project and the ethical implications of the study, so as to ensure informed consent. Firstly, the research student and the aim of the interviews were introduced. It was explained that the participation in the interviews was voluntary and could be withdrawn at any time without reason or penalty.

Confidentiality was discussed regarding anonymity, potential risks and storing of data in accordance with Data Protection Legislation (cf. Churchill and Sanders 2007:47; King and Horrocks 2010:108).

The latter included the information that the interview transcripts and all other files are kept in a secure and locked cabinet and/or on a password protected computer; that only the research student has access to the original data; and that transcripts and other data are kept for no longer than six years (as per Data Protection Legislation 1998). Furthermore, the information letter also provided contact details for the research student and second supervisor, information on ethics approval by the University of Winchester and information on permission of gatekeepers.<sup>69</sup>

Participants were made aware that information they provided might be made public, posing a potential risk. Thus, they were asked either not to share restricted information (*e.g.* private information on the organisation), or to indicate if the information should not be made public. The participants were also provided with the transcript afterwards, giving them the opportunity to exclude statements. Special caution was applied, and in case of uncertainty about whether information was private or not, the participant was contacted again.

Another particular risk to the participant concerned the involvement in illegal activities potentially disclosed by an interviewee (*e.g.* breaking into property to obtain video material, or to rescue animals). The participant was informed that there is no legal protection regarding research confidentiality, as the research student and her data could be subject to a subpoena. Moreover, participants were informed about the legal obligation to report information on acts of terrorism, or suspected financial offences related to terrorism (Terrorism Act 2000), to report information on money laundering (Proceeds of Crime Act 2002), and on the neglect or abuse of a child (Section 115 of the Crime and Disorder Act 1998) (cf. BSC 2015). The research student also would have sought legal advice or advice of her supervisors on whether to report other involvement in criminal activities if these activities would have constituted a serious physical or psychological harm to others or the participant.

Lastly, there was a risk to privacy if interviews took place in public settings. The participants were invited to come to University for the interviews. In case where this was not possible, enough privacy

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<sup>69</sup> In this study gatekeepers involved managers or owners of premises (*e.g.* an organisation's office) where interviews took place.

to not to be overheard was ensured while providing safety to the researcher through being in a public sphere.

For the researcher, at least three potential risks were identified. Firstly, a risk to the research student's safety arose from the possibility of conducting interviews at participants' homes. This was not considered the favoured option; instead interviews at the University, at the premises of organisations or in public places were preferred. However, if there was no other possibility for the interview to take place except at an activist's home, special caution was applied. In such cases, the second supervisor, Andrew Knight, was informed where and when an interview was to take place. Secondly, a risk could have occurred concerning pressure to present results in a particular way. This was safeguarded against by informing participants about their right to exclude data from their interviews but not to influence data analysis and presentation of results any further. Should such pressure have occurred, I would have consulted with my supervisors. There was also a low risk to the researcher if participants had disclosed involvement in criminal activities which needed to be reported to authorities. Yet, the process of informing the participants about this issue in advance rendered this risk highly unlikely.

#### **THE CONSENT FORM**

Participants were then asked to sign a consent form (see Appendix 7) based on the information sheet. This also included the permission to record the interviews. In cases where the interview took place outside the University (*e.g.* in the office of an animal protection organisation), the manager of the setting was also provided with an information letter and asked to sign a consent form (see Appendix 8) agreeing to the study taking place in the setting.

Participants were given the chance to address issues or concerns about the study throughout the process. The provided contact details gave interviewees an opportunity for later inquiries and to discuss any issues of concern with the research student, or with Prof. Andrew Knight (2<sup>nd</sup> supervisor) should there have been a need.

#### **3.4 DATA ANALYSIS AND DEVELOPMENT OF FURTHER CHAPTERS**

The interviews were recorded using an audio recording device (Marantz) and a boundary microphone. In cases when non-verbal communication was important to understand the full meaning of the conversation, notes were made. The audio files were transcribed into a verbatim report following the basic transcription system (see table 1, p. 66) by King and Horrocks (2010:145–46) based on Poland (2002). This transcription system allows readers to grasp the actual meaning of

statements better than a verbatim report that does not indicate aspects like pauses, tone *etc.* (*e.g.* statements read with or without an ironic tone have different meanings).

**TABLE 1 A BASIC TRANSCRIPTION SYSTEM BY KING AND HORROCKS (2010:145–46) BASED ON POLAND (2002).**

Emphasis	Capital letters
Short pause/long pause/very long pause	(p)/(pause)/(long pause)
Interruptions	(interruption)
Overlaps	- (overlap) .... (end of overlap)
Inaudible parts	[inaudible]
Expressions like laughing, coughing <i>etc.</i>	(laughing), (coughing)
Tone ( <i>e.g.</i> ironic, humorous <i>etc.</i> )	(ironic tone), (humorous tone)
Direct speech/mimicking	'...'
Non-verbal communication ( <i>e.g.</i> pointing)	(points at ...), (does ...)

The transcripts were analysed using the traditional approach with paper, pen and highlighters, and using thematic data analysis. Themes, according to King and Horrocks, are: 'recurrent and distinctive features of participants' accounts, characterising particular perceptions and/or experiences, which the researcher sees as relevant to the research question' (King and Horrocks 2010:150). The thematic analysis involved three stages (cf. King and Horrocks 2010:153): descriptive coding, interpretive coding, and derivation of overarching themes. In stage one, each transcript was analysed, defining descriptive codes based on relevant material and refining these codes through the progress. Depending on suitability, *a priori*, open, and *in-vivo* coding were used to establish codes. *A priori* coding involved concepts which were generated from topic-related research and theories. Open coding refers to the generation of codes which represented the researcher's interpretation of the respondents' opinions. *In-vivo* coding involves the generation of codes by using terms which are used by respondents (Churchill and Sanders 2007:65). These codes were then re-worked towards a coding framework in stage two. This involved clustering the descriptive codes, and interpreting those clusters in relation to the research topic. Finally, in stage three the overarching key themes were derived from the data and analysed regarding their relationships between the levels of coding and in regard to the theoretical and practical stance of the project. These key themes were divided into ethical themes, campaigning themes, and sociological aspects and themes. Chapter four discusses ethical themes, which were mostly retrieved through comparison between activists' responses. Ethical convictions of participants were grouped into different

approaches/categories, such as utilitarian animal welfare or best welfare approach. The topics of suffering and killing, the meaning of animal rights and compassion (in line with questions and sections from the topic guide) were also analysed concerning difference in opinions. Lastly, commodification was identified as a separate theme, based on its recurrence in several interviews and based on the emphasis those interviewees put on this theme.

Chapter five discusses campaigning themes, comparing strategies and tactical approaches interviewees favoured, their opinions on single-issue campaigns and problematic tactics (the latter including direct actions, and violent incidents), and their views on incremental change and revolution. Moreover, this chapter subsumes factors leading to (un-)successful co-operation, as identified by activists and through analysis of their experiences. Opinions from interviewees on campaigning strategies and tactics were also related back to their ethical approach (as identified in chapter four) during the analysis, resulting in an interesting observation that ethical stances did not necessarily coincide with the favoured campaigning approach.

This result might be explained by differences and themes described in chapter six, concerning the overarching theme of identity. Within the identity theme, various differences occurred related to sub-themes such as science or ethics, the reputation issues of animal rights (being associated with demonization, aggressiveness, and patronization), pragmatism *versus* idealism (given non-ideal world constraints), romanticised views *versus* negativistic views, and the free choice paradigm of animal rights activists that welfare participants did not necessarily agree with.

The results from chapter four and six inspired the discussion in chapter seven on species-equality in ethical theories, while acknowledging non-ideal world constraints in applying equal treatment. For reasons explained in chapter seven and eight, the proposed approach is essentially rights-based. However, in line with concerns from welfare participants who adopted egalitarian (*i.e.* species-equality) positions but felt that their stance had little real-world implications, the need for a non-ideal theory is established to bridge animal rights and animal welfare. The introduction of a non-ideal theory was also inspired by Garner's (2013) book *A Theory of Justice for Animals: Animal Rights in a Nonideal World*. However, unlike Garner, the theory takes into account the concepts of moral tragedy and moral corruption, as proposed by Gardiner (2011). Chapter eight then takes all those considerations on board and proposes the principle of proportionality as means to assess human-animal interactions, in particular moral tragedies. The last chapter discusses the implications of such a framework for activism, taking on board insights gained from results described in chapter five and six.



## PART II

Part II will discuss interview results. Initially ethical opinions will be presented, followed by an overview of opinions on campaigning. The last chapter will then identify themes beyond the commonalities and differences of ethical and strategical viewpoints, and will explore aspects that further cause - and are potentially even more important to - the gap between animal welfare and rights. Such themes revolve primarily around aspects concerning identity, for example, scientific *versus* ethical approaches, and reputation.

As expected, animal activists held a myriad of ethical opinions, ranging from more conservative welfare to ethical abolitionism and anything in between. Conservative welfare (or moral orthodoxy) refers to the view that it is ethically justified for humans to use animals for their benefits, but in doing so they should try to avoid harm and provide an acceptable quality of life (Phelps 2007:xvi). Ethical abolitionism describes Francione's (1996, 2004; Francione and Garner 2010) position which views all practices involving animals as inherently wrong, given their property status in such interactions. Moreover, he argues that any form of campaigning not directly asking for the end of the property status of animals is morally inferior, if not wrong. According to Francione, only vegan grassroots education fulfils this requirement, and thus, would be the morally superior form of campaigning.

These two examples – conservative welfare and ethical abolitionism – could be viewed as opposing concepts. Supposedly, one theory inherently condones, and the other inherently condemns, animal use. However, these two concepts only partially reflected the ideas and concerns raised by welfare and rights activists. While some interviewees held ideas close to those two concepts, other opinions proved to be more complex, and sometimes more closely connected to each other than expected. Indeed, some activists viewed animal protection as a spectrum rather than as opposing concepts.

*I'm worried about divisive terminologies [...] when actually people are doing different shades of the same things and people are at different stages down the spectrum.* [welfare activist - WA thereafter]

Animal activism as a whole – combining ethics and campaigning – is probably best described as a complex web of viewpoints, in which ideas on ethics regarding our treatment of animals, and ideas on ethics and efficiency of campaigns are linked by sometimes surprising connections. Depending on where activists find themselves in that web, they might be campaigning for welfare reforms while holding abolitionist views ethically; or they might campaign for animal rights, but based on welfare rhetoric. While this part will highlight differences and genuine disagreements, it will also seek – in line with the overall aim of this thesis – commonalities and agreement.

## **CHAPTER 4: ETHICS**

The chapter on ethics will portray the complex varying ethical viewpoints, followed by a discussion of the emerging themes of suffering, killing, commodification, conceptions (and misconceptions) of ‘animal rights,’ and compassion. It is important to note that anything discussed here refers to moral opinions on the treatment of animals only, and not to views on campaigning strategies and tactics.

### **4.1 GENERAL OVERVIEW**

This section gives a general overview of ethical opinions held by activists. It seeks to identify the participants’ viewpoints, and compare them to positions of animal rights based on Regan (1985), utilitarianism based on Singer (1995 [1975]), and welfare approaches as outlined in the literature review. The interview results suggest a variety of ethical beliefs that are in some cases more closely, and in others more loosely connected to these ethical frameworks. Within this overview, common themes will be identified which will be discussed in more depth in separate sections. It is also important to note that activists will be categorised into different ethical approaches, which are, however, not absolute. Instead it should be considered an attempt to capture some of the variety of positions. Furthermore, in some cases participants used different argumentative tools to justify their views in response to probing questions. Sometimes they also expressed contradicting opinions, as will become apparent in the following chapters.<sup>70</sup> The classifications are therefore to be regarded as simplified descriptions of similar, yet also unique, viewpoints. Table 2 (p. 74) provides an overview of the identified positions.

#### **4.1.1 ANIMAL WELFARE**

##### **UTILITARIAN AND/OR NON-EGALITARIAN WELFARE APPROACH**

Three out of eight animal welfare activists initially expressed seemingly more conservative welfare arguments, arguing that death is not a welfare problem, and that animal welfare is not against the use of animals for certain purposes.

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<sup>70</sup> Contradicting statement should not be considered to undermine the interviewee’s opinions. Inconsistencies might occur for various reasons, such as cognitive dissonance (Festinger 1957) or because of attempts to reconcile personal positions with the organisational ethos (for example, the personal view that animals should not be killed for food with the organisational position that animal farming is morally acceptable). Personal experiences might also affect views, as demonstrated by one interviewee who felt conflicted about animal experimentation, but would accept it if it resulted in a cure for cancer, of which a close family member died. Inconsistencies of moral beliefs, or of moral beliefs and behaviour – even if this might appear irrational – are common (also see chapter seven and eight). More importantly, conscientiously-held beliefs do not need to be considered reasonable or correct by others, in order to be considered valid (New South Wales Law Reform Commission 1984).

*I don't have a problem that they're killed and this is the difference between welfare and animal rights: death itself is not a welfare issue. [...] It is acceptable to use animals in this regard but it means that we have a duty of care for their quality of life and the manner of their death.*

These three participants held a non-egalitarian position on animal issues, as they did not consider the suffering, the lives, and interests of animals equally important as those of humans. However, these more conservative and non-egalitarian welfare arguments were only raised with regard to the consumption of animal products. All three participants disapproved of 'unnecessary' practices for which animals should not be used and subjected to suffering. Examples included hunting, animals used in entertainment, or animal experimentation for cosmetics.

Given that these participants disapproved of some practices because of their failure to meet high welfare standards and wanted to see them abolished rather than improved, their ethical approach could rather be classified as a utilitarian, high welfare approach.<sup>71</sup> It is utilitarian as the harm needs to be justified through a necessity. Furthermore, only a certain quality of life, *i.e.* high welfare, would justify the use. Unlike conservative welfare approaches (which seek to minimise harm but do not rule out practices *per se*), a utilitarian high welfare approach further limits justifiable uses and killing of animals. Based on interview data, it appears to confine justified practices to farming, animal experimentation for medical purposes,<sup>72</sup> companion animals, and potentially pest control.<sup>73</sup>

*Animal welfarists are saying: [...] we actually accept the utilitarian ethical viewpoint, which is that it is acceptable to use animals. But if we do - because of their sentience - we have a duty of care to make sure they have a good life and have a good death.*

This position is fundamentally different to the opinions put forward by other interviewees. Nevertheless, these activists work relentlessly to improve the lives of animals and support some abolitionist goals (*e.g.* abolition of animals in entertainment). While these campaigners differed in the way they argued, they still reached some of the same conclusions as other participants.

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<sup>71</sup> One of the three participants discussed here expressed more conservative and inegalitarian high welfare views but not utilitarian arguments.

<sup>72</sup> However, one of the three participants discussed here argued that animal experimentation should be phased out as more alternatives become available. Moreover, the term medical purposes was further limited to diseases for which there are no alternative or sufficient treatments available (see section 'Animal experimentation').

<sup>73</sup> Pest control would be justified if it was the only efficient way to stop the spreading of a disease.

#### EGALITARIAN, BEST WELFARE APPROACH

Another four out of eight welfare participants expressed egalitarian viewpoints which to some extent resembled animal rights theories. All participants were concerned about the suffering of animals based on the notion that inflicted suffering was always a moral issue regardless of species. Thus, these five participants held strong egalitarian views. Suffering was mentioned as the major concern, and the prevention of suffering as the most important task. Their position resembles McCausland's (2014:657) approach who argues that the five freedoms<sup>74</sup> (also frequently mentioned by those interviewees) can be considered a basis for rights, and that practices inherently violating them should be considered unacceptable in a welfare approach.

*It's just the suffering in general, [...] for the same reason as, I guess, it would be problematic when humans suffer. [...] They have a right to be on the planet as well.*

Interviewees also mentioned other ideas such as '*the right to be on the planet,*' '*sharing the planet in a fair way,*' and living in harmony with other animals and nature (a similar observation was made by Jasper and Nelkin 1992:22). Some of these ideas closely resemble Korsgaard's (2013) argument that being born on this planet gives us as a right to, or a valid claim on, its resources, which ought to be respected regardless of species.

They also acknowledged – as did one participant holding a utilitarian, high welfare approach – that commodification and the mind-set of humans constituted the fundamental problem and cause of animal suffering. They identified this mind-set as lacking compassion and kindness towards animals, and seeing animals as resources rather than living beings. Commodification, compassion, and a romanticised view of living in harmony with nature were identified as major themes in the interviews and will be discussed further later on.

*It goes above and beyond animal welfare. It's to do with our ethical principles and whether or not we are to share this planet in a fair way with other species, without wanting to own them, sell them.*

In contrast to (strong versions of) animal rights theories, participants would not necessarily argue generally against the use of animals or the killing of animals. This view was accompanied by an acknowledgment of human-inflicted suffering and killing of animals as being unavoidable or necessary. For example, one interviewee mentioned that sustainable hunting, or a natural way of farming chickens for eggs, might not be problematic. Similarly, another participant commented that

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<sup>74</sup> See page 152 *et seq.*

backyard chickens might continue in developing countries for a long time. However, the participant also added that farming would be unnecessary in developed countries.

*I don't think it's like ever that suffering is JUSTIFIED. But I understand that sometimes people have to make hard choices and sometimes the reality of the world is that it can't be free of suffering.*

On the other hand, participants also expressed contradictory opinions to some extent. One interviewee felt that lives were equal in value but also did not consider killing animals for food an ethical issue. The interviewee made use of a utilitarian argument in this regard (see next quote). Yet, it did not seem that she would generally evaluate actions based on utilitarianism. Given her background of working in developing countries, she might have chosen to use a utilitarian argument for a situation in which killing an animal was a necessity – and not using the animal would have a considerable negative impact on a human being.

*In every situation, you kind of have to weigh out the ethics of it and who's benefiting and who's losing; and what is the most fair situation for both parties.*

Moreover, these four participants, despite their ethical concerns regarding animal farming, were hesitant to express the opinion, that animals should ideally not be consumed or used in harmful ways. They emphasised that they were expressing personal opinions and regarded it as 'contentious' or 'dangerous' area.

*We're on dangerous ground here but PERSONALLY [...] I don't think people would use animals for ANY purpose apart from where it's a symbiotic relationship - maybe companion animals if they're treated in the best way.*

The last quote also demonstrates how close this interviewee's opinions are to animal rights. Interestingly, another participant who was not against sustainable hunting and very benign forms of farming, also approved of animal rights and disapproved of keeping companion animals, resembling an abolitionist approach.

**TABLE 2 OVERVIEW OF DIFFERENT ANIMAL ETHICS APPROACHES\***

<b>Approach</b>	<b>Egalitarian</b>	<b>Harm</b>	<b>Killing</b>	<b>Use</b>
<b>Conservative welfare</b>	No	Acceptable, if benefits outweigh the minimised harm	Acceptable	Acceptable
<b>Utilitarian, welfare</b>	No	Acceptable, if benefits outweigh the minimised harm	Acceptable, depending on the manner of death and the necessity	Acceptable, if no harm involved or if reduced to a minimum, and if high quality of life is guaranteed
<b>Utilitarian à Singer (1995 [1975])</b>	Yes	Acceptable, if benefits outweigh the harm	Acceptable, if benefits outweigh the harm	Acceptable, if no harm involved or if outweighed by benefits
<b>Best welfare</b>	Yes	Unacceptable as best welfare should be guaranteed	Acceptable, if no harm is involved and if there is a clear necessity	Acceptable, if no harm involved and if best welfare guaranteed
<b>Pathocentric</b>	Yes	Unacceptable	Unacceptable, as killing involves harm	Acceptable, if no harm involved
<b>Animal rights</b>	Yes	Unacceptable	Unacceptable	Acceptable, if no animal rights are violated
<b>Pragmatic abolitionism</b>	Yes	Unacceptable	Unacceptable	Unacceptable, as all use involves harm to animals (but not inherently wrong)
<b>Ethical abolitionism</b>	Yes	Unacceptable	Unacceptable	Unacceptable, as all use constitutes violation of animal rights and hence, inherently wrong

\* The table lists the different ethical approaches that have been identified in chapter four, either through literature (such as the conservative approach or the utilitarian approach by Singer (1995 [1975])), or through the interviews. It is important to also note that harm here refers to pain and suffering only. In some viewpoints death might be considered a harm. However, this consideration has not been included here as it was not discussed in detail with all interviewees, and for ease of overview.

#### EGALITARIAN, PATHOCENTRIC<sup>75</sup> THEORY

A different interpretation of these four interviewees' position might be an egalitarian, pathocentric approach. Such a theory could be founded on the premise that inflicted suffering is a moral issue regardless of species. As an animal rights theory, this framework would prescribe a right for animals (and humans) not to be caused suffering. Such an approach has been theoretically developed by Garner (2013) who argues that any practice inflicting suffering constitutes a moral issue. Unlike in utilitarian theories, however, inflicted suffering cannot be justified by a harm-benefit analysis. Moreover, death is only problematic if associated with suffering (at least in Garner's non-ideal sentience approach). Interestingly, one welfare activist, who identified with animal rights and engaged in rights groups, also argued from a strong pathocentric or suffering-based position but within an animal rights framework. Pathocentric arguments were frequently expressed across animal welfare and animal rights activists. It will be described in more depth in the next section ('Suffering').

*It's MORE the suffering. I don't have an outright problem with killing animals.* [WA identifying with animal rights]

#### 4.1.2 ANIMAL RIGHTS

Opinions among the seven interviewed animal rights activists were more consistent overall than those of welfare activists. All rights campaigners agreed that adopting a vegan lifestyle was of utmost importance to behave fully ethically towards animals. Five out of seven participants subscribed to an animal rights approach morally, and two others to abolitionism.

The concept of rights as understood by those activists varied. In some cases, they referred to intrinsic rights not to suffer and to life (three out of seven), but also to legal rights, or the notion that humans did not have the right to inflict suffering and death on animals. This will be discussed further in the section 'Conceptions of animal rights.' Furthermore, these activists would argue that animal suffering and killing animals, as well as commodification, constitute moral problems because of the failure to respect animals and their interests. This focus on respect for animals and their interests was more strongly emphasised by rights activists (five out of seven used the word respect) than by welfare activists (three out of seven).

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<sup>75</sup> Pathocentrism describes positions assuming that moral concerns should extend to sentient beings for their ability to consciously experience pain and suffering (cf. Wolf 1996; Krebs 1997; Willemsen 2009). The word pathocentrism or pathocentric was chosen to describe the participants' approach because of its strong focus on inflicted pain and suffering as major moral issue concerning our treatment of animals.

*We don't have the right to inflict that suffering upon the animals. We need to respect their interest in life and living, and not use them for our purposes.*

Two activists also argued based on the Golden Rule that we should do (or not do) unto others as we would have them done (or not done) unto ourselves (e.g. Matthew 7:12). Whittier (2015:116) also notes that over half of the women she interviewed as part of feminist research mentioned the Golden Rule. She argues that this principle is widely known and consistent with (Western) mainstream culture, explaining its occurrence in the interviews.

*Anything we wouldn't want to experience ourselves, we shouldn't inflict on others.*

All seven rights activists agreed that we should not be inflicting harm (including death) or suffering on animals for our purposes, implying strong egalitarian views. One rights activist – similarly to other welfare interviewees – expressed ideas of living in harmony with nature and the need for society to re-structure itself so as to accommodate for the needs of animals. These views are also reflected by Donaldson and Kymlicka (2011). Two other rights interviewees also pointed out that animal issues extend beyond our immediate interactions with them, to human-induced climate change and other negative impacts on animals.

*In this country, a million mammals are killed on the roads by the vehicles, [...] and a lot say 'Well, that's just accidentally! It's not our fault!' But IT IS our fault.*

Those five activists adopting an animal rights approach were eventually classified as such because they did not consider the keeping of companion animals as intrinsically wrong, in contrast to the abolitionist position. However, it is important to mention that one activist pointed out that – based on suffering involved in the breeding industry and suffering through ignorance of human owners – he would favour abolition. Thus, this participant adopted a pragmatic abolitionist, rather than an ethical abolitionist, viewpoint. The latter considers the breeding and keeping of companion animals as intrinsically wrong. In contrast, pragmatic abolitionism asks for a cessation of the breeding of companion animals because of (inevitable) welfare issues associated with this practice.

### **ABOLITIONISM**

Two out of seven animal rights activists were classified as holding abolitionist views. It is important to note though, that they only adopted the abolitionist argument ethically and not with regards to

campaigning. These participants differed from the other rights activists as they felt more strongly that companion animals were a moral issue on an intrinsic level.

*I want a vegan world, I don't want any companion animals.*

However, one out of those two participants – like other animal rights activists – expressed more flexibility regarding ethical viewpoints. For example, one rights campaigner conceded that he would not object to animal experimentation as strongly if it resulted in a clear human benefit. In this particular case, the interviewee used a utilitarian argument but only for what he called ‘*an idealised situation.*’ Overall the participant adhered to strong animal rights views.

*If it could be shown categorically that testing on animals would save more human lives, it could potentially be justified. But at the moment I don't see that as being the natural situation.*

Whilst participants deemed the killing of animals and inflicting suffering as wrong, they also acknowledged that it could not be fully avoided, and that (in rare cases) necessity might justify such practices. Such necessity could be the killing of animals for meat by indigenous people (*e.g.* Inuits) whose lives are dependent on this source of food.

*I suppose if you're an Inuit or you were somewhere where there were no vegetables available to you [...], then we're on a level playing field where all species are competing against each other. But we're not competing against each other.*

The quote above also highlights the importance of having a choice to act differently. This idea resembles Hume's concept of the (objective) circumstances of justice, claiming that issues of justice do not arise in circumstances of extreme scarcity or infinite resources. If every person could have as many resources as he or she liked without reducing another person's access to resources, principles of justice are not needed. Conversely, extreme scarcity is a circumstance in which a person struggling for survival could not be expected to think about justice (Hume 1998:Section III, Part 1). Hence, eating meat – if no other food was available to someone (within a critical period of time) – might then not raise concerns over justice. However, virtues such as compassion and kindness in the face of suffering would still apply.

## 4.2 SUFFERING

Unsurprisingly, the suffering of animals as a problematic moral issue was the most frequently mentioned theme among welfare and rights activists. Animal welfare is considered to focus on suffering while animal rights advocacy is considered to focus on justice (Regan 2004 [1983]:334; Armstrong and Botzler 2008:8). The interview data suggests that animal activists in general care about the suffering of animals. Sunstein (2005:5) also argues that choosing between concepts of animal welfare or rights does not matter greatly when it comes to suffering. However, unlike welfare participants, rights activists responded to the moral issue of suffering by pointing out that suffering ultimately could only be prevented by not using animals.

However, interview data also suggest that it is the suffering involved in the use of animals that renders their use ethically problematic, rather than the use itself being problematic. The practice of keeping companion animals in particular yielded greater agreement in this regard than might be expected. Interestingly, activists again defied common assumptions as not all welfare interviewees gave outright approval to companion animal ownership, and not all rights participants were strictly against having animal companions. One rights activist opposed it because of a belief that they would necessarily suffer (pragmatic abolitionism). Another rights and one egalitarian welfare campaigner were concerned about subduing natural instincts and interests, and restricting freedom, in particular the animals' freedom to choose, if bred and kept as companions.

*Every companion animal effectively is a captive animal and I don't want any captive animals like I don't want captive people.* [rights activist - RA thereafter]

As such, having freedom to make own choices rather than subduing interests seems to be at the heart of ethical abolitionist disapproval of companion animal ownership, as expressed in the interviews. This is also addressed by Donaldson and Kymlicka (2011) who argue that these issues could be resolved by re-structuring our society, rather than by asking for abolition.

One welfare activist strongly disapproved of ethical abolitionism, arguing that their assumptions would make animals suffer more. The participant argued based on scientific evidence suggesting that a dog's welfare is improved by being with humans, and thus, keeping animal companions *per se* should be considered positively. While the interviewee did not mention issues involved in, for example, domestication and breeding as being problematic concerning companion animal ownership, he addressed invalid anthropomorphism within some animal rights arguments. Indeed, the question should be asked whether it is valid to speak of a restriction of freedom of a companion animal in all cases (cf. Cochrane 2012). One can imagine a relationship where all the animal's needs

are met, and its interests are considered and attended to sufficiently – as also proposed by Kymlicka and Donaldson (2011).

*I think the danger of animal rights is: you're putting your own perspective, your own views on an animal and that's very dangerous. [WA]*

Other activists also did not inherently disagree with keeping companion animals. Some – both welfare and rights campaigners – mentioned problems such as overbreeding and mutilations and referred to domestication as an 'ill.' Yet, they concluded that keeping companion animals would not be a moral issue if these animals were well cared for, and if stricter controls were in place. Hence, the primary issue regarding companion animals is their suffering, not their inclusion within society. Suffering was also frequently mentioned as the underlying problem of commodification and of killing animals; though it was not the only problematic aspect.

None of the interviewed rights activists argued that reducing suffering or animal welfare improvements were wrong, rather they were in favour of any measures which would improve the lives of animals. Some animal rights campaigners also pointed out that certain practices were worse than others in the amount of suffering they cause, making them a stronger concern than others.

*Whatever you can do to reduce suffering of animals is a good thing. I just think it could be taken further. [RA]*

Yet, they also mentioned that reducing suffering should not be the only goal. Therefore, any framework aimed at bridging the gap ideally should take suffering as one main concern, while not aiming at settling all matters. Instead, it should constitute a minimalistic basis that does not preclude avenues for more progressive views and ethical questions beyond animal suffering. Such further questions on how we ought to treat animals revolve around respecting interests, especially the interest in staying alive.

### **4.3 KILLING**

Interviewees stated that they also considered the killing of animals a moral issue. Ethical problems about taking the lives of animals – as mentioned by participants – included suffering, the lack of necessity to kill them, disrespecting their interests, not having the right to take a life, and a duty not to harm. In this section, responses to the question of value of life, lifeboat cases, and euthanasia will also be discussed.

#### 4.3.1 SUFFERING AND THE REASON TO KILL AS MORALLY PROBLEMATIC

Ten out of fifteen participants considered killing *per se* wrong. Most participants across welfare and rights advocacy raised concerns about slaughtering animals for food, in particular because of the suffering involved, regardless of whether they considered killing animals for food as problematic *per se*. Yet, they seemed to differ in their perception of whether slaughter in all cases caused suffering. Rights activists took a bleaker view on this matter than welfare activists. However, most welfare campaigners agreed on the unlikelihood of slaughter without suffering, based on current demand for animal products, and current methods to meet this demand. In particular one welfare interviewee, who identified with animal rights, only viewed killing as wrong if suffering was involved (pathocentric position), and believed that this was generally the case. However, like others, he also considered meat production unnecessary.

*I think they come hand in hand [suffering and killing of animals in food production]. [...] I have had to personally view footage of the slaughter of hundreds of animals and it's never a nice business. [RA]*

*I've been to slaughterhouses, good ones and bad ones, and I've seen that you CAN do it with the minimum of fear, and perhaps just a little sort of apprehension at the end. [WA]*

Overall, interviewees focused primarily on the suffering involved in killing (or the 'manner of death'), and the reason or necessity to kill. Some welfare activists considered food a necessity; one also mentioned population control. However, the latter could effectively be considered euthanasia if the animals were killed to prevent them from starving to death.

*When you're dealing with an animal welfare issue just ask two questions: Why and how? And that answers all questions. [WA]*

In contrast, rights activists did not consider food production a strong enough reason to justify the slaughter of animals. However, killing might be justified if one's life depended on it as would be the case in self-defence, or if humans lived in a habitat with no access to other food sources; and in the case of euthanasia.

Four welfare activists did not consider slaughter (for food) a moral issue. One person adopting an egalitarian, best welfare approach and a vegetarian diet, expressed contradictory views as she believed that every life was valuable but equally was not against the slaughter of animals for food.

The other three subscribed to a utilitarian and/or non-egalitarian welfare approach. Nevertheless, one of those interviewees also chose a vegetarian diet based on the '*personal opinion*' that currently most farming practices would not meet appropriate welfare standards.

The other two utilitarian welfare activists were the only non-vegetarian campaigners interviewed. They acknowledged an interest of animals in their lives but without considering it important to the moral significance of slaughter. On the other hand, one of these two interviewees also mentioned a feeling of guilt over not being vegetarian indicating a mismatch between behaviour and ethical convictions.

One caveat applies to these views: participants considered killing as a moral issue if done for '*the wrong reasons*' such as human convenience. An example included killing working animals at the end of their life while they could have been rehomed. One participant also mentioned killing of animals as wrong if people are eating too much meat and are wasting it.

*I wish I was vegetarian. [...] I would respect them in terms of their needs for a life, not to be eaten, but equally I don't have an issue with animals being farmed for food.*

In contrast to the killing for food, answers in response to a probing question, asking whether suffering and death could be justified by clear benefits, for example in animal experimentation,<sup>76</sup> yielded greater agreement than expected. All activists (except for one activist adopting a non-egalitarian viewpoint)<sup>77</sup> agreed that animal experimentation was morally problematic, and hoped to see it phased out over time. Several campaigners implied that humans should use their skills, intelligence and creativity to find appropriate alternative methods.

*I think that some things are fundamentally wrong, and I think humans have a great ingenuity and creativity. [WA]*

Again, many considered the killing and suffering of animals associated with the testing for cosmetics and household products wrong, because it was unnecessary. In comparison, testing to find cures was considered unjustified by one welfare activist, if effective treatment is already available, for example, for issues related to smoking or obesity. Two rights interviewees considered animal experimentation less problematic if it could clearly help to reduce suffering overall. Hence, also in

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<sup>76</sup> Not all participants were asked this question.

<sup>77</sup> This participant stated that she did not consider animal experimentation problematic if the highest possible welfare was provided.

this regard, associated suffering (not only of the being that is killed) and the reason or necessity to kill were paramount in the participants' deliberations.

#### 4.3.2 OTHER MORAL ISSUES

Beyond the problematic issues of motive and suffering entailed by animal killing, the sanctity of life and not having a right to kill, or a duty not to harm, were mentioned. Only two participants (one welfare and one rights) mentioned ideas around the sanctity of life, which were, however, not discussed further in the course of the interviews.

The argument that humans do not have a right to kill, for a duty to respect interests of other beings, or a duty not to harm (their interests), was expressed by advocates adopting egalitarian approaches to animals. It could be argued that their arguments around duties and rights inherently rest on respecting an animal's interests. However, as is indicated in the last quote below, respecting their interest in life is only possible when there is no necessity to kill.

*I can't see where we get any right to kill other creatures any more than I have a right to kill you. Why would I have the right to kill a sheep? [WA]*

*I think the killing of a healthy animal that doesn't want to die is always morally wrong. I think it's morally wrong to be raising animals to kill them for food when we don't need to. [RA]*

Interestingly, two participants also acknowledged that – similarly to animal suffering – killing them could not always be avoided. Yet, the examples given below concern animals not considered sentient in science, and are thus, not included within prominent animal ethics theories. Nevertheless, both welfare and rights activists expanded their moral concerns to invertebrate animals.

*Personally, in the sense that animals are individuals that are beings, I like as far as possible to avoid killing them. But I drive a car, so I know I kill a lot of insects all the time by driving a car. And I have killed the fleas on my cat because my cat was in a bad state. [WA]*

### 4.3.3 THE VALUE OF LIFE AND LIFEBOAT CASES

Before I move on to euthanasia, answers to the questions regarding the equal value of human and animal lives, as well as lifeboat cases, warrant some discussion.<sup>78</sup> Activists subscribing to egalitarian best welfare or animal rights approaches provided surprisingly similar answers. They argued that subjectively and emotionally, anyone would feel that human lives are more valuable. Equally, most humans would consider the lives of those closest to them, whether they be human or non-human animals, as more important than others. However, objectively, there would be no difference in value between lives according to some campaigners.

*I think that all lives are valuable, but I think individuals inherently always value the ones they're closest to more than others. [WA]*

*The fact that someone would kill an animal rather than a baby does not prove that humans are more important than animals. [RA]*

Moreover, some participants mentioned that favouring one's own species, or those beings one has an emotional attachment with, is not indicative of how humans ought to treat animals generally. Hence, lifeboat scenarios could not be used to prescribe how we ought to treat animals, or to justify our current treatment of them. Also, interviewees felt that these scenarios were problematic as they do not reflect real-world problems. These answers resemble arguments raised by Francione about lifeboat cases being exceptional cases and not referring to institutionalised rights violations (Francione 2008:226). Therefore, however one wishes to resolve a matter of competing rights in a lifeboat case, it should have no bearing on ethical matters between a party whose rights are violated and another whose rights are not violated.

### 4.3.4 EUTHANASIA

Euthanasia is defined as 'good death' based on its Greek origin: *eu* meaning good, and *thanatos* meaning death. The term describes 'ending the life of an individual animal in a way that minimises or eliminates pain and distress' according to the American Veterinary Medical Association (2013:6). Participants also described it as a good death – if performed correctly and for appropriate reasons. Those reasons would include medical issues, especially terminal illnesses, and other forms of severe and intractable suffering.

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<sup>78</sup> It is important to note though, that these questions were not discussed with all participants in depth. The question on equal value of lives were accidentally left out in three interviews. Lifeboat cases were not part of the interview protocol but were raised by some interviewees.

*When I come across rabbits with myxomatosis, I'll kill them because it's the right thing to do – because it ends their suffering. [WA]*

Other examples (also causing suffering) included: having to spend a lifetime in a shelter; not being re-homeable because of aggressiveness; not being able to take care of an animal (if a shelter was overcrowded); and potentially even population control if the animals would otherwise starve to death. Similarly, in some developing countries, a participant considered it better to euthanize animals appropriately before they are killed through more controversial methods (*e.g.* decompression chambers) by state authorities.

Several interviewees also mentioned that they would be in favour of euthanasia being available to humans. In any case, participants also strongly emphasised that such a decision should not be taken lightly, never for convenience, and ideally by medical professionals. This opinion was probably based on the expertise of veterinarians, and because they are expected to have the animal's best interests at heart. Having the animal's interests at heart was considered important to prevent abuse of the practice.

*Euthanasia is NOT exploitation of – and it is the kindest and most dignified way that you can help animals. [...] You've either got a choice of keeping them locked inside a tiny cage to go crazy for the rest of their lives, or to give them a painless and loving way out of this life that we have brought them into in the first place. [RA]*

The killing of an animal to spare it from suffering was not considered a welfare or an animal rights issue by interviewees. One welfare participant was worried about rights approaches potentially putting the right to life of an animal above the issue of suffering. However, all interviewees agreed with euthanasia if performed correctly and for the right reasons. It would be the right, and the *kinder* thing to do.

Euthanasia is a good example of where the right not to suffer is considered more important than other rights held by an animal, in particular its right to life. It also highlights a difficulty of animal rights if they were to be legally implemented similarly to human rights as animals cannot consent to their death. Thus, euthanasia could become more difficult legally.<sup>79</sup> The topic of euthanasia also highlights another shortcoming of animal rights besides legal issues, as it might conflict with virtues

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<sup>79</sup> However, guardians could potentially be appointed to make the decision on behalf of the animals as is the case with other medical decision-making when patients are mentally incompetent or uncommunicative.

and principles of kindness. For example, an obligation to exercise kindness might require one to disregard the right to life, and participants – including rights activists – emphasised the kindness of sparing suffering through euthanasia as more important than the aforementioned right.

*It would be much much more cruel to say ‘Well, I’m not gonna euthanize you because that’s killing an animal’ when in fact you’re causing ten years more of suffering and pain. [RA]*

#### **4.4 COMMODIFICATION**

Commodification was mentioned by several participants, regardless of their welfare or rights background. Commodification means treating or considering someone as a commodity; *i.e.* as something that can be bought and sold (McIntosh 2017), which is problematic because of its association with a disregard for the person as an individual being with interests. The status of animals as property within the law can also be considered commodification as property can be bought or sold without acknowledging its interests.

All activists who mentioned commodification associated it with a problematic mind-set that neglects the animals’ interests, or that views the animal’s value ‘*as less,*’ eventually causing or contributing to animal suffering. Some welfare activists contrasted commodification with exercising kindness and compassion. Another participant also concluded that the worst welfare issues occurred because of commodifying mind-sets which fail to consider the interests and needs of animals.

*Yes massively, which is why we have intensive farming which is the problem [...] purely because they are commodities. This is the problem – so it’s the mind-set. [WA]*

While issues around commodification undeniably link to suffering, rights activists in particular pointed out that the problem should be seen beyond suffering. Most commonly, they argued for respecting interests other than the one in avoiding suffering, for example, the interest in life. They also agreed (as did a welfare activist) that humans would be less likely to inflict suffering if they did not consider animals as commodity or property.

*That often links with a great deal of suffering because they are treated as property. But on an intrinsic level, I don’t think we should be treating them as property even aside from the suffering. Each one is a unique individual, they have their own emotions, their own desires and I think we ought to respect that as fellow living creatures. [RA]*

A contrast arose between one welfare participant (subscribing to a utilitarian, high welfare approach), who viewed commodification as problematic but not animal use *per se*, and other interviewees. Unlike other activists, this welfare campaigner considered the use of animals compatible with respecting their interests. The fundamental difference here lies in the argument that death is not a welfare problem, and is not *per se* inimical to the interests of an animal. Moreover, it should be noted that the majority of participants did not consider the keeping of companion animals to fall under practices in which animals are used and exploited. Participants emphasised the difference between caring for animals and owning or using them, with the former ideally being at the heart of keeping companion animals. Although they acknowledged the welfare issues associated with this practice, they felt that those should not lead to abolition and extinction of domesticated animals all together. Instead, the human-companion animal relationship should be improved.

*When it comes to companion animals, we should be treating them as sort of their carers, rather than their owners. [RA]*

Moreover, some campaigners raised potential benefits associated with keeping animal companions, such as humans extending their concerns to other animals through their bond with their animal (cf. Waldau 2011:28). This bond would hopefully evoke compassion, and contribute and facilitate a paradigm shift, according to these interviewees. Conversely, one participant was wary about abolitionist ideas regarding companion animals as they could be harmful to the movement, given that most people would not be receptive to these views.

*I actually think domestication is an ill, like colonialism is an ill. [...] Now we have it. I'm not quite sure whether companion animals have an unhappy life, and I think the kind of closeness between people and their companion animals is a bond that's important for their treatment of animals. [WA]*

*Some people say that there should be complete separation and humans shouldn't mix. BUT, I'm a great believer in the kind of: there's grey areas within everything. [...] If you start saying to people 'You can't have dogs anymore' and people would go 'That's just crazy.' They won't get beyond that point.*

#### 4.5 CONCEPTIONS (AND MISCONCEPTIONS) OF RIGHTS

Another important theme concerned the (mis-)understanding and (dis-)agreements concerning the concept of animal rights. The responses varied considerably but can be categorised into intrinsic rights, legal rights, and the notion that animal rights as a concept is not fit for purpose.

Three out of seven animal rights activists referred to intrinsic rights to freedom from suffering, to life, and to freedom from exploitation. One participant talked about an intrinsic right to be free from (negative) human interference; and in the case of an activist holding abolitionist views, an intrinsic right to be treated the same as humans. One of these activists also mentioned a moral duty to not cause suffering, stating that humans '*do not have the right to cause suffering.*' Moreover, all three activists also referred to the importance of legal rights to protect animals.

*I think in terms of intrinsic rights, they should have the right not to suffer, they should have the right to access to food, to water and the other things to meet their other sort of biological needs effectively. And within the law, I think they should have sort of rights to protection from violence and from being exposed to other forms of suffering.*

The other four rights and some welfare participants spoke about a duty to respect and to protect; and related to that, about humans not having the right to inflict suffering or cruel treatment. In particular, rights campaigners also saw the need for legal protection, but expressed concerns about subsequent implementation, especially regarding enforcement. Some activists (both welfare and rights) also acknowledged that animal rights as a philosophical concept might not necessarily be very useful when seeking social change. The philosophical concept, as pointed out, is a concept '*made for humans.*' It would assume a framework of rights but also duties which would not apply to animals.

*It's something that's been created by humans. [RA]*

*Rights are just sort of a human mental creation. [...] These are all just ideas really. [WA]*

Other problems raised regarding the concept of animal rights included the legal concept of rights (see also 'Euthanasia'), and the association of animal rights with extremism (which will be discussed later on).

*Animal rights is sort of associated with extremism. [...] And animals - they don't fit into the human system. Therefore, I suppose it's not a very good term: rights. [RA]*

Legally speaking, animal rights can be incompatible with conservation which concerned some activists (both welfare and rights). Similarly, to speak about *'the same rights for animals as for humans'* – as one activist did – was considered unpractical or impossible by other participants. One interviewee suggested thinking about animal rights in terms of particular interests instead. This would also imply abandoning universal animal rights, and judging individual cases in terms of meeting interests rather than rights.

*I think a lot of rights are not practical for other animals. For example, people always come up with the joke about voting rights and no – I mean that isn't practical. [...] You can't even necessarily say that one rule applies to all different animals – so that that always works. I think you do need to look at the situation. [RA]*

The issue of advocating the same legal rights for animals was considered especially problematic by welfare interviewees. It also contributed to their misconception of animal rights being about *'the same rights'* and led to their subsequent disapproval of this position. Several rights activists acknowledged this issue, and pointed out that sometimes people would be ill-informed about the meaning of animal rights (cf. Garner 2005a:20; Waldau 2011:56–57).

*In our society, it would be very challenging to give a right to freedom to animals, as in: they can run free. I can't see that that would work in our society. [WA]*

Another rights activist raised the problem of competing rights and concluded that, ideally, animals should have the right to *'display natural behaviours and to live in a way that was natural to that animal.'* Both this description, and the first quote in this section mentioning biological needs, strongly resemble the concepts behind the five freedoms (Brambell 1965; Farm Animal Welfare Council 2009a). As such, the five freedoms could be considered animal rights, even though they do not cover the right to life. Several welfare activists also referred to the five freedoms as basically being animal rights. However, one participant stated that they are not termed animal rights as this would be considered less palatable to the public and the government – hinting again at the association of animal rights with extremism.

*If you look at the definition of animal welfare and if it includes not only the physical and mental but also telos and naturalness, that is pretty well right. And if you look at the five freedoms – what are*

*the five freedoms if they're not rights. [...] Animal welfare – so it's widely acceptable. [...] A lot of that taps into rights but doesn't present itself as such because it has to work. [WA]*

Thus, the question about the meaning of animal rights revealed agreements between the different activists. Animal rights advocates were concerned about a lack of right to life in welfare approaches, and the insufficient implementation of the five freedoms. However, welfare participants agreed on the lack of implementation, as they otherwise would not be campaigning for improvements.

#### **4.6 COMPASSION**

Several interviewees used words like 'kindness,' 'thoughtful,' 'love,' and 'compassion' to describe ideal relationships with animals. Compassion, especially, was used by both welfare and rights activists. The meaning of compassion – as understood by most participants – relates to the human capacity for empathy, but not to empathy alone. While activists hoped that people would have empathy for animals and would relate to an animal's interests, needs and suffering through empathy, compassion would also be expressed by acting accordingly.

*I think it's both useful for human AND other animal causes. And it comes from an empathy that we feel for the suffering of other beings – and we want to act on the empathy by showing compassion. [...] It could be by directly being kind. [RA]*

Interviewees considered empathy and compassion as the driving force behind activism. Hills (1993:123–24) also found that empathy was associated with support for animal rights in her study on attitudes, although it remains unclear whether empathy is a causal factor (a similar finding was also reported by Pivetti 2005:152). Furthermore, participants deemed empathy and compassion necessary for sustainable human-behaviour change. Hence, activists considered tactics aiming at evoking compassion in people to be an important tool for reaching out to the public. While activists strongly focused on compassion as a tool, it also suggests an underlying moral tenet. Being a 'good' person in relation to animals – in the virtue ethics sense – should be about kindness and compassion; as such it could be vital to the previously mentioned paradigm shift.

This paradigm shift should be about more than improved welfare, according to several activists. Instead, it should lead people to consider animals as individual beings with emotions rather than commodities (see 'Commodification'). This would entail that humans would not inflict suffering and death on animals for our own benefit, as is currently the case. Furthermore, it should also be about the kind of people that humans should strive to be – compassionate and kind.

*I think it's probably the foundation of animal protection – is compassion. [...] I think it is the basis – to feel the animals at some sort of level in your heart and you want to help them and stop the suffering.* [WA]

*I think it's kind of - just really of living life as a decent human being.* [RA]

Compassion clearly is part of the bigger picture of animal protection. However, this is not necessarily used as an underlying moral tenet. Several possible explanations were identified through the interviews. One of the reasons related to a general concern that having empathy for animals could be considered as being sentimental, in contrast to being objective about animal issues (cf. Foer 2010:74). One interviewee, for example, who was asked if she considered herself compassionate, replied in the affirmative but also contrasted it to being objective. The issue of objectivity (and scientific opinions) in contrast to being emotional will be discussed in more depth in chapter six.

*YES, but to a degree; and I would say I'm probably around the middle because sometimes I would appear to be fairly objective.* [WA]

Another concern about being compassionate relating to empathy was, what one participant called, the '*collapse of compassion*.' She argued that if people were confronted with too much suffering, they would become paralysed by it. Instead of acting on their compassion, they would turn away from the issues of concern. Similarly, several activists expressed this difficulty with empathy for animals causing them to feel helpless, or even leading to burn-out.<sup>80</sup>

*You can be so compassionate that it causes yourself so much pain and distress that you can't operate and function effectively.* [WA]

Another group of reasons related to the interpretation of what it meant to act and be compassionate. For example, one rights activist pointed out that the word compassion was used by welfare organisations which promoted welfare improvements but would not question the killing of animals *per se*. However, the interviewee asserted that only veganism would be a truly compassionate way of living. Other activists believed compassion alone was not sufficient to spare

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<sup>80</sup> Jacobsson and Lindblom (2012:52) also observed a frequent mentioning of depression and burn-out in relation to activism in interviews. Burn-out, depression, and also 'collapse of compassion' can probably be traced back to compassion fatigue (see p. 101).

animals from suffering. In the case of activists advocating intrinsic rights, they felt that treating animals properly were matters of logic, justice and freedom, which were not necessarily guaranteed through compassion.

*Personally, even though compassion helps us achieve more, for me it's just logic. That's what it comes down too and that's exactly what animal rights is – that you can be as little or as more compassionate as you want but these animals have rights and there's nothing you can do to take that away. [AR]*

Yet, it could be argued that acting compassionately would be incompatible with being unjust or with restricting someone's freedom. It would depend on how compassion was understood and it could also be argued that a compassionate dictator or torturer represent an ethical oxymoron. Instead, acting based on compassion might help us to decide difficult cases in which utilitarian, welfare or rights approaches cannot provide a clear answer. The best example given in the interviews concerns euthanasia as it might be a *kind* and compassionate act to kill a rabbit suffering from myxomatosis<sup>81</sup> to spare it from suffering.

The fundamental problem though with compassion – as a moral tenet for animal activism – is that it is about the kind of people humans should be. A virtue ethics approach in animal protection might ask humans to change their character and behaviour instead of changing outer circumstances (such as the housing conditions of farmed animals). In other words, in a virtue ethics approach to campaigning (similar to animal rights activism focusing on vegan education), the focus might lie on changing people's attitudes and behaviour, implicitly putting blame on their past and current behaviour; rather than shifting blame to factors external to individuals. However, human behaviour change is a problematic area, which will be discussed further in the next chapters (five, and seven to nine). Moreover, as will be argued in chapter seven, unlike compassion, the concept of rights bears important political and legal power.

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<sup>81</sup> The severity of the disease depends on rabbit species and virus strain. More severe forms are acute and usually fatal. The virus causes myxomas (myxoid tumours) which amongst others lead to distortions of the face, purulent nasal discharge and weeping, and distortions of the shape of the back and hindquarters. Secondary infections are common due to immune system dysfunction. The virus was introduced in 1950 in Australia and in 1952 in France to control rabbit populations (Bertagnoli and Marchandeu 2015). Welfarists have assessed this method of pest control as resulting in poor welfare and as inhumane (e.g. Loague 1993; Broom 1999).

#### **4.7 CONCLUSION**

This chapter identified the various positions animal advocates adopted, ranging from conservative or utilitarian welfare approaches to abolitionism. Welfare activists overall emphasised a duty of care more strongly than rights activists who focused on respecting animal rights through not interfering with their lives. However, such a description seems overly simplistic, given the differences, especially between welfare campaigners.

A more pronounced difference was found in opinions on the killing of animals. Rights advocates generally did not see any justification to kill animals for any human purpose or benefit. Welfare activists more strongly emphasised that the manner of the death and an underlying necessity would need to be considered. The (im)morality of killing animals for human purposes and more specifically the purpose of food production, thus seems to be a dividing aspect between the moral approaches of welfare and rights activists. In contrast, the suffering of animals was a less controversial issue. It might constitute a solid shared foundation for animal advocates, as they unanimously felt that human-inflicted suffering of animals was a moral concern.

## CHAPTER 5: CAMPAIGNING

This chapter discusses interview data with regard to campaigning. It is important to note here that ethical beliefs are not the only aspects influencing strategies and tactics. Factors like effectiveness, remit, target audiences, but also an activist's identity, experiences, and wider world view influence their approach to campaigning. The latter will be discussed in the next chapter.

It is sometimes believed that animal welfare in terms of campaigning means improving welfare of animals through incremental steps, by either working with the government or with industry. Welfare activists are criticised for entering those coalitions and settling for compromises that do not result in more substantial changes for animals (Francione and Garner 2010:230–31; Röcklingsberg and Sandin 2013). Abolitionists (*e.g.* Francione) believe that these welfare activists contribute to the continued exploitation of animals by not challenging the use of animals *per se*. Instead abolitionists allege that welfare improvements imply that high welfare standards are being met, hindering further public questioning of animal use. Furthermore, supporters of abolitionism believe that national groups (regardless of a welfare or rights background) are primarily focused on raising money rather than advancing the cause.

In contrast, animal rights activists would not welcome such incremental welfare improvements, but would aim primarily for the abolition of certain practices through (mostly) public outreach and economic campaigns. Their goal is not only a change of practice, but a paradigm shift, recognising that animals should not be used for our benefit (Francione 1996, 2004, 2008; Regan 1998, 2004 [1983]; Phelps 2007; Francione and Garner 2010). Abolitionism (as proposed by Francione 1996, 2004, 2008 *etc.*) as a strategic approach distinguishes itself from animal rights as it opposes national animal advocacy groups, any work with government or any industry, and campaigns focused on anything other than solely promoting veganism as the ultimate moral baseline (that should be adopted by everyone immediately). Abolitionists argue that campaigns without said focus would hinder the progression of the animal advocacy movement. Yet, this uncompromising approach is considered less effective in creating change. As a radical approach, animal rights campaigning might be considered less effective in reaching the public or other stakeholders (Garner 1993:211).

Abolitionists sometimes also view campaigns aimed at promoting veganism as inherently bad, if the message is not communicated in a similar uncompromising tone. For example, the campaign 'Veganuary,' aimed at promoting veganism by asking people to try a vegan diet for the month of January (Veganuary 2017), has been harshly criticised for 'promoting veganism as a free choice' that people would only need to adopt for one month. Instead, the campaign should be communicating veganism as the only morally justifiable choice (Frost 2017).

This chapter will give a general overview of the opinions activists held, and secondly, will discuss in more depth legislative, single issue, and problematic campaigns, abolitionist campaigning, and incremental change *versus* revolution.

## **5.1 GENERAL OVERVIEW**

### **5.1.1 ANIMAL WELFARE**

Animal welfare participants were engaged in working with government, policy makers, industry, and also in more practical projects working directly with people to improve animal welfare. In line with the general tenet of the movement (Harrison 1979; Paterson 1979; Wynne-Tyson 1979; Garner 2005b:111), the majority of welfare activists agreed that the primary goal for the future of the movement should lie in raising awareness and education of the public, and subsequent human behaviour change. Three welfare activists and one rights participant also pointed out that in order to achieve this, the movement should be aiming to incorporate welfare education within school curricula, or other such education starting at an early age. The latter would be especially important, as trying to change adult behaviour was deemed difficult. Nevertheless, welfare participants also considered working with government and industry as important (see 'Legislative campaigns'). Another animal welfare participant did consider all three strands of animal protection – educational campaigns, legislative campaigns and practical projects – as equally important to achieve a paradigm shift. Legislative changes would send a message of importance to people, and would help to punish those that would deliberately mistreat animals. On the other hand, public support was considered equally important to achieve that legislative change in the first place, and to ensure that people would '*be able to obey.*' Finally, working with people to educate them and improve their practices with animals was also considered an important tactic.

The interviewee also emphasised – as did other animal welfare participants – that to achieve such change, animal groups should be working with stakeholders to find solutions. Activists highlighted the importance of understanding target audiences and tailoring approaches to those particular audiences and their needs. As such they positioned themselves differently compared to animal rights activists who were perceived as asking for change without involving their target audiences in deliberations on the kind of change that should be sought. Indeed, animal rights activists were referred to as evangelical in some instances. This particular perception of animal rights approaches will be discussed further in the next chapter.

*[This organisation] is really the only organisation I think who FULLY encompasses the approach that I believe in most – which is with international projects actually involving people, involving animal*

*owners, listening to them, not just kind of campaigning for what we think is right. [It's] trying to understand both sides, and find what the best solution is. [WA]*

#### **PRACTICAL WORK AS BEST PRACTICE PROJECTS**

However, not all interviewees considered engagement in practical projects as necessarily the most effective approach. Two participants felt that resources in projects were spent on addressing suffering when or after it occurred, although it would be more efficient and (ethically) important to prevent it. The perceived problem concerned a lack of resources for prevention through education. According to one campaigner, supporters tend to donate money to address cruelty after it occurs, rather than to prevent it.

*I think more needs to be done to be put in to prevent the cruelty in the first place [...] So, you have to do that through changed behaviour and if you do that through changed behaviour, that costs a lot of money. [WA]*

Another participant stated that animal protection groups take on too much of the practical work themselves, leading authorities to 'abdicate' their responsibilities. Instead, animal protection organisations should be conducting best practice pilot projects, to be further implemented by authorities and other institutions. This should enable animal groups to reach out further and achieve more with their limited resources. Similarly, another participant addressed the issue of projects continuing for too long. She argued in favour of addressing the worst issues in particular projects with specific animals, and then moving on. This would mean being able to help animals on a larger scale, instead of consuming resources to address the problems of a smaller number of animals in greater depth.

*I think historically animal protection organisations have been too much on practical projects, and I think the real change comes from advocacy and education/awareness. [...] Rather than animal protection organisations doing a pilot project [...] and then advocating for it to be spread out mainstream, they've taken it on themselves to do the work. [WA]*

#### **5.1.2 ANIMAL RIGHTS**

Animal rights participants were engaged in working primarily on vegan campaigning/education, campaigns to stop certain practices (e.g. hunting), lobbying to some extent, and to a minor extent in direct actions such as protests. None of the interviewed participants adopted an abolitionist

approach to campaigning. Their opinions on this approach will be discussed in the section 'Abolitionist campaigning.'

Rights activists considered their work as being primarily consumer- or public-oriented, trying to raise awareness for animal issues and educating people about veganism, to drive social change forward. Hence, they employed different tactics (compared to welfare groups) which focused on getting media attention through official outlets like newspapers and on social media. Rights groups will also sometimes use celebrities or other role models such as athletes to create awareness. Their greater tendency (compared to welfare groups) to use direct actions stems from this tactic's propensity to generate media attention.

*It's about being part of this movement to actually change people's perception of what animals, or who animals are rather than just 'Oh let's get them bigger cages'. [RA]*

While participants agreed on the importance of targeting infrastructure to provide more vegan or animal-friendly alternatives, most efforts focused on vegan education. Veganism was also considered the fundamental solution for two reasons. Firstly, participants mentioned that it spares the most animals from suffering and death, indicating a utilitarian based argument for the choice of campaigning issue. Secondly, interviewees stated that vegan education encourages the desired paradigm shift towards anti-speciesism. In their opinions, adopting a vegan lifestyle has more effect than trying to convince people to not visit zoos, as the former would be more clearly anti-speciesist than the latter. However, activists also seemed to acknowledge that adopting a vegan diet was a big change (and bigger than not visiting zoos) which was not easily achieved. As such its effectiveness in sparing suffering and death of animals needs to be called into question. Besides the strong focus on vegan education, animal rights participants agreed that ultimately a variety of tactics, including political solutions, were needed. Political campaigning though can be more difficult for animal rights groups.

## **5.2 LEGISLATIVE CAMPAIGNS**

Both welfare and rights activists saw the need for engagement with politicians and policy makers, although to varying degrees. The most important reason to (not) engage was the difference in remit of either focusing on public outreach, or on lobbying. Some welfare organisations engage in both, but also have more resources at their disposal, while rights groups tend to be smaller.

Another difference lies in the kind of relationships animal welfare and rights activists have with governmental and policy making bodies. First and foremost, many rights groups consider themselves

public outreach, rather than lobbying, groups. Furthermore, some rights campaigners stated that governmental bodies would usually only accept minimal improvements, and would be driven by public pressure in the first place.

*You make baby steps towards improving welfare politically and in fact actually government is playing catch-up with people. [...] So again, it's kind of direct interactions with humans because – for us – it's gonna have the most effect. [RA]*

Groups with an outreaching focus consider media coverage and attracting people's attention as important to educate consumers. This sometimes may require more 'outspoken' or 'bold' tactics, including the aforementioned use of celebrities. The latter has been criticised by one rights activist for being too concerned about lifestyle, rather than the moral arguments. A welfare interviewee also expressed disapproval about the use of celebrities as it could damage an organisation's credibility. In general, for groups aiming at working with governmental bodies, tactics aiming at attracting media attention could potentially harm their credibility. As welfare activists noted, direct actions – even if legal – could also have such an effect; as would any association with illegal activities (also see Jasper and Nelkin 1992:172). Instead, an evidence-based approach to the suffering and welfare of animals (rather than an ethical approach, see chapter six), and practicable and palatable solutions to problems would need to be presented in order to achieve change.

*BUT they [government] will also not listen to you if they don't take you seriously. And they don't take you seriously if you don't have the facts and therefore you say something which is stupid. And also, if you're doing things which are against your brand or the brand of animal protection and I think direct action falls into that. [WA]*

Interviewed rights activists did not oppose legislative campaigns as fundamentally as abolitionists. Instead, they mainly considered those campaigns outside their direct remit. Rights participants also felt that legislative change was based on too much compromise and required a long uphill battle against vested interests. Yet, legislative change was considered a step in the right direction, and a change that could potentially also help their work. Bans on certain practices (for example, hunting with hounds was banned under the UK Hunting Act (2004)), or requirements such as CCTV (closed-circuit television) in British abattoirs were recognised as important to reduce suffering, even though rights campaigners would be aiming for a different, more comprehensive goals. However,

interviewees also expressed frustration over the lack of implementation and enforcement of the law with regard to animals, which can render these changes ineffective.

*I think it would be childish of us to say that if the suffering of animals at the moment can be lessened by legislative change, then that shouldn't be taken. [...] For instance, the sow stall was banned in the United Kingdom in 1999. That would have reduced the suffering of sows in the United Kingdom but it didn't END the suffering. It just kind of reduced it slightly. [RA]*

In contrast, several welfare activists were more optimistic about legislative changes and their impact in the past. They also stated that legislation would often have a broader impact in reducing the suffering of animals, instead of just saving a few lives by convincing somebody to adopt a vegan diet. In contrast, one activist reckoned that enough legislation was already in place, and only saw a need for greater control and a licensing requirement for animal shelters.

Like other rights campaigners, two welfare participants pointed to the importance of influencing people in key positions. Moreover, they urged the need to build coalitions with people who might not be directly engaged in animal protection but whose decisions would affect animals. One example included the issue of governmental funding accidentally promoting practices which are not considered animal-friendly, such as intensive farming. One interviewee – with extensive experience in international policies – pointed out that more could still be achieved on a policy level if people knew how to influence decision makers internationally.

*I think of it in big picture terms and international policy and what's happening at the UN, and what about the world organisations running the whole, and how can we influence those. [WA]*

Another welfare campaigner stated that many positive legislative changes had occurred, but had received little attention as they were difficult to communicate to the public. Several interviewees also mentioned that legislative campaigns receive less interest from supporters, and are not perceived as 'sexy' campaigns. Hence, less appealing governmental campaigns would often not be pursued as it is considered easier to raise money for other causes such as shelters.

*Sometimes that stuff that's really not very sexy, not very easy to talk to the public about, not very easy to campaign on – [...] talking to policy makers – in terms of the campaign that is publishable and available for public, it's a snore fest but that's where stuff happens. [WA]*

### **5.3 SINGLE ISSUE CAMPAIGNS**

Single issue campaigns are a common tool which allow animal advocacy groups to funnel their energy and resources into specific topics or animals. They usually target specific practices in relation to specific animals, and aim for the practice to either be improved or ended. For example, welfare and rights groups have previously criticised sow stall use as a practice that should be banned. While welfarists opposed the practice because of low welfare standards, rights group opposed it as part of a general disagreement with animal farming.

Rights groups consider it problematic that welfare organisations do not address the wider moral issue of farming animals, potentially contributing to consumers becoming complacent. People could be led to believe that animal suffering could be resolved through such campaigns and hence, might not question their consumption of animal products, and their own involvement in the perpetuation of these problems.

However, rights groups have also been criticised by supporters of abolitionism for running single issue campaigns. Despite these campaigns – which usually advocate the abolition of specific practices – abolitionists criticise them for insufficiently promoting veganism as a moral imperative. As such, they could lead to complacency as people would come to believe that single issues like foie gras or hunting were – morally speaking – graver problems than other animal issues.

#### **5.3.1 REASONS TO ENGAGE IN SINGLE ISSUE CAMPAIGNS**

All participants mostly disagreed with the aforementioned critique. They considered single issue campaigns an important tool for animal advocacy, for several reasons.

##### **5.3.1.1 RAISING AWARENESS – THE KNOCK-ON EFFECT**

First and foremost, activists felt that single issue campaigns would not always breed complacency. Instead, they could raise awareness for and greater sensitivity to the suffering of animals in particular cases without overwhelming people (see 'Compassion fatigue'). Moreover, this greater sensitivity then might expand to other issues as well. Several participants, including welfare and rights activists, reported that engaging in a single issue would be the first step for many people to becoming concerned about other problems. For some, it also would be the first step towards vegetarianism and veganism. Thus, single issues could have a knock-on effect on people helping them towards the desired paradigm shift.

*It highlights particular aspects of the animal exploitation that people can understand. [RA]*

*Time and time again I've seen people – as I say actual people I know, who I've met – who have come into single issue campaigns. Rather than it making them feel comfortable in the other areas of exploitation, it has SHOWN them other areas of exploitation and how dreadful they are as well, and it's turned them against those. [RA]*

Moreover, one welfare and one rights interviewee pointed out that by agreeing to a welfare reform or a ban, people, industry, and government would admit that welfare problems were moral issues. It would contribute to changing our understanding of how animals ought to be treated. Thus, welfare improvements would also address the desired paradigm shift.

*You're saying actually we admit this is cruel and it's got to go. [...] You're admitting that you have to do it because there is a moral imperative to get rid of it. So, you're kind of changing the whole conception of animal welfare and so companies change and people realise: actually, it is a moral issue. [WA]*

In the case of rights groups, veganism as fundamental solution would also invariably be communicated as part of the campaign. Rights activists did not feel that they were unduly communicating that some issues were more important than others.

### **5.3.1.2 BEST USE OF LIMITED RESOURCES**

Welfare and rights activists also agreed that single issue campaigns were a viable way to channel resources for specific aims. Several participants mentioned the importance, and problem within activism, of focusing on particular aims, rather than pursuing multiple issues while not addressing any sufficiently.

*Let's not go back to the old days where we try to be all things to all people. That was our biggest mistake in the past and it's still a tension within us. [...] Our motto is 'Do fewer things better'. [WA]*

Similarly, within both the welfare and rights camps, some activists felt that certain issues were more important or severe than others, warranting greater importance to be addressed with the limited resources. Despite the difficulty in making comparisons, some participants mentioned that certain practices cause more suffering. Trying to end the most abhorrent practices was thus considered a morally justifiable goal, and not in conflict with the desired wider social change. Interviewees did not feel that tackling the suffering of specific animals necessarily implies any moral difference in the

value of life of different species; thus, it would not contradict the ethical baseline of veganism (and abolitionism).

*If you have a campaign against the foie gras for instance, [...] it comes back to the issue – [is] the suffering of those birds more extreme than the suffering of a chicken on a broiler farm in Britain? And the answer to that would probably be yes. It doesn't necessarily mean that there's a moral difference between taking one life than the other. [RA]*

#### **5.3.1.3 COMPASSION FATIGUE**

A third reason included the issue of compassion fatigue,<sup>82</sup> referring to people becoming overwhelmed by campaigns trying to educate them about all issues at once. They may then become more likely to disengage and resist change than if they were presented with smaller or fewer issues, according to several activists. Hence, the campaigners believed it would be better to be selective in their campaigns.

*There's too many problems in the dairy industry. If you tell me all those problems, I can't deal with it. I know for myself it's too hard for me to give up milk and cheese. I can't engage. Whereas if you talk about lameness, [...] that gives [...] people like 'Ok one problem at a time. We can do this.' [WA]*

#### **5.3.1.4 NEW ACTIVIST RECRUITMENT**

The fourth reason was brought forward by one rights activist who thought that more vegans needed to become active in campaigning for animals in order to achieve animal liberation. He stated that it would be better for people who were passionate about an issue to campaign on it rather than not be campaigning at all. The interviewee highlighted that not everybody feels equally comfortable with campaigning for a particular issue. Thus, it is probably unrealistic to expect everyone to engage in vegan education. If activists would insist on everybody engaging in one activity only, they might run the risk of losing some of their supporters.

#### **5.3.1.5 ENGAGEMENT OF THE MEDIA AND THE PUBLIC**

The last reason mentioned by one welfare activist (who also identified with animal rights) concerned media engagement. The media – like the public – tends not to support or report on campaigns promoting veganism. However, messages by animal groups focusing on changing a specific practice,

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<sup>82</sup> Compassion fatigue, also sometimes referred to as perpetration-induced traumatic stress, is a form of burnout due to continuous exposure to extreme suffering; which is commonly encountered in health care professions, including care for other animals (DeMello 2012:222; Scotney *et al.* 2015)

rather than people, would be more easily spread, potentially making them more effective than ‘the vegan message.’<sup>83</sup>

*It’s very difficult to get a story placed in the media that says, ‘Look at those conditions, you should stop eating meat;’ whereas ‘Look at those conditions, we should ban this one particular thing’ is more likely to get an interest. [WA]*

Similarly, several rights activists stated that with certain (single) issues people would be more easily persuaded to listen and engage, which could be used to educate them further. Most rights campaigns should be considered as aiming at attracting people through particular issues, with a view to educating them further. As such they could not be considered to trigger complacency in the way some welfare single issue campaigns might bear the risk, according to rights campaigners.

*You get people who haven’t even really made the connection to veganism or animals really, but love animals and hate the idea of them being treated badly. So, if you can get them to sign a petition saying, ‘Ban the farrowing crate,’ you then opened them up to saying, ‘You care enough about that, have you made the connection?’ [RA]*

### 5.3.2 THE COMPLACENCY ISSUE

While rights groups did not agree that their campaigns involved a complacency risk, they worried about such a risk in welfare campaigns – despite acknowledging their importance in reducing the suffering of animals. Rights campaigners were concerned that people might use welfare improvements as an ‘*easy opt-out rather than making a change for themselves*,’ and that they might reinforce belief (rather than behaviour) modification, in order to resolve cognitive dissonance.<sup>84</sup> The complacency risk was mostly mentioned by rights activists when it came to campaigns promoting one animal product over another (such as organic meat over non-organic meat). This reservation towards those campaigns also stemmed from high-welfare labels not being considered reliable indicators of good welfare and/or decreased suffering. Instead, one campaigner argued, companies would utilise approval by welfare organisation to increase their sales and soothe the welfare concerns of customers, while not necessarily adhering to best practice or acceptable standards.

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<sup>83</sup> Several activists used the term ‘the vegan message’ to express direct communication on veganism being a moral imperative, the only way to prevent suffering, and to achieving justice for animals.

<sup>84</sup> Cognitive dissonance theory suggests that in case of a conflict between ethical beliefs and actual behaviour, humans will strive for harmony and will avoid disharmony. The cognitive dissonance then causes either a change of behaviour or of beliefs in order to establish harmony, with the latter being more likely (Festinger 1957; Bastian *et al.* 2012).

*People tend to want to do something about the cognitive dissonance problem that their beliefs are not in line with what they do. And they believe then buying cage free or organic products is actually good enough. [...] And by focusing on the solutions like that, you could potentially fall on the track that people are complacent and that they don't need to take any further action. [RA]*

However, it should be noted that consumers buying high welfare products might do so precisely because they acknowledge an underlying moral issue, which might cause them to be more sensitive to animal issues in general. Moreover, some welfare activists felt such risk was acceptable, based on the improvement that the campaign would create in the targeted animals' lives. Interestingly, some animal rights campaigners agreed to that to some extent.

*I think there is a risk – that may happen, but I think that's irrelevant. If you're a hen, would you rather be in a cage or free-range? [WA]*

*I think obviously most important to me is to abolish those systems. [...] But I don't think that undermines the other things that people do, improvements that people can do along the way. I mean it must make a difference to you if you're a chicken that's kept in a cage or a chicken that's free to roam. [RA]*

Lastly, one rights activist also stated that it could be considered a moral issue if welfare reforms were to improve the lives of animals so drastically that people would stop feeling conflicted about consuming them (acknowledging this situation's unlikelihood given the current circumstances). Such a worry might fuel abolitionist critique but it seems an odd argument to suggest that it might be better to let animals suffer in order to eventually achieve animal liberation. It could be argued that current *versus* future animal suffering are a case of conflicting rights.

*You potentially get to the point where your animals are treated so well, that people don't feel morally conflicted about eating them. That would be problematic. [RA]*

Moreover, it is morally questionable to refrain from alleviating suffering on the grounds that it might communicate an undesired message. A single issue campaign addressing, for example, equal pay for women, would not be considered to undermine the overall objectives of feminism. If an organisation working on human trafficking were to run a single issue campaign to end the criminalisation of

prostitutes, it would not directly address human trafficking. However, it would improve the lives of the people trafficked into prostitution. Should this be considered unworthy of our time because it would not overtly convey the wrongness of human trafficking? I shall return to some of these questions and considerations in chapters seven to nine.

Most interviewees concluded that the goal and reason behind a campaign were important. If it was only done to improve or end one practice while not having the broader picture of animal suffering in mind, it was considered more problematic than if an organisation's general aim was to end at least the suffering of animals.

*I think you've always got to have the goal in sight that you want to abolish vivisection, but any improvements you can make along the way are surely better, surely helping the animals. [RA]*

#### **5.4 PROBLEMATIC CAMPAIGNS**

In this section, tactics will be discussed which were considered problematic by interviewees. The campaigns discussed here were either called into question because of moral disagreement, potential ineffectiveness, or were considered damaging to the movement. This includes campaigns that are politically incorrect, shocking campaigns, and direct action, both legal and illegal kinds.

##### **5.4.1 SHOCKING CAMPAIGNS**

Two welfare participants raised concerns about campaigns that used images depicting animal suffering or cruelty to animals too blatantly. One interviewee worried that '*shocking campaigns*' could desensitize people, and thus they might come to accept that suffering as normal. Another welfare participant was concerned that shocking campaigns might not be an efficient tool in all cases. Campaigns using images that starkly convey animal suffering might increase the likelihood of people not wanting to confront it. Similarly to the problem of confronting people with the whole concept of animal liberation (as previously discussed with regard to single issue campaigns), depictions of extreme suffering could be overwhelming for people (also see 'Compassion fatigue'). Thus, these tactics could impede the possibility of change for those people. Consistent with this, one interviewee reported not feeling comfortable with working in anti-vivisection because of the suffering.

*And I was so shocked by what I read, much of which I believe to be true. But I felt it was almost too horrific for me to want to work in that area. [WA]*

*If you just keep throwing really violent images at them, they might go on the defensive and not want to do anything about it. [RA]*

While several activists reported experiences with people who did not want to see images and confront the suffering of animals, in their own lives exposure to suffering often led to lifestyle changes. Hence, the participant felt that people needed to be informed about animal suffering, in order to raise their awareness of the issues. Research suggests that, on the one hand, seeing someone in need can motivate empathetic people to help. On the other hand, if the initial empathy leads people to focus on their own upset feelings, they will seek to reduce their own distress by ignoring the problem (Batson *et al.* 1997).

Mika (2006:920–21, 933) claims that shocking images might be more successful in getting attention than less controversial ones, and could initiate the beginning of lifestyle and behaviour changes, even if the first reaction might have been negative.<sup>85</sup> Yet, negative reactions leading to an undermined credibility of the source and rejection of the cause is an equally plausible outcome, according to Mika. It remains unclear if those campaigns tend to lead to behavioural changes, or more often cause people to turn away from animal issues.

*I think I am probably that sort of person that would respond to that. Some people have gone vegan just on the strength of one leaflet they've seen; or a film. [RA]<sup>86</sup>*

#### **5.4.2 POLITICALLY CONTROVERSIAL CAMPAIGNS**

Politically controversial campaigns refer to campaigns that are associated with sexism, racism or the like. They can also refer to campaigns that cause controversies over what people might consider inappropriate comparisons. For example, the comparison of the Holocaust to contemporary farming practices and slaughterhouses has caused such a controversy (Karlsen n.d.; Megged 2015). PETA's campaigns have also been repeatedly accused of political incorrectness, especially because of alleged sexism (Pennington 2013). The rationale behind these sort of campaigns often is an attempt to generate media attention and public discussion (Dawn 2006:199).

Politically incorrect campaigns were only discussed with some participants, and primarily with rights activists. Those tactics are rarely used in welfare campaigning as they could damage credibility with government or other stakeholders. Most rights activists also felt uncomfortable with those approaches, as they (1) did not resonate with their moral beliefs; (2) should not be necessary to

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<sup>85</sup> Mika (2006:938) suggests a similar effect for politically controversial campaigns.

<sup>86</sup> Munro (2005:85) also reports that interviewees in his study described how leaflets, advertisements or arresting images often led to fundamental changes in people.

generate media attention; or (3) could potentially damage the public image of animal rights (also see chapter six).

*I think it often draws the wrong kind of attention. I think they also often say things that get them in the press but for the wrong reasons. [...] I think that unfortunately impacts on other groups, individuals in the animal rights movement and makes us look like a bunch of crazies. [RA]*

However, in two cases activists felt that getting publicity for the animal cause would justify such techniques. They used a utilitarian argument that weighed the costs of bad publicity against the benefits of encouraging people to talk about the issues. One activist also acknowledged – even though he would not feel comfortable with it – that other audiences or demographics might find politically incorrect approaches appealing. As such, it could be considered as a different form of outreach, to help a different audience to connect with veganism.

*Is it better to get that information in using Pamela Anderson [...] or not? And I would argue the former is the lesser of – not two evils but is still preferable to not getting anything in at all. [RA]*

While some audiences might find those tactics appealing, it remains questionable if the majority of the public or media would. Would it lead them to discuss the animal issue, or would they focus on the problematic campaign itself in their discussions? In the case of the campaign involving Pamela Anderson (PETA n.d.), does the public understand the comparison between the exploitation of women and animals? Mika (2006:935) argues that men did notice women in sex appeal campaigns by PETA, but ignored the intended message, hinting at its ineffectiveness at reaching them. In comparison, feminists might misunderstand such campaigns, thinking that animal rights advocates would legitimise sexism through their campaigns, when animal groups were actually trying to highlight how both constitute social issues (Adams 2010). The movement might then run the risk of alienating potential supporters for whom political correctness is important.

#### **5.4.3 DIRECT ACTION – LEGAL**

Legal direct actions involve activities such as protests, divestment campaigns (*e.g.* by convincing retailers not to buy products from particular suppliers), or sabotage of hunts with hounds in the UK, where such hunting is now largely illegal. These actions are characterised by adherence to the law and non-violence.

Welfare activists personally engaged little if at all in direct actions, partly because of the organisations they were involved in. Most welfare groups aim to influence policy and decision makers. Thus, they considered it counterproductive to be protesting against the same people they were trying to work with. Protests against companies or particular people could contribute to targeted groups becoming more defensive and less open to change (also see Foer 2010:97 on a interviewed farmer who refuses to co-operate with PETA because of their attacks). Instead, welfare organisations often aim to achieve results by talking to stakeholders and influencing *'by persuasion rather than [by] using a battering ram.'*

*It drew public attention to things but I think perhaps in some respects it made the [people who were protested against] digging deeper. Just like I say with people: if you kind of lobby people too hard and too publicly, they basically shut down. [WA]*

Furthermore, one interviewee mentioned a risk that direct actions may make people angry about an issue and potentially supportive of a cause for a short period of time, but without resolving the issue. The participant pointed out that any such campaign or action would only be effective if it happened in a concerted effort along with other connected campaigns.

Another concern by three welfare participants referred to the potential of negative publicity of animal activism through direct actions. The public might start associating engagement with animal issues with people they could not relate to, and thus would not relate to the welfare or rights problems presented.

*It can also signal in their mind: [...] lameness equals crazy people out on the streets, blocking traffic, making my commute in the morning horrible. So I think there is like this risk to it. [WA]*

Similarly, a rights participant indicated that media coverage was not always assured by those tactics, and that the media would not necessarily present the cause in the desired way. Also Munro (2005:79–80) argues that the media is more likely to report on activists' activities, if these can be captured in dramatic headlines. Hence, violence and extremism characterise the preferred portrayal of animal activists by the media. Moreover, media coverage might focus on the act rather than the issue (Mika 2006:921).

One participant reported having experienced the difficulty of engaging in education or legislative campaigns because of the negative image associated with their direct actions. Despite not using violent tactics, members of the public might presume that these activists would engage in them.

*I think if [we] approached the government and said we want legislative change, they'd tell us to go away. [RA]*

Overall, welfare campaigners questioned the effectiveness of protests and other confrontational direct actions. Yet, they also agreed that in some cases these might be a useful tool. Most importantly, welfare activists considered direct actions such as protests to be a last resort, if other avenues remained fruitless.

*Yes, that's an important tool but I wouldn't – and we don't – go there as the first point of action. [WA]*

In contrast, rights activists, despite questioning the effectiveness of direct actions, were less opposed to their use, as long as people were aware of their potentially limited impact. Additionally, they acknowledged that actions like protests could act as a morale boost for supporters, and would make people feel *'like they are doing something,'* although interviewees were unsure if those actions would impact anything beyond that.

*Not very effective are things like boycotts or demonstrations [and] most petitions online. I think people feel that they are doing something but actually it doesn't really achieve any change. [RA]*

#### **5.4.4 DIRECT ACTION – ILLEGAL**

Direct actions can also involve illegal methods, such as inflicting property damage, animal rescue, and physical or psychological violence (e.g. intimidation). Official charities and registered organisations do not engage in such activities and follow a strict ethos of only engaging in non-violent and legal activities. Besides the charity commission guidelines, the remit of welfare organisations of working with governments makes illegal activities impossible – or in the words of one welfare participant:

*Every organisation I've always worked for has always been trying to change the law and enforce the law. And you can't do direct action that breaks the law and at the same time trying to enforce it. [WA]*

All activists generally opposed illegal direct actions as they believed it would not constitute an effective tool to create change. Animal rights campaigners often opposed such actions on the grounds of ineffectiveness at creating change, and risking bad publicity and loss of credibility.

### RESCUING

However, probing questions on rescuing and undercover footage elicited a different response concerning the normativity of illegal direct actions. Again, welfare organisations would not be able to engage in such activities without losing their charitable status. Yet, *personally* welfare activists did not necessarily oppose rescuing of animals in distress depending on the case (a similar observation regarding the opinions of shelter workers has been made by Taylor (2004:326)). For example, one welfare interviewee stated that she would rescue a dog which was trapped in a hot car. However, two activists also emphasised that rescues needed to be organised appropriately, meaning that a proper home and proper care for the rescued animals should be organised.

*I don't really have a problem with that, PERSONALLY. [...] If you're not hurting anyone but just damaging a lock in a building, I don't mind – and as long as you got that back up, you've got somewhere for the animals to go – they can survive and live. [WA]*

Rights activists expressed similar opinions, though in some cases they were less cautious and more enthusiastic about rescuing. One campaigner, for example, called it '*a praiseworthy thing.*' Another explained that the action of rescuing could again create media coverage which could educate people. This might be the case in open rescues (based on the Australian model where activists record the rescue and reveal their identities), which have been mentioned as a positive example by several activists. Nevertheless, rights interviewees questioned whether rescuing would change anything beyond the fact that those animals were set free from suffering. They acknowledged that these activities did not necessarily challenge the underlying problems of systemic animal suffering.

*The people that rescue the [animals] – that's brilliant for these individual [animals] that are rescued. [...] I don't think there is any wrong in that. I think it's a good thing to do but it doesn't actually challenge the cause of it. [RA]*

### UNDERCOVER FOOTAGE

Activists also mostly agreed about undercover footage being an important tool to expose animal abuse. As with views on rescuing, welfare activists expressed more cautious views than rights

participants. This difference might again be influenced by the restriction on welfare organisations, as charities, from engaging in such activities. In contrast, rights groups do not usually hold charitable status and hence, are not similarly restricted. Welfare participants did not generally oppose undercover investigations, but they more frequently pointed to the importance of activists adhering to strict guidelines and codes of conduct when engaging in this activity. This is especially important for welfare groups that consider using undercover footage, shot by non-charity groups, in their campaigns. One participant also pointed out that property damage as part of shooting undercover footage could discredit evidence.

Secondly, welfare participants felt that undercover footage should not be used for ‘public shaming’ but rather be taken to authorities. They believed that only then would be evidence used effectively. One participant indicated that this was also important for the safety of the farmer.

*We don't say 'It was Mr. So-and-so's farm,' so no one's going to go and beat him or her up. [...] As long as you're not laying the farmer open to violence, I think it's ok. [WA]*

However, one rights activist replied that undercover footage taken to authorities would often fail to result in prosecution. For that reason, and as animal rights groups primarily target consumers, they are also more inclined to use undercover footage to raise awareness.

### **VIOLENT TACTICS**

All participants opposed violence for several reasons. The most frequently mentioned was ineffectiveness in changing conditions for animals.<sup>87</sup> Participants were also concerned about the negative connotations those direct actions might cast on the movement (cf. Waldau 2011:113). They believed that it would create an association of animal rights with extremism which would be alienating for the public. One welfare interviewee explicitly stated that she felt alienated by the ‘coldness’ of those activists who engaged in violent tactics. As the animal protection movement is trying to convince people to support their cause, violence would be counterproductive (Munro 2005:80 made a similar finding in his interviews with animal activists).

*I think it actually can create negativity around animal rights and the people who are involved in it. I think we really need to try and be as friendly and as open, welcoming to everyone. [...] It kind of*

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<sup>87</sup> Jacobsson and Lindblom (2012:48) also observed that animal activists refrained from condemning other groups’ illegal strategies and tactics on moral grounds, focusing instead on their ineffectiveness.

*paints animal rights activists or campaigners as like fringe, strange people who you could not possibly relate to. [RA]*

One welfare activist also suggested that violence would cause a victimisation portrayal of industry, further contributing to the negative image of animal rights. Again, people would then tend to agree with the industry as the victim, rather than with the animal rights cause. In a similar manner, another interviewee stressed that violent and illegal tactics would create a strongly '*polarised discussion*' blocking constructive debate and change. This participant – like several others (including rights activists) – also felt that illegal and violent activities in the early 2000s had set the movement back. Rather than opening the debate, violence closed avenues for communication and change; and contributed to a negative image of animal rights.

*The discussion becomes very polarised and therefore the discussion doesn't tend to get heard, so it's completely negative and took the movement back many years. [WA]*

All but two participants were also opposed to violence for ethical reasons.<sup>88</sup> Since several activists adopted egalitarian positions, their ethical beliefs about not harming other living beings applied to both animals and humans. Some mentioned that it would be hypocritical to oppose violence towards animals but not humans (cf. Waldau 2011:113).

*I find it counterproductive [...] as well as I don't wish to cause suffering to other creatures, I kind of view the humans and animals in the same respect. [RA]*

Interestingly, rights participants also expressed understanding of why some people would use violence. They could relate to activists who considered the law to be wrong, and thus wanted to help animals outside the law. Some interviewees added that they would not condone violence, while another participant felt it was not his place to judge.

*I personally can't condone illegal tactics - breaking into property or destroying property. I understand why people do it but I can't condone that. [RA]*

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<sup>88</sup> The exceptions refer to the welfare activist who identified with animal rights, and one animal rights campaigner. These participants opposed violence because of its ineffectiveness, but not for moral reasons.

*My personal perspective is that it should always be non-violent but I can't speak for other people. It is for them to say where they're coming from, to justify their actions. [RA]*

In comparison, two participants indicated that it might make the activists feel 'good' and engaged in the cause, but that it was a misplaced feeling of engagement and impact. Indeed, two other rights interviewees described (non-violent) direct actions as appealing, as it made them feel more strongly engaged (in contrast to 'carrying placards'), and that it was associated with an 'adrenaline rush.' A similar observation was made by Derville (2005:529), who stated that discourse and compromise would leave some activists with a sense of defeat, while direct actions gave them a sense of fulfilment.

Lastly, one rights and one welfare activist (identifying with animal rights) did not oppose violence against people they viewed as animal abusers.<sup>89</sup> While they would not encourage it because of potential negative publicity and imprisonment (effectively preventing one from helping animals), they also would not condemn violent tactics.

*I'm not encouraging someone else to break the law when I'm not prepared to do that myself. That's wrong, isn't it? BUT, if say for instance, [someone] killed an animal experimenter, I wouldn't condemn them. [...] I might feel myself that tactically that might not have been the best thing to do. [RA]*

One of these two interviewees also suggested that the ALF saved animal lives and was therefore to be considered positive, despite its negative image and association with violent tactics. In contrast to other participants, this activist did not feel that those activities harmed the movement or prevented people from going vegan. However, he also conceded that there might have been better methods and that the group had a 'false idea of how change came about.' Furthermore, the interviewee explained that ALF groups consisted of mostly young and enthusiastic but inexperienced people.

*I think overall the ALF was a very good thing. I mean whether it was the best thing is a different question. [...] It got to a situation where [they] started to believe that [they] could actually win a kind of military victory. [RA]*

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<sup>89</sup> Munro (2005:79) also concluded based on his interviews that animal campaigners mostly oppose violence, with only very few activists being of a different opinion.

While it is true that violence has always been part of social justice movements as one participant pointed out, and that *'one person's terrorist is another person's freedom fighter'* according to another, it is morally unjustifiable from an animal rights perspective. Animal rights demands respect for the wellbeing and the lives of all sentient creatures regardless of any benefit that might accrue from overriding those rights.

## 5.5 ABOLITIONIST CAMPAIGNING

Given the controversies abolitionist supporters cause within the movement, their proposed approach of *vegan grassroots education only* also warrants some discussion. Vegan grassroots education offers some advantages, such as not relying on donations, direct social interactions and local networks, and based on that, the possibility to effect change in communities. However, there are also several risks and shortcomings not addressed in grassroots education, pointed out by participants.

Firstly, education, too, is a slow process and does not necessarily effect change in the desired way. It might even be fair to say at this point that the aforementioned complacency could be a universal issue. Behaviour changes are less likely to happen than changes of ethical beliefs concerning the behaviour in question (Festinger 1957; Bastian *et al.* 2012). If people are confronted with abolitionism, they do not necessarily change their behaviour – which might be considered complacency. Alternatively, we might need to think about such change as a much more complex subject in which knowledge does not always directly impact behaviour. Similar to the gap between environmental knowledge and environmental behaviour (Kollmuss and Agyeman 2002; Ito 2017), humans display gaps between their ethical beliefs concerning animals and their behaviour, for example, with regards to meat consumption (Bastian *et al.* 2012). I shall discuss this issue in more depth in the next chapter ('The free choice paradigm') and in chapters seven to eight.

Secondly, several interviewees pointed to a general change of *'activism culture,'* meaning that activism moved away from being street-based to being social media-based. In some cases, animal rights supporters would focus on sharing recipes and arranging social activities online, rather than getting involved in actual activism.

*There's lots of people that have joined, that really embrace the vegan lifestyle. But all they want to do is go out and eat. They don't wanna stand on street corners shaking tins. [...] They're just going out for meals – so this kind of vegan societies and vegan groups that are just a kind of glorified dining club and I don't want to be part of that. [RA]*

Hence, these activists hinted at a lack of people willing to engage in campaign work. While people might choose to passively support a group by signing up to their newsletter, or go vegan, only a small percentage get involved in campaign activities. Thus, the question arises of whether it would be realistic to expect people adopting a vegan lifestyle to also engage in grassroots education as Francione suggests. If the animal protection movement already suffers from a shortage of activists, it might be unrealistic to expect that abolitionism would attract sufficient supporters to engage in these activities.

Thirdly, for many people the choice of campaigning has to do with passion for an issue, or the feeling of urgency of a particular cause. While rights activists mostly agreed with abolitionism ethically, they did not feel that it was a realistic approach strategically. The commitment of the interviewed activists to their work was accompanied by fully embracing and feeling aligned with the approach of the organisation. It is unlikely – as campaigners explained – that they would feel comfortable using a different approach. Therefore, the demand that every vegan activist should engage in vegan grassroots education only, could take away the very passion that enables their engagement in the first place.

*Like I said, the attitude of people that take the abolitionist view is often that they condemn all other forms of campaigning [...] - then you're losing a whole section of people that you might be able to bring into the movement. [RA]*

Another issue with vegan grassroots education is that even if people considered becoming involved, they could feel uncomfortable engaging because of their lack of experience. Employees and volunteers of national organisations will often receive training or guidance on campaigning. Vegan grassroots education offers only a loose network of people and little guidance. One participant pointed out that after engaging in direct actions for years, he initially felt insecure when changing to campaigning focused on vegan outreach, pointing at the need for guidance in activism.

A fifth risk, related to the previous point, concerns the professionalism and effectiveness of vegan outreach. As activists are aiming to trigger human behaviour change, they should be familiar with the right techniques. However, even activists engaging in renowned national groups admit that they do not know what eventually triggers change. Most participants deemed confrontational tactics as damaging. As such, vegan outreach might be even more difficult than other campaigns as it could be considered more controversial. The public is aware what vegan organisations want to achieve and are more likely to already resist initial contact. If vegan outreach activists are not briefed on the most effective techniques, campaigners engaging in vegan grassroots education might run a risk of

expressing confrontational behaviour towards people who do not adopt a vegan lifestyle. This could reinforce the image of animal rights activism as being extreme and evangelical (see chapter six).

*Today I saw Greenpeace out there doing their kind of asking people to join, and everybody wants to help the planet. Some people more so than others, but it's not a controversial thing necessarily. But if we go out and say 'Hey, do you want to help animals', people say 'Yes, I love animals.' 'We're a vegan organisation' – 'Well, I'm not a vegan', so it adds those challenges there. [RA]*

*If people feel that they're being told to do something that they're not ready to do, they will just kinda block it out. And you may make some converts but you gonna make an awful lot of other people who resent the vegan police – who see veganism as an extreme thing and who see it as an affront to their integrity. [WA]*

The uncompromising approach of abolitionism also brings other negative consequences. Adopting a plant-based lifestyle is a major change in a person's life which often happens in smaller steps of reducing consumption of meat and animal products. To ask people to go fully vegan immediately or within a very short period of time, including abstinence of food, cosmetics, clothes, and any goods containing animal products, requires a major reshaping of habits. It also brings inconvenience as society does not fully accommodate people choosing a vegan lifestyle, despite the increasing availability of vegan products. Instead, some activists – both welfare and rights – suggested supporting and encouraging every little step towards the desired behaviour change.

*There's no such thing as a perfect vegan, and so I think it's useful to help people understand that. [...] Veganism needs to be an achievable goal for people. [RA]*

Moreover, two welfare participants reported that they had felt unwelcomed by rights activists in the past for not being fully vegan. Such a feeling might more easily arise if activists hold and communicate very strong opinions on how others ought to behave. It is more likely to make people feel criticised, leading them to stop engaging with those activists. Thus, this might preclude avenues of change for a person.

*I think if you just dismiss anyone who's not a strict vegan then you miss a lot of opportunity for change. I can remember when I first went to work [...] and I was vegetarian, not vegan. And some of them were ghastly to me. And instead of making me think 'Oh I should become a vegan', it did the*

*opposite. [...] And I wouldn't change for a long while – I wouldn't change just because it's kind of alienating. [WA]*

Another reported issue concerned the limited outreach of vegan grassroots education, making it effective only on a smaller scale. Two interviewees mentioned that organisations used to run workshops with small groups which successfully helped those people to move towards the desired lifestyle. However, those organisations also suspected that they did not have enough impact and thus decided to engage in wider but less specific outreach. Vegan grassroots education might have the advantage of helping people travel further on their journey than bigger groups would have the time and resources for. However, the impact measured against the greater social change remains small. Convincing a few people every year to adopt veganism affects the suffering of billions of animals only to a small extent.

*You may have influenced a few individuals to go vegetarian and so on. Or if you run a sanctuary you rescued sixty animals or 200 animals and that's lovely for them. But of seventy billion animals out there being killed every year – and you haven't touched it. [WA]*

Similarly, one rights activist suggested that veganism would not necessarily affect other areas of animal suffering as there were no alternatives available, for example, for medication tested on animals. This constitutes an important critique as it might be the case that even if a larger number of people turned towards veganism, animal experiments for medical purposes might still continue.

*I can opt out of the dairy and the meat industry by going vegan. [...] I've never found that difficult. But it's much harder to opt out of the vivisection industry. [RA]*

Based on these considerations and lack of evidence of the actual impact and effect of abolitionism and other campaigns on the wider social movement, there is a case to be made that vegan grassroots education is not morally superior. This will be discussed further in chapter nine.

## 5.6 INCREMENTAL CHANGE *VERSUS* REVOLUTION

A general theme revolved around incremental *versus* revolutionary change. All but two activists<sup>90</sup> indicated that they considered animal protection to be a social change movement,<sup>91</sup> and all but one activist agreed that change happens incrementally.<sup>92</sup> They also unanimously agreed that improvements for animals which lessened their suffering would be positive. Moreover, several activists acknowledged that certain campaigns were more difficult than others, because, for example, particular topics were less interesting or appealing to the public. For that reason, and because organisations have limited resources, anything that would help animals should be considered good. Interestingly, two welfare activists did not consider their work to be focused on improving conditions, but rather on abolishing the worst practices.

*Anybody who is trying to get improvement is doing a good job as far as I'm concerned. [...] If they are working hard for the welfare OR rights of animals, jolly good luck to them. [RA]*

*We don't see ourselves as improvers. The net result of banning the worst system is that you get the one that's not quite so bad. [WA]*

While animal welfare campaigners focused more strongly on incremental changes in industrial practices or in legislation, rights activists emphasised the need for incremental change in individuals. They emphasised the importance of encouraging small changes towards a vegan diet rather than asking for it immediately, for several reasons. Firstly, participants deemed it unrealistic to expect people to change quickly, as personal and professional experiences from both welfare and rights participants seemed to confirm the need for gradual changes. Some interviewees underwent a quicker transition from eating-meat to veganism within two months; others took years to adopt a vegan diet; and yet others simply *'were not there yet.'* One activist also reported that in their surveys meat eaters would usually look to reduce meat consumption or to adopt vegetarianism, while vegetarians would strive towards veganism. Cases of people going vegan immediately based on an ethical insight were rare. But reducing the consumption of animal products would reduce suffering of animals – and even though not ideal, would be better than no change.

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<sup>90</sup> Those two activists potentially considered the animal protection movement a social change movement but did not clearly state it.

<sup>91</sup> Goodwin and Jasper (2015:4) define social movements as 'collective, organized, sustained and noninstitutional challenge to authorities, powerholders, or cultural beliefs and practices.'

<sup>92</sup> Incremental change was not discussed with one participant.

*Certainly, I didn't change like that and all the people I know [who] have been in animal rights for years – none of them went vegan overnight. We all did it gradually. [WA]*

Secondly, two participants (one welfare and one rights) mentioned that gradual change would be more sustainable. One activist also pointed out that in his experience, somebody adopting veganism overnight would be more likely to go back to eating meat later on. This contrasts with the abolitionist accusation that encouraging reduction rather than full cessation would breed complacency.

Lastly, one rights activist – similarly to welfare participants – emphasised the importance of dialogue. Finding common ground through respectful debate, resulting in incremental change, was considered the key to progress. Several participants felt that abolitionists would not engage in this and hence, would not be able to convince people, even though their arguments might be morally consistent.

*BUT you could argue that: Well ok, fine, you don't bend and then it gets nowhere. OR you both bend a little bit and you get a little bit further. [WA]*

In contrast, welfare advocates focused more strongly (although not solely) on incremental change in industry, the government, and also infrastructure. For example, one interviewee expressed her agreement with abolition of animal experimentation but also mentioned that it was unrealistic to expect it to happen quickly. As our infrastructure and industry took many years to be built up incrementally, it would also need to be incrementally replaced. The same participant reinforced the importance of enabling people to change their behaviour by providing an alternative infrastructure (for example, offering more high welfare animal products or vegan goods). While all activists, with whom infrastructure was discussed, agreed on the importance of alternatives, this received little attention in the interviews. I shall return to this matter in the next chapter ('The free choice paradigm') and in chapter nine.

*If you want to persuade other people to change their behaviour, you HAVE to bring them along on this journey. You have to work to make sure the infrastructure is there to simply replace it. [WA]*

Furthermore, some activists pointed out that right circumstances and luck were sometimes crucial to achieving goals, which should be seized upon, given that they might not be winnable at other times. This was considered particularly important, given potential knock-on effects.

*In 2005, avian flu happened and the campaign was won within two weeks. [...] So, [the organisation] ran the best campaign ever for fifteen years and achieved nothing, or did achieve something but not achieved the final goal. In two weeks [the organisation] ran the worst campaign and achieved the goal. [WA]*

*I worked for years on cosmetic testing and I remember them saying at that time that it was only 30,000 – ONLY 30,000 animals a year. But it was winnable; and it was one that drew a lot of public attention to the issue and now it's having a knock-on effect. [WA]*

Lastly, some campaigners considered successful incremental campaigns to be indicators for progress in a journey towards greater goals, as compromises and concessions would constitute an acknowledgement of a moral imperative. The implementation of reforms or cessation of single practices would signal that people admitted to an animal issue being a moral concern which needed changing.

Overall, welfare participants considered gradual changes to the infrastructure of society as most important and more realistic for achieving change. They were more accepting of compromise as they felt that without it no progress would have been achieved at all. However, one welfare interviewee pointed out that the organisation had to be careful about how to communicate their compromise to supporters. Criticisms of compromises seem to go beyond discussions between animal protection groups, extending to supporters within the wider public. Yet, one could argue that not only welfare organisations have to settle for compromise. It is unlikely that any rights organisation, engaging for example in vegan outreach, is able to convince all people to go vegan. Rather, rights groups accept and welcome smaller changes in people's lives – for which they are criticised by abolitionists.

Another reason that might influence welfare activists to choose working within the system and to accept compromise is the negative image that comes with more revolutionary approaches.

Interestingly, in the interviews some rights activists reinforced this perspective by using language indicative of a fight between opposing sides (see chapter six).

In contrast to the abolitionist viewpoint, all rights activists agreed that welfare improvements were important to lessen the suffering of animals *'at this point in time.'* However, they raised doubts about how much such improvements would contribute to the wider social change, especially as welfare *'would not always go far enough.'* Yet, one interviewee also acknowledged that welfare groups were restricted in their messages, given their remit and the stakeholders they were looking to work with.

*Although getting bigger cages is good for them at this point in time, it's not actually the end goal.*

[RA]

### 5.6.1 REVOLUTIONARY TENDENCIES

While all activists agreed that change would happen gradually, two rights campaigners expressed some ideas about more revolutionary approaches. Both activists engaged or had engaged in direct action in the past; reported that it was associated with an adrenaline rush; and used language associated with 'fighting' against animal cruelty. One activist also mentioned that he was a '*radiant anarchist*,' and the other participant had aimed at a '*military victory*' [sic.] of animal liberation through direct action, in previous activities. This participant also felt that more vegans should engage in direct actions to achieve animal liberation.

*It's about that only direct action that you can get involved these days where you actually directly save the life of an animal. [...] Whereas walking down the street carrying a placard saying 'Ban vivisection' – even if twenty years down the line that works – you don't actually get the thrill, the buzz, the adrenaline that comes from actually saving that [...] animal. [RA]*

Their revolutionary approach and ideas might relate to the fact that these two activists joined the animal protection movement in the 1960s. The 1960s and 1970s were characterised by a wave of protest in all social movements (Barker 2008:46). Although other participants also became active during that time, they held different views, which might also be related to their lack of anarchistic tendencies.

When confronted with potential negative effects of direct actions, both aforementioned participants denied those. One interviewee acknowledged that dialogue might be needed to encourage change. Yet, he assumed that dialogue was unlikely to happen and thus, direct actions would need to continue. The question arises though, whether their direct actions against certain practices and the people involved in them might not contribute to preventing fruitful dialogue in the first place.

In other social movements, revolutionary approaches achieved change, for example, the civil war in the United States which contributed to the end of slavery (Berlin 1992; Vorenberg 2001). However, it came at grave costs including death and destruction which are an inevitable part of war. Even if the animal protection movement could mobilise enough supporters to trigger a revolution, the question remains whether it can be justified to violate fundamental rights to achieve a greater good.

Moreover, a cause that is not supported by the public will not be effectively and sustainably

implemented, and laws based on such a cause might not be obeyed. This is, for example, the case in Sweden where illegal hunters are prosecuted but also supported and celebrated by the rural population which opposes the law (von Essen *et al.* 2015). Thus, rights groups potentially could impede their own goals by asking for legislation that restricts people too much in their current practices. It could cause strong opposition, and continued persistence of those practices, with little chance to overcome that opposition.

### 5.7 CO-OPERATION BETWEEN ORGANISATIONS

In the past chapters, several disagreements and sources of tensions between different groups were described. Ethical and tactical disparities were identified, as well as identity-related differences (see chapter six). These discrepancies indeed can affect the willingness of groups to co-operate with each other. For example, welfare campaigns focusing on reducing meat consumption through promotion of less but higher welfare meat are incompatible with the approach of rights organisations. Rights activists inherently disagree with what they often referred to as *'happy exploitation'*: the promotion of higher welfare animal products or *'happy'* meat, eggs or dairy. While they agreed with welfare improvements with the aim of reducing suffering, the promotion of *'better'* animal products would further contribute to the commodification and violation of animal rights. Framing would be of importance.

*It kind of depends on HOW it's framed. [...] If you're saying this form of animal exploitation isn't ok and really you want to see it gone, but in the meantime, it would be an improvement if certain things would change – if you say it in that way – that's completely different.'* [RA]

Differences in tactical approaches can also prevent collaboration between groups. For example, one organisation might want to run a public campaign while another might prefer lobbying away from the public eye. Charities need be careful to fulfil their charitable purpose and/or act for public benefit. The pursuit of political or non-charitable purposes, and engagement in unlawful actions or those against public policies would cost them their charitable status (Charity Commission for England and Wales 2013). Tactics are also inevitably linked to reputational risks (also see chapter six). Some groups avoid being associated with, for example, direct actions, to avoid endangering important relationships with stakeholders.

Nevertheless, all interviewees agreed that co-operation between organisations also offers benefits. Close collaborations, if based on honest communication, helps groups to put their limited resources to the best use. Sharing information and avoiding duplication is an advantage and further

contributes to saving resources. Furthermore, collaborations can increase chances of success especially when a campaign seeks legislative or policy change. It can improve credibility and increase pressure on governments and stakeholders if groups work in a concerted effort.

*I think you do need to work with other organisations to get more credibility, to have access to knowledge and resources that you might not have otherwise, to share and learn from each other, to give each other support and to have a greater chance of success – particularly when you try to lobby the government or something, you need to be working in coalitions then. [RA]*

Besides these tensions preventing collaborations or causing them to fail, another eight interrelated reasons have been identified that negatively impact co-operation.

### **(1) LACK OF FOCUS**

The first reason – a lack of focus or shared aim – was frequently mentioned as an important factor, caused by activists' feelings that all issues are important. Participants identified the need for a shared objective as the first step for successful collaboration, but felt that agreeing on such would be difficult.

*My feeling is that very few people are clear on what they're actually trying to achieve – saying 'We wanna help animals' is SO broad. What does it even mean? [WA]*

### **(2) LACK OF EFFICIENCY**

The lack of a shared aim also relates to the second difficulty: a lack of efficiency. Some participants reported being caught up in 'endless' discussion at the expense of engaging in the actual campaign. Once the aim is identified, groups need to discuss methods and outcomes, and set deadlines. However, some activists reported that, smaller groups especially, sometimes do not adhere to those structures, impeding the success of campaigns. A lack of efficiency slows down organisational work, leading groups to run campaigns by themselves.

*I've been to so many alliances and coalitions where you just sit there talking generally around and around and there's nothing positive. [WA]*

### **(3) LACK OF IMPACT**

Inadequate focus and efficiency further affect the impact groups or their campaigns will have. A lack of professionalism, knowledge about creating change, reputational damage and other reasons can reduce the impact of campaigns. This in turn might lead some organisations to refrain from working with particular groups.

*We can't spend time working with a group that we don't think is going to have a big impact in the long term; or I think if a group was going to bring the movement into disrepute or anything like that, then I don't think we'd touch it. [WA]*

### **(4) LACK OF HONEST COMMUNICATION**

Some interviewees also reported poor communication as factor negatively affecting collaboration. It is also another factor potentially reducing impact. Furthermore, participants mentioned the importance of honesty in response to the question about what was needed for successful co-operation. Honesty might further relate to the building of trust between groups which was also pointed out as necessary for collaborations.

*Honesty, but also regular updates on what each organisation is doing to avoid overlap or duplication; but also, to help each other where you could actually be stronger together. [RA]*

### **(5) LACK OF CONSISTENCY IN ORGANISATIONS**

Reason five concerns a lack of consistency in organisations either of profile and branding, or of people. Two activists reported that successful collaborations were based on positive relationships with individuals in other organisations. However, a high turnover of employees or volunteers negatively impacts co-operation as relationships need to be rebuilt. Equally, inconsistent branding or profiles of groups could complicate working together. Collaborative campaigns rely on shared aims and compatible messages. Groups that frequently change their profile and subsequently adjust their communicated messages tend to be inconsistent in collaborations, according to one activist.

*There is so much movement in people or CEOs and other staff members in organisations that will lose the continuity and the momentum sometimes. And you build up a great relationship, and people move on – that happens a lot as well. [RA]*

*I like to see consistency, I like to see a track record of success and an organisation building on that – not trying to remake themselves into whatever they think is the current fashion. [WA]*

## **(6) BIG EGOS**

The majority of participants named clashing personalities, dominant characters or ‘big egos’ as the most frequent cause for failing collaboration. Some activists would insist on their position and be unwilling to compromise.

*I think co-operation – it’s all down to personalities. It’s just people getting on with each other. [WA]*

*People with very big egos or organisations with very big egos who want to eclipse all of the others; or who are not sensitive to the needs of the other organisations. [WA]*

Big egos, however, not only referred to individual people but also to organisational egos. When advertising successes of campaigns, groups can be tempted to neglect the contribution of others in their communications, in order to secure and increase their own financial and membership support. It goes without saying that this is detrimental to collaborations.

One activist reported that their campaign was hijacked by a group who had not been working with them. The interviewee, however, also mentioned that she would not mind that much if it would help animals. Indeed, many participants indicated that credit-taking issues should ideally not affect campaigns, as everyone should be working for a greater common good.

*There can be concerns about who takes the credit for things because one of the things with a charity or with a group is essentially: you got your supporters [...]. I mean most of the time it isn’t really a problem because ultimately people are all working towards a common good. [RA]*

*The competitiveness over donations and legacies and income: we would be cautious about sharing that information. [...] Obviously in some respect they ARE competitors for that type of income – but not for animal welfare. [WA]*

### **(7) LACK OF FOCUS ON THE GREATER COMMON GOOD<sup>93</sup>**

The issue of big individual or organisational egos as well as many other disputes in the movement eventually might come down to a failure of appreciating the greater common good that all activists are working towards.<sup>94</sup> Even if groups lose sight of or cannot agree on the greater common good, they would still receive the benefits of information and resource sharing as outlined before, which they would miss out on when failing to collaborate with other groups.

*Making sure that the cause is more important than the organisations because you see all unravel where people want their name on this in bigger letters. [WA]*

### **(8) LACK OF LEADERSHIP**

The last reason might be an underlying problem behind all mentioned aspects impeding successful collaboration: a lack of leadership. Focus, efficiency, impact, honest communication, organisational egos and profile are all to some extent dependent on good leadership. Several activists reported that some groups are run less effectively because of hierarchy issues which are also leadership concerns. One participant suggested that umbrella organisations would increase the success of collaborations. This might also help to overcome leadership issues in partnerships.

*They have too big a hierarchy or something, or they're perhaps just not very well run. [RA]*

## **5.8 CONCLUSION**

Most activists held the opinion that respecting animals and their lives was morally right. They mostly agreed that, in an ideal world, humans would not subject animals to suffering and death. Their ideas – though not identical – were in many cases similar to abolitionism. In contrast, their tactical approaches differed considerably. They agreed that lessening the suffering of animals was important, though some campaigns might be more effective in achieving that than others. In any case, animal advocacy often requires prolonged struggle, regardless of the type of campaign activists are engaged in. There are no strong indicators at our disposal which would help us to decide which tactics are more effective or efficient. Most likely – as the participants agreed – the movement will need to use all available channels, rather than a single approach, to drive social change forward.

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<sup>93</sup> The term '*greater common good*' was used by interviewees to describe a shared goal of animal advocates to help and protect animals.

<sup>94</sup> Taylor (2004:335) also observed that display of commitment to helping animals and alluding to the best interests of animals, or to being 'in it for the animals,' helped overcome disagreements between shelter workers.

One participant also acknowledged that this social change might never happen, in which case anything that lessened suffering would be all activists could aim for, as part of '*damage limitation.*' If the desired social change, however, can be achieved, it will probably depend on rights groups reaching out to the public, and welfare groups reaching out to governments and policy makers. These differences of approach and remit might constitute a strength of the movement, as it allows different groups to target different audiences. This also constitutes an important counter-argument to the development of a unified approach – at least strategically.

## CHAPTER 6: 'THAT'S NOT WHO I AM' - IDENTITY AS A DIVIDING ASPECT BETWEEN ANIMAL RIGHTS AND WELFARE

This chapter will focus on the relationship between animal welfare and rights, beyond ethical and campaign themes. It will discuss emerging differences, commonalities, and aspects potentially more important to the gap between the two approaches. This chapter will explore the main theme of identity of animal activists, including its various facets, such as science *versus* ethics, reputational concerns, pragmatism *versus* idealism, romanticised views *versus* negativistic views, and a theme called the 'free choice paradigm.' The chapter will conclude that the gap between animal welfare and rights is not necessarily counterproductive, and might even be considered to reinforce the work of both sides.

### 6.1 IDENTIFICATION WITH ORGANISATIONS

In all interviews, activists expressed strong identification with the ethical and tactical approaches of the organisations they worked or volunteered for. Participants frequently reported that their decision to work for an organisation was based on approval of its approach. The reputation of a group also played a crucial factor in determining whether interviewees would consider working for it (see also 'the reputation issue'), as identification with a group was paramount in this decision. Some participants did actively look to work for an organisation, while other interviewees happened to see a job advertisement and decided to try their luck, and chance also played a role. In another case, the decision to work for either a welfare or a rights group was based on which group would first offer the job.

*I could say [another organisation] has a horrible reputation for being the rightsist, the flag waving, the real activist.' And that is an absolute no-no for me personally. That's not who I am. [WA]*

Another important factor involved in decision making was impact or '*making a difference.*' Activists frequently considered having a positive impact through their work (*i.e.* its effectiveness) as being their major motivator to work or volunteer for a group. For some interviewees, impact depended on the size of the organisation; for others on being able to lobby; or on being able to save the lives of animals through direct actions. Some participants also mentioned the importance of being able to put one's skills to their best use. Activists – like any other humans – have different capabilities and strengths, and having an impact will also depend on using those strengths in the right activity. This is another argument against abolitionist campaigns only, as not all activists will do equally well in campaigns (also see chapter nine).

*I didn't really want to work anywhere else 'cause I found we were actually effective and [inaudible] this is the organisation that actually does get stuff changed, and does achieve change for animals.*  
[WA]

Identification with an organisation can both be traced back to previous (work/campaigning) experiences of interviewees but also their current involvement in their organisation. Scientific degrees sometimes laid the foundation for several welfare participants to work for welfare groups (see 'Science versus ethics'). In contrast, two rights campaigners and the welfare activist who identified with rights reported that they had been involved in the human rights and anti-apartheid movement. As animal rights philosophies tend to use similar arguments to human rights theories, it might be an easier leap for those activists to also advocate animal rights. Also Goodwin and Jasper (2015:216) argue that biographical aspects such as experiences, memories, cultural understanding and identities influence an activist's approach.

*Before I got involved in animal rights [...] I was involved in the anti-apartheid movement. So, that really struck a chord in me.* [WA identifying with animal rights]

*Their approach very much matched my own sort of ethics and ways of doing things; and it was very much in line with the previous sorts of campaign work I've been doing as well in a different sort of area.* [RA]

Yet, working for an organisation, and experiences associated with that, also appear to shape the views of activists. One example was given earlier of a welfare activist reporting that slaughter with little suffering was possible while a rights campaigner was negating this viewpoint. Similarly, rights interviewees reported that they witnessed cruelty on a regular basis while some welfare participants focused more on ignorance as common issue. Commitments, including moral ones, and experiences during advocacy activities might shape an activist's perception of how abundant and severe cruelty is. This might also explain why welfare participants would put more emphasis on the need for education while rights activists asked for the cessation of practices they perceived as cruel.

*I know it's horrifically cruel 'cause I see it every week.* [RA]

*Education is the biggest issue because there is a great deal of ignorance out there. I don't see animal cruelty that often. [WA]*

### **6.1.1 THE ANIMAL PROTECTION CONUNDRUM**

A strong identification with an organisation and/or an approach, however, can also lead to strong convictions which might prevent activists from positively impacting on animals. On the one hand, some participants felt that other organisations were engaging in important work. For example, rights activists acknowledged the need to reduce the suffering of animals through welfare reform. On the other hand, these interviewees stated that they would not want to work for those organisations as they disagreed with the underlying ethical beliefs. One rights activist mentioned that he would rather not work in animal protection than work for a welfare group. Similarly, one welfare participant would not want to work for a group with which her beliefs did not align completely.

*I would find it very difficult to work – PERSONALLY, on a personal level – for an organisation that was campaigning for animals to be treated better, but killing them. [...] I'd rather do this off my own back and work for something completely unrelated to animals or that type of thing, rather than work for an organisation that was promoting what I don't believe in basically. [RA]*

*My values are very important to me and I wanna work with an organisation, that's values are exactly aligned with mine. [...] With even on one animal issue – even if I'm not working on that issue but my colleagues are – I have a hard time working for an organisation who then on a different issue I'm completely against. [WA]*

It seems to be almost a conundrum that activists who are dedicated to helping animals would choose to not support everything that aims at reducing their suffering and the number of deaths. It might seem odd that some rights activists disagree with a welfare approach despite acknowledging its potential to reduce suffering. It is equally odd that some welfare activists do not support vegetarianism or veganism despite its potential effectiveness in reducing suffering and the number of deaths. The solution to this conundrum might partially lie in the importance of identity in activism.<sup>95</sup> It is about who those activists identify with – as either a welfare or a rights person – and all the associations (and reputations) that come with this (see further below).

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<sup>95</sup> In many cases, campaigners will justify such inconsistencies by referring to, for example, the earlier mentioned risk of complacency in welfare campaigns; or lacking impact of animal rights activism due to its idealism. However, as will be demonstrated in chapter nine, those arguments do not withstand scrutiny as they might be true for some campaigns and approaches, but are unlikely to apply to the majority of animal welfare and rights

## 6.2 SCIENCE *VERSUS* ETHICS

One emerging difference between animal welfare and rights was a theme of science *versus* ethics and/or emotions. Garner (1993:208) also pointed to this theme when he described welfare groups as relying more heavily on animal welfare science. Indeed, welfare activists in several cases emphasised the importance of scientific evidence and considered it a cornerstone of their work. Welfare campaigning was associated with science, objectivity and professionalism in contrast to rights activism being overly focused on ethics and/or emotions,<sup>96</sup> and on getting attention.

*Animal welfare is very important because this organisation produces its position based on the scientific facts and the information. We do not produce our position based on emotions and ethics and that's the main difference between the two. [WA]*

Two interviewees emphasised that animal welfare as a science would translate directly into animal protection; and one contrasted it against the ethical arguments brought forward by animal rights groups. The latter also felt that rights campaigners tend to raise arguments contradicting scientific evidence, such as the quote from a rights activist stating that *'every companion animal effectively is a captive animal.'* In contrast, the welfare participant mentioned that scientific studies would show that dogs were happier in company of humans, and thus, it would be wrong to argue against the keeping of dogs. However, by separating science and ethics, they failed to see the normative aspects that are part of their work. There is a difference between asking how much stress an animal experiences, and how much stress we should inflict on animals (Rollin 2015). Science alone cannot answer the latter.

*As soon as you've got the evidence for a particular behaviour, or the animals feel in this particular way, there is no further case to answer. There is your evidence and here is how your behaviour should change to build that into what you do. [WA]*

There are several potential reasons why welfare activists expressed a greater importance of science as a foundation for animal protection. Firstly, five participants stated that they had an academic

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activism. Hence, a general and dogmatic rejection of either approach, as sometimes occurs, could potentially be explained based on aspects concerning identity.

<sup>96</sup> The association of activists as being in grip of their emotions, to the extent of behaving irrationally, could potentially be traced back to scholars studying social movements up until the 1960s, who – as part of the elite – were not sympathetic to protestors and dismissed them as emotional and deviant (Goodwin and Jasper 2015:5–6).

interest, a background, or a degree in animal welfare science, animal behaviour, or conservation. Another interviewee used to work in a governmental department related to animal welfare. Their previous studies or work related to animal welfare science, animal behaviour or conservation was also mentioned as providing a stepping stone into animal protection. In contrast, only two rights activists indicated a scientific background or degree, which only one of those participants considered important to her career. This interviewee also had previously worked for welfare organisations. Secondly, welfare groups tend to work primarily with industry and legislative bodies; the latter especially use an evidence-based approach to support decision-making. Merely ethical arguments do not achieve the same end, according to some campaigners. Furthermore, scientific evidence was associated with credibility, which was contrasted to trying to attract public attention, a tactic more often used by rights organisations.

*That I think is the biggest danger that animal rights people have: is that as we're moving in this direction on everything being much more scientific and factual, they're still in this direction saying, 'It's all about the media and making fun of things.'* [WA]

Thirdly, participants reported that welfare science helped improved the credibility of organisations' work. While animal activism was sometimes associated with sentimentality and being an '*animal lover*,' scientific evidence directly counteracted those associations.

*Animal welfare has gone from being: 'Oh, this is just about cute animals,' into being a science and that's really important.* [WA]

### **6.3 THE REPUTATION ISSUE**

Another reason for welfare organisations to separate their work from rights groups, and for welfare advocates to refrain from engaging in rights activism, is its negative reputation. Words such as '*extremist*,' '*militant*,' '*harmful to the movement*,' '*aggressive*,' '*angry*,' '*loud*,' '*crazy*,' '*evangelical*,' and as '*demonising others*,' have been used to describe the (public) image that comes with rights activism.<sup>97</sup> While they agreed that this image stemmed from primarily past activities of groups on the fringe of the movement, they were worried about its continued persistence and its alienating effects.

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<sup>97</sup> This description of rights campaigners refers to what interviewees believed to be the public perception of animal rights. A minority of welfare interviewees also partially seemed to believe that this description would reflect some animal rights activists.

### 6.3.1 ASSOCIATION WITH EXTREMISM AND VIOLENCE

A particularly strong association became apparent between animal rights and extremism, which welfare participants considered particularly alienating. This association with extremism might be related to direct actions involving violence towards people and the subsequent negative media coverage, despite these incidents being rare (similar observations were made by Jasper and Nelkin 1992:34; Taylor 2004:322; Munro 2005). Rescuing was also mentioned in one case as *'more militant'* – probably as it involves direct action and property theft (as animals are regarded as property under the law). However, as one interviewee suggested, any campaign promoting more progressive views puts welfare organisations at risk of losing credibility and of being associated with the negativity around animal rights.

*You start talking about rights and you're not even in the room, because the word itself carries so much baggage. [WA]*

*They've [a welfare organisation] done a few things that are, like, I think a little bit more extreme – not illegal by any means; but, like a little bit more on the extreme side. And whenever they do that I've noticed there is a bit of a backlash towards them. [WA]*

An association with extremism, however, is not necessarily related to violent tactics alone, but also to a certain aggressiveness and unpleasantness associated with rights activism. Three welfare participants contrasted their approach to animal rights by pointing out that it should be about calm conversation rather than *'shouting and screaming.'* Conversely, aggressive tactics might create an impression of violence, even if that violence is not physical. This might be particularly the case if an activist's approach appears to be distanced and indifferent to human concerns and even suffering. One welfare participant was particularly concerned about the *'coldness'* of abolitionist supporters.

*They were talking about quite radical actions – sort of burning trucks and farms and things. And I said: 'How can you do that?' [...] They're just so COLD about it. It's like it doesn't matter. [...] So that very kind of cold intellectual stuff REALLY puts me off. [WA]*

Alternatively, as two rights interviewees pointed out, anti-oppression symbols, sometimes worn by activists, could alienate the public as these symbols might be associated with fringe groups. Rights interviewees also acknowledged this negative association and stressed the importance of being *'friendly, open and welcoming.'*

*Some of the kind of more violence, anti-oppression symbols that you see also in the human rights movement are used in animal rights; and most people in the mainstream – the public don't find that appealing. They find that off-putting. And that's still very much the case in the UK that the mainstream see animal rights activists as maybe aggressive, emotional, irrational. [RA]*

However, several participants across welfare and rights pointed out that this association – as well as the distinction between welfare and rights – was also perpetuated by the media and by 'opponents.' Some interviewees stated that opponents of animal rights would use the term to defame activists by invoking the association with violence and extremism (Donaldson and Kymlicka 2011). Others reported that the media would reinforce the bias as items about violence and extremism would attract more readers (cf. Munro 2005).<sup>98</sup>

*The people that I'm employed by is an animal welfare group and they don't like to be termed animal rights group. Our opponents use it as they slur against our organisation. [WA]*

*Sometimes you almost feel it's a conspiracy in the media. I think more often than not, it's lazy journalism, that they have a scenario they want to present and they want sensation as well. [RA]*

### **6.3.2 ASSOCIATION WITH DEMONIZATION AND PATRONISATION**

Another association linked to extremism and violence, although slightly different, was a connection to demonization. Several welfare interviewees pointed out that sometimes rights campaigners tend to demonise or condemn people who engage in behaviour deemed morally incorrect (cf. Jasper and Nelkin 1992:120 who also observed dehumanisation of scientists in animal rights publications). This association might be related to incidents such as rights activists shouting, '*Shame on you*' at adults and children eating at a McDonalds (as reported by two rights participants). Moreover, some rights campaigners expressed thoughts and used language that further fuelled an impression of demonization. Some described the people involved in practices causing suffering as '*animal abusers*,' deviant and in one case even mentally disturbed.

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<sup>98</sup> However, this perception of media bias might also be related to the 'hostile media effect' which describes a 'tendency for people who are highly involved in an issue to see news coverage of that issues as biased, [...] merely by virtue of the fact that it comes from the media' (Gunther *et al.* 2001; Coleman 2010:78).

*They must be mentally ill. That's the only explanation for their behaviour. Their behaviour is so aberrant. How can anybody derive pleasure from watching the slow painful death of another sentient being?* [on hunting with hounds] [RA]

A minority of rights activists, mostly those previously or currently engaged in direct actions, also used words such as 'opponents,' 'enemy,' 'people on the other side,' or 'being in the front line.' This language gave an impression of war, and campaigners fighting against society or some of its people (Munro 2005:79–80 made a similar observation in his interviews with animal activists). Although activists agreed that demonising people who consume animal products was counterproductive to educating them about veganism, they blamed people in the industry instead.<sup>99</sup>

*I think there's a difference between people that are leaders of animal abuse and people that are followers. You can't blame those people equally, and I'm not saying that [inaudible] meat eaters for years are innocent but I'd say that the guilty people are the people who encourage other people to eat meat. [...] They're the demons, not ordinary people.* [RA]

Conversely, demonization was also somewhat associated with a patronising approach of some animal rights activists. For example, one participant described rights groups as being evangelical; another felt that they would not accept other beliefs, causing this activist not to want to work for them. This association also became apparent when welfare interviewees contrasted their belief of people being caring rather than cruel, their aim of working with stakeholders rather than against them, and being humble, to opposite approaches, in particular the rights approach.

*We've all got to be humble enough to recognise that the majority of these people that do these things and test on these animals are not innately cruel. [...] My view is we need to change the infrastructure, not demonise the people.* [WA]

Moreover, one welfare participant reported that a patronising approach, and 'ghastly' behaviour had prevented her from changing her beliefs and behaviours (compare to chapter five, section 'Abolitionist campaigning'). The problem of contesting someone's view or behaviour, especially in an unpleasant way (as unfortunately would happen), leading to a defensive reaction and rejection of the cause, was also acknowledged by rights interviewees.

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<sup>99</sup> Derville (2005:530) argues that enemy construction further contributes to reinforcing group identity, which is important in social change movements (see further below and chapter nine). It also increases the likelihood of activists engaging in risky activities.

*Even if you say the same things but you don't try to find that common ground – you kind of stick to your guns a lot – it just doesn't help. It doesn't win people over, and that is so important. That is MORE important than whether you're right or not. [RA]*

### **6.3.3 THE REPUTATION OF WELFARE ACTIVISM**

While much has been said about welfare activists distancing themselves from animal rights based on its reputation, the converse also warrants a few words. Although less prevalent, an impression emerged that welfare activism could be associated with a lack of care for the suffering and lives of animals. While no rights participant directly expressed this association, some quotes hinted at such an image. One interviewee mentioned that some welfare activists are speciesist; another that they sometimes would be more interested in pursuing political careers. One welfare participant also pointed out that other activists would sometimes '*creep into relationships with industry,*' would adopt their language, and be persuaded and influenced by them. Indeed, another welfare campaigner used the word '*product*' to talk about an animal, hinting at a certain degree of commodification which has been criticised in the interviews. However, it should be noted that this participant might have adopted those words to resonate with the audiences he usually talks too, and to achieve a certain effect (see quote below).

*They're people interested in pursuing political careers – don't necessarily have much of an interest in animals. [WA identifying with animal rights]*

*You gonna end up with a product which is probably diseased, probably gonna cost you a lot of money at the vets and probably will die. So that's when people then start to think about these things. [WA]*

### **6.4 PRAGMATISM VERSUS IDEALISM**

Another important theme related to identity was a tension between pragmatism and idealism. This tension became apparent within some activists who felt that there was a difference between '*the ideal world and the real world.*' In a similar manner, two activists mentioned that there was a difference between ethics and tactics.

*There's a difference between what's morally right or wrong, and what's tactically best. [RA]*

Ethical ideas were considered important but difficult to implement. Hence, tactical goals would need to divert from ideal ethical aims to be successful. Both welfare and rights participants considered that to be the case but to varying degrees.

In particular, welfare activists exhibited strong pragmatism in their approach to campaigning in various ways. One strong indicator was the recurring expression that welfare improvements positively affect the lives of animals despite not being ideal. Furthermore, it would be better to improve the lives of animals on a large scale, rather than campaigning for veganism and only affecting a few animals by convincing a small number of people to adopt a plant-based lifestyle.

*96% of the country eats meat, so therefore you cannot ignore 96%. You have to raise the standards for those people that are eating meat. [WA]*

*It doesn't make any difference whether I approve of zoos or not. That's neither here nor there, if I can help them improve things. [WA]*

Moreover, they tended to focus on 'winnable causes,' and on working with audiences and with stakeholders to achieve change. Pragmatism could also be underlying theme in this quote highlighting the importance of campaign effectiveness: 'then you need to look at how quickly you can achieve change which tends to be around government.' This pragmatism might also be linked to the greater flexibility of (ethical) beliefs held by welfare participants. For example, the quote below highlights the flexibility of the interviewee's beliefs and constitutes a strong contrast to the beliefs of several rights participants who negated any need for people to eat meat.

*I used to think that nobody needs to eat meat. I used to believe that very strongly. I'm not so sure. It may be that some people have a biological need to eat meat. I'm OPEN on that issue. [WA]*

Rights activists expressed stronger idealism in their ethical and tactical approaches which contributes to the animal protection conundrum being seemingly more prevalent within rights activists.<sup>100</sup> Strong idealists might be more likely to refrain from supporting welfare improvements as

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<sup>100</sup> It seemed more prevalent within rights campaigners as they frequently mentioned that welfare reforms were positive but at the same time they would feel uncomfortable in supporting them. Yet, the conundrum also applies to welfare activists who condemn animal suffering but do not necessarily disagree with (intensive) farming, or do not support vegetarianism and veganism. However, most welfare participants disapproved of (intensive) farming and had adopted a vegetarian or vegan lifestyle, making the conundrum less apparent in this sample.

they do not fully tackle animal rights goals. Nevertheless, rights interviewees acknowledged '*moral complexities*' and grey areas.

More pragmatism, however, was displayed by rights campaigners with regard to tactical approaches, such as making veganism '*an achievable goal*' by not asking people to go vegan immediately. They also expressed pragmatic ideas on campaigning, or on how human behaviour change is achieved. One activist also mentioned that strong idealism makes it more difficult to engage with people.

*It is in an ideal world that humans and animals would live side by side. [...] BUT, we're living in an imperfect world, and sometimes trying to implement perfect rules on an imperfect world is not helpful.* [RA]

In contrast, abolitionism was considered too idealistic, too unrealistic, potentially extreme, and as the opposite to pragmatism by most interviewees. Some participants described abolitionism as thinking in terms of '*either-or*,' '*black and white*' or '*binary*.' Another interviewee pointed out that Francione's arguments simplify things '*to the point of abstraction*' which the participant considered wrong. While the campaigner agreed that ethically all (sentient) beings should be considered as equals, campaigns on, for example, wild animals would need to be run differently to campaigns on farmed animals in order to be successful.

*There is this whole movement that everyone should be vegan from now and it's on the extreme side – I don't even want to use the word extreme – the ideal side of where we wanna be. But I don't think it's particularly realistic.* [RA]

While ethical beliefs did not translate directly into particular tactical approaches, as for example welfare campaigners would hold views closely related to animal rights, idealism or the lack thereof (*i.e.* pragmatism) could potentially explain the connection between the two. It appears that an activist's idealism or pragmatism is decisive for how they put their ethical beliefs into action.

#### **6.4.1 PURITY VERSUS INCLUSIVENESS**

Strong idealism might also be associated with an aim for purity, *i.e.* people trying to live up to their ideals. Some people choosing a vegan lifestyle will go to great lengths to avoid any animal products, potentially even including avoidance of any indirect support of the 'animal industry' (for example by not eating in restaurants that also serve meat) (cf. Jacobsson and Lindblom 2012:44, 51–52). None of the interviewees expressed living up to this ideal, though some embraced it more than others.

Welfare participants especially stated that they were not ‘pure.’ Instead they emphasised hypocrisy as a common human fault that they were guilty of. Moreover, as previously pointed out, some deemed it impossible to live up to ideals as the infrastructure would not allow people to do so.

*When people are particularly vocal about their particular stance I get concerned that it’s impossible for one person to be completely virtuous. It’s impossible. [RA]*

Some participants also felt that idealism and purity would negatively affect the inclusiveness of the movement, leading to competitiveness (cf. Jacobsson and Lindblom 2012:49) and rejection of those not living up to the ideal (for a similar observation see Greenebaum 2009:290). One participant compared striving for purity to a religious approach, which also has been identified in the literature as such (e.g. Jacobsson and Lindblom 2012:52). For example, Wenk *et al.* (2000) describe animal rights activism as a functional religion with separate communities and cult as indicators, including the striving for purity.

*I think they can be a bit polarising. They make people feel bad if you’re NOT one of us and I think that’s not the way to go. [WA]*

*Occasionally you go to a meeting where it’s almost like a competition: ‘I’m a better vegan than you are.’ I don’t think it helps the cause. I think personally you can do it but you don’t have to keep banging the drum. It’s like a very religious person. [WA]*

Animal activism and veganism, if focused on idealism and purity, can run the risk of alienating people. Jacobsson and Lindblom (2012:49) also argue that being conceived of as moral giant can prevent people from identifying sufficiently with activists, making it more difficult to convince people of one’s cause. It is then not only about consumer choice but community membership and identity. In particular minority groupings define themselves in comparison and in contrast to mainstream groups, leading them to be more hostile to those who are similar but not quite like them (for example, vegans towards vegetarians) (Kateman 2017). Some rights campaigners also acknowledged issues around inclusiveness and emphasised its importance.

*What I liked about [this organisation] was: it was very inclusive. It wasn’t about the secret society for vegans. [...] It was about taking that out to other people and showing them why it would be good for them to change. [RA]*

## 6.5 ROMANTICISED VIEW VERSUS NEGATIVISTIC VIEW<sup>101</sup>

Another difference that emerged between participants, in relation to the identity theme, concerned romanticised and negativistic views of human-animal interactions. Particularly welfare but also rights interviewees expressed romanticised ideal world visions of humans and animals living together in harmony and sharing the planet. In their vision, humans and animals would not live separately but in ‘symbiosis.’ One participant mentioned that this could involve a benign or ‘natural’ form of farming. For example, eggs from chicken could be used, but the animals would not be slaughtered and might only be consumed after dying a natural death.

*I think people should regain the kind of awe and respect for animals and nature like the ancient traditions. [WA]*

Some (non-abolitionist) rights activists could potentially approve of such farming if the animals were not suffering and were not killed. However, some rights participants felt that farming was too business driven to ever fully acknowledge the animals’ needs (cf. Foer 2010:220). They also more frequently mentioned that practices would involve consciously inflicting cruelty on animals, and used the term ‘animal abusers’ to describe people engaged in such practices. In contrast, welfare participants emphasised that people working in industries that use animals were not ‘innately cruel.’ Generally, an impression emerged that some rights activists hold a more negative view of people as being cruel or uncaring. In contrast, welfare campaigners – as one pointed out – would hold people in higher regard. This impression also derived from demonising language used by some rights campaigners, but more so from descriptions of rights campaigners by welfare participants.

*I think a lot of them seem to have a very low view of people. I’ve got a very high view of people and I think we build on the best. Don’t constantly criticise people and make them feel bad. [WA]*

Similarly, a minority of interviewees held a negativistic view more generally about human-animal interactions. They believed that human interactions or interference with animals usually negatively affect animals and thus, should be avoided.

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<sup>101</sup> The word ‘view’ here refers to a tendency of describing human-animal relationships in a particular way; *i.e.* romanticising ideal world visions of human-animal interactions, or viewing actual human-animal interactions as usually negative.

*I think the less you interfere with animals, the better really. I think ultimately human interference generally doesn't end well for the animals. [RA]*

One welfare participant also described the philosophical animal rights position to be based on the assumption that animals never benefited from their interactions with humans. While this could potentially be attributed to the abolitionist position, not all animal rights theories assume that all human-animal interactions necessarily violate animal rights (Donaldson and Kymlicka 2011; Cochrane 2012; Garner 2013).

*From a rights perspective [...] there is no positive interaction that animals benefit from [...]. So therefore, they have the right to be left to their own devices, to live the life that they would ordinarily live: natural, in the wild, unaffected by us. [WA]*

Activists holding romanticised ideal visions of human-animal interactions might be more likely to adopt a welfare or a weak rights approach to work towards that vision. Campaigners who hold more negativistic views about our interactions with animals might adopt a pragmatic abolitionist position. The latter seem to feel, that in order to not violate animal rights, total abolition would be the only solution, despite not all interactions necessarily being harmful or inherently wrong. The mere risk of animal suffering seems to be enough to pursue abolition rather than reform.

## **6.6 THE FREE CHOICE PARADIGM**

The last theme and rather subtle difference between welfare and rights activists was identified as the '*free choice paradigm*,' referring to rights advocates expressing greater empowerment in making ethical decisions and acting based on them, as compared to welfare interviewees. This included a tendency of rights campaigners to view animal issues as less ethically complex. This theme became apparent when rights activists framed veganism as a choice and focused on the solution of people having to '*choose*' to adopt veganism because of the moral imperative. In contrast, some welfare participants reported a lack of empowerment, feeling conflicted about their choices and having to regularly re-evaluate their viewpoints in the light of new evidence or new situations.

*It was that kind of understanding that all animals suffer and that there is a great deal of suffering that is because of the hands of human beings. So, I had the power to do something about it, so I thought I want to. [RA]*

*You CHOOSE to partake in animal suffering and that in itself is problematic. [RA]*

*Yes, aware of it [farmed animal issues] BUT because there is not an awful lot I personally can do about it. [WA]*

*It's a constant battle with doing what you do best to live your life. We're all making our own path and you need to make the decisions that make the most sense to you. [WA]*

While there certainly is an element of choice in people's diets, a focus on the choice aspect alone runs the risk of neglecting powerful psychological mechanisms behind the activity of eating (animal products). It neglects the learning processes, cultural aspects and other influences that surround and impact people's dietary choices (e.g. Shatenstein and Ghadirian 1998; Gibson and Brunstrom 2007; Just *et al.* 2007). Choice assumes that people behave fully rationally and that they will change their behaviour if they are better informed. Yet, humans are often led in their decisions by heuristics and other psychological mechanisms, for example, trying to resolve cognitive dissonance (e.g. Simon 1956; Festinger 1957; Boudry *et al.* 2015). Moreover, a focus on choice also runs the risk of ignoring the lack of available plant-based foods in some areas. Also Light and McGee (1998:12) argue that probably very few acts are 'unshaped by the biological and social structures of personality and temperament, upbringing, and recent social, emotional, economic, and physical situations.' Thus, a 'choice' approach might overlook that there are relevant differences between groups, families, identities and characters. Also one welfare participant pointed out the struggles of people who do not have the knowledge and the economic power to make better choices. Changes that might seem easy for some people are not necessarily as easy for other demographics. For some activists, the switch to vegetarianism and/or veganism was easy, especially if they considered themselves '*natural vegetarians/vegans*' (indicating a dislike of the idea of meat and killing animals for meat, starting at an early age). In contrast, other people might consider it difficult to change – potentially so difficult that they dismiss it all together.

*I was always probably kind of a natural vegetarian or stroke vegan. When I was younger – because I didn't like meat – and I refused to eat meat. [RA]*

*We're lucky in the Western world to have both choices [...] but that isn't going to affect the young mother of a family of five. [...] As far as she knows 'We need meat at every meal, right?' [...] She buys*

*the cheapest meat she can, so that she can feed her family. [...] As far as she's concerned she's being a good mum. That's very very sexist and stereotypical but this is the kind of thing. [WA]*

All of this is not to say that some rights activists do not acknowledge those pressures, psychological mechanisms, or the fact that switching to a plant-based lifestyle means a big change for some people. Several participants were, in fact, strongly aware of these issues.

*That person who's shopping in the supermarket and has got two kids hanging of their arms screaming, and they're counting their pennies: they got other worries in their lives. How do I get through to that person to make them realise, they can make the change without having a massive impact on their life? [RA]*

This awareness might have led to an approach countering attempts at purity, in contrast to the abolitionist position that people are either vegan or not, with only the former being acceptable (e.g. Leenaert 2016). This approach is probably best summarised in a statement attributed to Jack Norris (president of the group Vegan Outreach): *'People say "I'd go vegan but I can't give up cheese." Then go vegan except for cheese!' (Mattern 2015; Cuberail 2016)*. This is fuelled by the underlying pragmatic belief that some change – even if it is not what activists are ultimately aiming for – can still have a positive impact on the lives of animals.

## **6.7 CONCLUSION**

The preceding chapters (four to six) presented the variety of differences, disagreements but also commonalities, between activists from various organisations. It is apparent that ethically many activists hold views closer to each other than expected. All reported the suffering of animals as a problem that humans ought to prevent. A majority also agreed that the killing of animals for most purposes was ethically wrong, except for euthanasia and a strongly justified need (e.g. in self-defence).

While individuals often held similar views, differences between welfare and rights organisations arise from the profiles of organisation and their campaigns. Welfare and rights organisations speak out against animal suffering and needless killing, although they differ in what they consider needless. Moreover, welfare groups adopt a less confrontational approach as they see a need to resonate with mainstream opinions, and are wary of being associated with extremism or violence, which could negatively influence their relationships with stakeholders such as government or industry. In contrast, rights organisations seek to raise awareness and educate the public. In order to

do so, they need to catch the attention of (social) media. Controversial statements and actions facilitate that. On top of these differences, identity-related factors, such as a scientific *versus* an ethical approach, or idealism *versus* pragmatism, seem to play a much greater role in determining what kind of approach and campaign an activist will engage in.

Despite all these difficulties, organisations can work together successfully, as some interviewees reported. Two participants pointed out that covert collaborations between groups might happen more frequently; especially between more conservative and progressive groups that do not want to be seen working together publicly.

*We would say behind the scenes: 'Oh we can't do that – we can't even be associated with it. You do that, we'll do this. That's fine for us and we'll give money for this.' And then the other organisations say: 'Ok, I'll do that.' I may or may not personally agree or disagree but it's not right for our organisation to be seen, to be involved in that. That's very healthy dialogue. [WA]*

Moreover, if organisations struggle to work together, other ways of loose co-operation can be sought. The badger cull campaigns were frequently proposed as a good example. Groups were working as *'an armada of organisations'* for a shared goal but tackling the issue from different angles and with different messages. This could also mean to *'agree to disagree'* but to nevertheless support each other. Alternatively, one participant suggested that groups should collaborate by dividing work. The interviewee gave an example of shelters often being in close geographical proximity to each other, while no shelters were available in other areas in the UK. Proximity (both geographical and of remit) would also increase competition for income and donations.

In any case, interviewees deemed honesty, communication, information sharing, respect, openness, trust, understanding, and most importantly willingness to compromise, as vital to successful co-operation. Two participants pointed out that compromise would not necessarily mean that the overall ethos of an organisation was compromised. A rights organisation could, for example, support reform of a farming practice aiming to reduce the suffering of animals, while also clearly stating that eventually they would like to see farming come to an end.

*I think compromise is not a bad thing but I think there needs to be a line in the sand. [...] You're not compromising your positions and you're not agreeing to work with them unless they understand that you have not compromised your position. [WA]*

Whatever collaborative approach organisations choose, respectful dialogue is important to a successful partnership. However, if groups meet irreconcilable differences and choose to terminate collaborations, they should refrain from public critique, as some interviewees emphasised.

*The people who criticise – especially when it's publicly – have broken a number one rule which is: let's all work together!* [WA]

Accepting different approaches is not just important to create unity within the movement but is necessary for its success. The various organisations each have their own remit, their individual strengths, their own target audiences and tailored messages for those audiences. A 'one-size-fits-all' solution as proposed by abolitionism is unlikely to succeed on its own. Different organisations can tackle issues from different angles, with individual approaches and messages that will appeal to varying degree to particular sectors of society. Several interviewees also noted that campaigns they might not feel comfortable with could potentially appeal to a different audience.

*I think there is space for different organisations within this kind of movement because different ways of doing things appeal to different people. Similarly, we also tackle different issues.* [RA]

*I might look at them sometimes and just think that's counterproductive. I might think that, but maybe they've reached some people that I wouldn't reach.* [WA]

Welfare organisations have the advantage of being able to more easily outreach to stakeholders such as the industry, government or policy makers, but also those sectors of the public that feel alienated by animal rights. While this might limit their outspokenness, it is a valuable approach for achieving incremental change. Welfare campaigns can raise awareness for those audiences by using less controversial and less challenging messages. Even educational work that might not directly seem to contribute to the greater animal cause can sensitize people to the needs of animals.

*It gets people thinking about animals in terms of their own welfare and their own individuality rather than being commodities that you can treat however you want.* [RA]

The question remains though whether easily acceptable, non-challenging campaigns alone will suffice to drive the development of society into a new direction. This might be the role of animal rights organisations which tend to push boundaries and challenge the status quo. Indeed, several

welfare interviewees reported that rights activism was *'airing'* the ethical arguments and paving the way for welfare reforms.

*I do often wonder whether or not we have to thank them for laying the foundation, that we can distance ourselves from their practices but get things done on an argument that they've raised awareness for. [WA]*

Furthermore, welfare participants mentioned the provision of information on diets, exposure of cruel practices, and being able to use tactics charities cannot use as positive features of work done by rights organisations (which are not registered charities). Two participants also pointed out that more conservative groups could engage in lobbying of industry and government and reward good practices, while more radical groups would be able to run negative publicity campaigns against companies which did not improve their practices.

While some participants certainly felt that there was a difference between rights and welfare approaches, others emphasised their closeness. The last chapters (four to six) highlighted the various overlaps in beliefs between them. They also tried to explain the reasons behind dividing factors, which are often based on tactical issues concerning remit and target audiences. Animal protection activism certainly is a spectrum, if not a complex web of different positions. As such, it should see itself united not in one assimilated position, but in non-uniformity.



## **PART III**

### **CHAPTER 7: EQUAL MORAL STATUS OF ANIMALS AND THE NEED FOR A NON-IDEAL THEORY**

#### **7.1 INTRODUCTION**

The divisions between animal rights and animal welfare advocates appear to be significant for some (Crump 2010; Fur Commission USA 2011; Francione 2016; Animal Welfare Council 2017).<sup>102</sup> In the three previous chapters, differences have been discussed with regards to ethical opinions, campaigning strategies and tactics, and factors, such as identity, which cause division on an interpersonal level. Addressing the latter is beyond the scope of this thesis and what an ethical framework can resolve. Instead, this chapter and the next will focus on overcoming ethical disagreements.

The interviews with activists have inspired the development of this chapter in at least three important ways. Firstly, they have established a need for open deliberation in order to find common ground, rather than the provision of ultimate answers. Secondly, they have highlighted the requirement to balance conflicting interests and values but within set boundaries. Thirdly, they have called for increased protection of animal wellbeing. Hence, the proposed approach does not aim to settle all ethical matters concerning our relationships with animals; rather it seeks to establish a small number of shared premises and principles guiding deliberations.

The first part of this chapter will argue in favour of equal moral standing between humans and other sentient animals regarding their claims to wellbeing and flourishing. Initially this chapter will review and reject arguments claiming that animals do not have equal moral standing (or none at all) as they lack important capabilities that humans possess. Secondly, theories will be reviewed that claim that, while they might have some moral standing because they do share important characteristics, their lives are still of less value (*i.e.* their deaths do not matter as much) because, for example, they possess those characteristics to a lesser degree. Those arguments will also be rejected; instead it will be concluded that comparing moral standing and the value of life between different sentient species is difficult, if not impossible. Of course, the absence of fruitful attempts to devise such a hierarchy is not evidence of it being impossible. However, the chapter will argue that, at this point in time, it can be reasonably assumed that at least the claim to not have suffering and death inflicted by other

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<sup>102</sup> Interestingly, however, official opposition to animal rights, declaring it as irrational and violent, appear to sometimes stem from organisations with vested interests in using animals (cf. Fur Commission USA 2011; Animal Welfare Council 2017), rather than from groups seeking welfare improvements.

moral agents is to be considered of equal significance.<sup>103</sup> These might not be the only claims of equal significance; however, they are the most crucial ones for flourishing, and the least contestable ones. Having accepted these premises, it follows that it would be unjust to apply unequal consideration if claims have equal moral weight. The principle of justice usually states that the similar should not only be considered the same but also treated the same (DeGrazia 1996:50; Regan 2004 [1983]:128; Wise 2005:30), and this is *prima facie* accepted within the framework being developed here. However, in the second part of the chapter, attention will be paid to a recurring theme of the interviews of living in a non-ideal world, in which conflicts between humans and animals concerning fundamental claims to wellbeing are inevitable. It will be argued that some human-animal conflicts constitute moral tragedies, meaning that the realisation of one claim necessarily comes at the expense of not fulfilling another. Chapter nine proposes the principle of proportionality as a means to finding the most *just* solution for such conflicts.

However, the last part of this chapter will take the issue of ethical theories in a non-ideal world one step further. It will propose that following or aiming to introduce current ideal ethic theories into real-world practices is neither feasible nor achievable. This is the case as human-animal moral tragedies are part of a 'moral storm' (cf. Gardiner 2011) surrounding our interactions with animals. The moral storm leaves us vulnerable to moral corruption – this moral corruption, linked to strong psychological barriers, is a hindrance to humans' ability to behave fully ethically towards animals. Hence, this needs to be taken into account in a non-ideal theory of animal ethics that makes some concession to anthropocentrism. Those concessions do not mean that infringing another animal's claims is any less wrong. However, it allows animal activists to acknowledge very real (but not absolute) economic, social and psychological barriers, while looking for a course of action that realises an animal's rights to the greatest extent possible given the aforementioned constraints. This means that the proposed framework does not restrict animal advocates to one particular approach to realise animal rights (like abolitionism does). Instead, it allows them to seek a variety of ways that aim at increasing the realisation of rights and minimising their infringement, which hopefully will also mean that society moves gradually towards greater actual equality between humans and other animals.

### **7.1.1 DEFINING THE TERM 'RIGHT'**

In the following chapter, I will claim that animals have moral rights, such as the right to be free from suffering, pain, and death. Those rights should be considered to be of equal moral significance to

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<sup>103</sup> Equality in this context means 'attributing equal moral weight or importance to relevantly similar' claims (DeGrazia 1996:47).

human rights, but it does not follow that animals can be equally protected. Before I delve into these arguments, the term 'having a right' should be defined as it otherwise might lead to misunderstanding and subsequently disagreements between activists.

The term right can have different meanings, and unclear distinctions between natural and legislative rights tend to complicate discussing these matters. To argue that someone or something has a right could simply mean that it is associated with moral standing (Phelps 2007:63; Waldau 2011:2–3; Cochrane 2012:13; Fisher 2014:646). Rights can also indicate a valid claim upon others on how one ought to be treated, whether or not it is acknowledged by society or within the law (Regan 2004 [1983]:267–69). However, holding a right does not necessarily imply how much moral significance is to be granted, and whether that significance has greater weight over other ethical considerations. A second meaning associated with the term is that of natural rights, to which some interviewed campaigners appealed to, while others dismissed them. Natural rights theorists ground rights in the possession of certain traits (rationality, language, sentience). Other approaches consider rights artefacts of state action, implying that rights only exist in the presence of a state that recognises them (Nussbaum 1997:273–74). Legislative rights are a third possible meaning of the term.

Without entering the discussion over the concrete and disputed meaning of rights, I will use Regan's (2004 [1983]:267–69) definition in this chapter, as rights being valid claims on others. This is a common definition within the animal ethics literature, and resonates most commonly with the understanding of interviewed activists. It also avoids some of the difficulties associated with the concept of natural rights, as will be discussed later in this chapter. Moreover, it is more suitable than the concepts of interests or preferences in encompassing claims to wellbeing and flourishing, as interests or preferences can potentially be harmful to the latter.

A claim is defined as valid if it is crucial and necessary for wellbeing (cf. Engle 2012:2). Hence, the term right – as used in this chapter – indicates a claim to wellbeing, such as a claim to freedom from suffering. Animal welfare campaigners recognise that claim, even though they might prefer to refer to it as a duty to not inflict suffering. Furthermore, the language of rights is not only a respected way of claiming moral standing, but also a highly effective tool to secure moral and legislative protection within the Western world (Garner 2005b:165; Campbell 2006:xiv *et seq.*; Waldau 2011:63; McCausland 2014:651). Concepts such as rights and justice are relevant to state enforcement, while others will result only in weaker protection (Garner 2013:8).

One objection to the arguments proposed in this chapter by animal welfare campaigners might concern the use of the word 'rights' in connection with animals; either because they believe that it is an artificial concept that is of little use for animals, or because they cannot refer to animal rights when working with stakeholders such as government or industry (as also one interviewee pointed

out). Understanding the term 'rights' as a way of describing claims towards wellbeing (or duties not to interfere with that wellbeing), and as effective tools to grant protection within Western societies, will hopefully convince welfare campaigners that the term successfully extends beyond humans. Whether they can comfortably use the terminology when talking to stakeholders or not, should not prevent others from using it within the context of ethical deliberations. Some might refrain from the using the word 'rights' and instead talk about claims or duties; but the meaning and its implications remain similar.

## 7.2 ALL (SENTIENT) ANIMALS ARE EQUAL<sup>104</sup>

Western thought has long believed in the superiority and dominance of humans over nature, partially based on classical philosophy (Aristotle, Plato, Descartes) but also on how Judaeo-Christian theological texts have been predominantly read (Linzey 1987:23 *et seq.*; Linzey and Cohn-Sherbok 1997:20; Davis 2014:25; Cook 2015:590).<sup>105</sup> Dominion was granted either by God (Genesis 1:27-29), or by the virtue of distinct human qualities such as possession of a soul (*e.g.* Descartes, cf. Garner 2013:82), self-awareness, language, rationality, moral agency, and so forth, that animals were supposedly lacking (Chomsky 1969, 2011; Garner 2013:87; Davis 2014:19–20; Cook 2015:590–91; Pinker 2015 [1994]:332 *et seq.*).

New scientific discoveries, however, particularly within in animal behaviour, have brought to light complex mental, emotional and problem-solving skills possessed by animals. Some species such as chimpanzees, elephants, dolphins and magpies have passed mirror-tests indicating self-awareness (Gallup 1970; Reiss and Marino 2001; Plotnik *et al.* 2006; Prior *et al.* 2008; de Waal 2008). Despite lacking the (anatomical and/or mental) means to speak in a structured language like humans, scientists discovered various other mechanism of communication used by animals (Sebeok 1965; Endler 1993; Rogers and Kaplan 2005:187–89), some of which might resemble language to a greater degree than expected. The most impressive examples include the chimpanzee Washoe which learnt to use sign language, or the bonobo Kanzi which used symbols to communicate and was able to understand spoken English (Gardner and Gardner 1969; Savage-Rumbaugh 1994). Also rationality in the sense of problem-solving abilities (for instance by using tools) have been demonstrated in various settings by greatly different species, such as chimpanzees, dolphins, or birds like woodpeckers or crows (Boesch and Boesch 1990; Hunt 1996; Tebbich *et al.* 2001; Krützen *et al.* 2005). There is some indication that elephants and dolphins grieve (Bradshaw 2004; Hooper 2011).

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<sup>104</sup> From the book *Animal Farm* (Orwell 2008 [1945]:15).

<sup>105</sup> This is not to say that Judeo-Christian theology sanctions exploitation of animals; a close reading of religious scriptures suggests otherwise (Linzey and Cohn-Sherbok 1997:20). However, the Christian tradition has long neglected to ask questions about animals and their status (Linzey 1987:23).

Species, like dogs, chimpanzees or capuchin monkeys have been demonstrated to possess a sense of fairness (Bekoff 2004; Brosnan and de Waal 2004, 2014), and potentially even morality (Brosnan 2006:168).

There are still many species who have not passed the mirror-test or that have not demonstrated complex abilities in problem-solving tasks, but this does not prove that they do not possess any. Absence of evidence is not evidence of absence. Furthermore, each species is adapted to its own environmental niche and in many cases, it is more likely that humans did not manage to adapt their study design and use the right methods to elicit particular behaviours in a species, which would demonstrate such abilities. For example, dogs would be expected to fail the mirror test not because they are not self-aware, but because their visual sense is not as important for their perception of the world as olfaction (Rogers and Kaplan 2005:176–77). Furthermore, it might make little sense to try to rank all species on one (human-centred) scale of intelligence (cf. Wise 2005:40). Instead it would be more useful to assume different types of intelligence, and to use the flexibility in behaviour (Rogers and Kaplan 2005:178), or problem-solving abilities (Sutherland 1989:211) as marker for it. While some animals might possess similar capacities to humans, the latter, nonetheless possess those capacities to a greater degree in many (but not all) cases. Hence, some might argue that the existence of those capacities is not enough to grant equal moral status, but the degree of capability should matter too.

### **7.2.1 UNEQUAL CAPABILITIES AS MORAL MARKER**

It is problematic though to grant moral status and protection based on degrees of capacities, as humans also possess certain qualities to a greater or lesser extent than other members of our own species. The Universal Declaration of Human Rights (The United Nations General Assembly 1948)<sup>106</sup> claims in its very first article that ‘all human beings are born free and equal in dignity and rights;’ and adds in article two: ‘Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind.’ This should also encompass distinctions based on capacities as humans naturally differ in, for instance, their intellectual, emotional, or creative abilities; none of which should give rise to differential treatment with regards to fundamental rights. Furthermore, disabilities in humans, rendering them less capable of participating in human society, also do not justify infringing human rights.

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<sup>106</sup> The Universal Declaration of Human Rights constitutes an assertion of rights based on a diverse philosophical discourse including opposing approaches. Most importantly here though, rights approaches often establish equality between rights holders, as does the Declaration of Human Rights. For an overview over the discourse surrounding rights see Cruft, Matthew and Renzo (2015).

The argument from marginal cases is commonly discussed in animal ethics (*e.g.* Singer 1995 [1975]; Regan 2004 [1983]; Garner 2013)<sup>107</sup> and sometimes used to point out that it is unjust to treat animals, with equal or higher abilities than human marginal cases, badly, if we are not prepared to treat disabled humans badly – at least, if capabilities matter. Furthermore, even if gradation of moral worth based on capabilities was accepted, not possessing traits such as autonomy or rationality to the extent humans do is not sufficient to ‘claim that all human interests are morally superior to all animal interests’ (Garner 2013:87). In particular, ethical questions about inflicted suffering are determined by the capacity to suffer, not by autonomy (Rachels 1990:186).

In order to avoid the capabilities trap, Cohen (Cohen and Regan 2001:37) argues that humans deserve a superior moral standing simply by their virtue of being human. Humans and only humans should be granted rights based on their species membership. However, this argument has been refuted by other authors who consider it speciesism and believe that such a position could also justify discrimination against, for example, gender or race, which is considered undesirable (Singer 1995 [1975]; Cohen and Regan 2001:38; Regan 2004 [1983]).

In comparison, Rowlands (2002:46) discusses a scenario in which alien invaders could decide to dominate and exploit humans for their purposes, based on their virtue of being aliens or having higher intelligence. As humans do not belong to their population, aliens could decide to use humans as they wish. Alternatively, these aliens might justify their use of humans based on their greater intellectual capabilities. Yet humans would judge it as morally wrong to be used in such a way. This scenario can be used to refute both justifications of dominion based on species membership, and based on the existence and/or degree of certain capabilities.

### 7.2.2 UNEQUAL VALUE OF LIFE

Returning to the capabilities argument, however, we find that also proponents of equality in relation to animal interests, such as Singer and Regan, grant humans a higher value of life in cases of conflict based on either the number and variety of opportunities for satisfaction (Singer 1995 [1975]) or the capacity for planning, hoping, meaningful relations and so forth (Regan 2004 [1983]:xxix, 314) (also see discussion in chapter two ‘Literature review’). As is the case in Regan’s theory, arguments justifying the greater value of human life often relate to personhood, including aspects such as rationality, autonomy, a sophisticated communication system, or moral agency. McMahan (2002:195) also values deep personal relationships, imagination, aesthetic awareness, and long-term goals and ambition that *can* be characteristics more prevalent in humans than in nonhuman-

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<sup>107</sup> See also chapter two ‘Literature review’, p. 26 and 34.

animals.<sup>108</sup> Moreover, traits such as personhood would entail having a greater interest in continued life (cf. Garner 2013:14–15, 129).

Only very few animals, potentially only mammals (Regan 2004 [1983]:77–78), meet those criteria. It is unlikely that all animals possess the kind of awareness of their past, present and future needed to conceptualise the meaning of being and staying alive, and to desire doing so, and hence, have an interest in life in this sense (DeGrazia 2002:59–61; Garner 2013:129). Thus, DeGrazia (2002:59–61) and McMahan (2002:190) – as other aforementioned authors – conclude that killing an animal is less of a wrong than taking the life of a human.

Garner, similarly, assumes that human lives ‘ought to take precedence in the event of a conflict’ (Garner 2013:133) based on humans having a greater interest in continuing life. While he argues that trivial human interests cannot justify sacrificing significant animal interests, the greater interest in life of humans might justify killing animals for other, more important purposes. Hence, in Garner’s so called enhanced sentience position, eating meat is immoral but taking life for animal experimentation would not be, if no suffering was inflicted (Garner 2013:134).<sup>109</sup>

Authors like DeGrazia (2002:61) and Cochrane (2012:66) also mention that harm can, nonetheless, be inflicted on animals by depriving them of their opportunities for future experiences, of which they do not need to be aware of, in order for this to constitute a harm. However, in this case the human species is also supposedly being deprived of more opportunities both quantitatively (based on the often longer lifespan of humans)<sup>110</sup> and qualitatively (based on their greater psychological capacities) (Garner 2013:130).

### 7.2.3 REJECTING UNEQUAL VALUE OF LIFE

Most of the authors mentioned argue in favour of significantly heightened protection for animals, while at the same time it appears that they also feel a need to concede a special status to humans which protects the human species in cases of conflict. Furthermore, their arguments all share the same structure: humans have greater capacities – be it for deep relationships, cognition, being harmed, or being self-aware enough to value continued life – that grant them greater moral status. In chapter two (‘Literature review’), I criticised some of these assumptions. In particular, I questioned whether it can be assumed that human experiences or capacities are more valuable,

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<sup>108</sup> I emphasized that those characteristics *can* be possessed by humans to point out that they not necessarily always are.

<sup>109</sup> Garner’s position assumes that animal experiments are likely to result in saving human lives, and thus, serve a more important purpose. However, it is disputed whether animal experiments commonly achieve this goal (e.g. Knight 2011).

<sup>110</sup> If one chooses to use this argument, one, however, also has to think about the implications for species with longer lifespans than humans.

especially as each species lives in a different 'Umwelt' based on their specific sensory organs (von Uexküll 1909).<sup>111</sup> Humans, for example, do not possess organs to sense magnetic fields, cannot echolocate, and perceive only fractions of the olfactory and visual world.<sup>112</sup> From other species' perspectives, the world of humans would sometimes appear greatly impoverished. Some animals, when killed, would lose capacities and opportunities never experienced by humans, such as echolocation in dolphins (cf. literature review and DeGrazia 2002:77). Also, Sapontzis (1987:219) argues that philosophers easily underestimate capabilities and experiences of different species, and the meaning those have for their lives. Moreover, it can be reasonably assumed that the value of its life to a dog is as much as the value of his or her life to a human (Cochrane 2012:70),<sup>113</sup> and it is neither conceptually nor morally difficult to grant moral value or rights to beings that are unaware of said value or rights (Sapontzis 1987:163).

If, how, and which animals have concepts of life and death, and what and how much they lose when they die, are difficult questions to answer. The more important question, however, is whether possessing concepts of life and death, or qualities like complex cognitive abilities really matters when deciding on the value of life. All the theories discussed on said value will at some point favour qualities important to humans; qualities at which humans excel. It appears to me a cleverly disguised anthropocentric perfectionism; and both perfectionism and anthropocentrism are problematic. The former is problematic because capabilities should not be decisive for treatment. This was argued earlier with regards to marginal cases and with regards to such an argument might also allowing for differential treatment of humans. Those who are more intelligent, capable or creative could establish higher moral significance compared to those that are less gifted (cf. Francione and Garner 2010:18–20). Whether it is subjectively better to be a dissatisfied Socrates rather than any other satisfied human, or even a satisfied pig, should not be used as objective parameter to decide moral status (cf. The United Nations General Assembly 1948; Singer 1995 [1975]; Regan 2004 [1983]). Singer (1993) would argue that, in cases of conflict, it would indeed be ethically justified to kill a disabled person rather than a fully rational, adult human being. Some people may also feel that non-disabled adult human beings would have more to lose given that they can participate in, and enjoy

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<sup>111</sup> 'Umwelt' could be translated into environment but has a more specific meaning in Uexküll's work. Every animal species lives in its own environment or 'Umwelt' based on its sensory organs, which will determine and restrict what parts of the world an animal can perceive. Hence, each species lives in a different 'Umwelt' (von Uexküll 1909).

<sup>112</sup> In comparison, dogs possess a great capacity for olfaction and sensing different odors (Galibert *et al.* 2016; Rongxing *et al.* 2016). Some birds, in contrast to humans, can see ultra violet light (Rajchard 2009).

<sup>113</sup> The dog might not be aware of the value of its life in the same manner as a human, but awareness of the value is not necessarily determining the magnitude of the value. A dog needs its life as much as a human does in order to pursue its interests, whether or not the dog knows that.

human life more fully, or can pursue more opportunities.<sup>114</sup> However, the judgment here is based on concepts of what it means to be human and what it means to live a fulfilling human life. Of course some disabilities are so severe that some might speak of a 'life not worth living' (cf. DeGrazia 2002:77) because it might be associated with severe suffering, or because some human beings have lost or never possessed the ability to successfully interact with their surroundings. The death of a human being with such severe impairments might be considered a relief from inevitable suffering instead. Such cases, however, cannot be reasonably compared to healthy animals and their experience of the world.

Our concepts of humanity and a fulfilled human life cannot be considered appropriate measures to evaluate other forms of flourishing. To define cognitive abilities (such as language or rationality) in their – more or less – human embodiment, as the ultimate measure of value of life, is a deeply anthropocentric approach.<sup>115</sup> In the words of nature writer Beston (1967:25):

The animal shall not be measured by man. In a world older and more complete than ours they move finished and complete, gifted by extensions of the senses we have lost or never attained, living by voices we shall never hear.

The capabilities we value in humans might be important to human flourishing and lives, but they are not necessarily crucial to the flourishing of other forms of life, despite our shared characteristics.

#### **7.2.4 THE EQUAL MORAL VALUE OF LIFE**

When talking about the moral significance of life and differences between lives, we shall start by thinking about what life is. Life or living beings are commonly distinguished from dead or non-living beings based on seven characteristics: organisation, homeostasis, metabolism, growth, response, reproduction and adaptation (Schulze-Makuch and Irwin 2008:7–8). Hence, what all living beings have in common are those characteristics, but beyond those and their significance for flourishing, species will differ. Specific flourishing and the traits important to that flourishing will then depend on the ecological niche to which particular animals are adapted. Perspective matters here.

One could imagine that from the evolutionary and ecological 'perspective' of plants, species belonging to the animal kingdom might be grossly inefficient and inferior as they cannot utilise the

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<sup>114</sup> Yet, as Nussbaum (2006:96 *et seq.*) argues, disabled human beings might very well enjoy their lives and might not feel that they are missing out on important aspects of being fulfilled. Our preference here might be more emotionally felt rather than constituting a rational judgment, as we cannot necessarily assess the lived experience of another disabled person.

<sup>115</sup> Other authors also have criticised the 'identity approach' (*i.e.* moral status is granted based on the animals' similarities to humans) for being anthropocentric (Diamond 2005:106; Calarco 2015:26–27).

energy of the sun through photosynthesis for their survival and reproduction. Predators, for example, are dependent on a finite (rather than virtually infinite) source of energy. From the metaphorical perspective of genes, success is determined by being able to survive through constant reproduction, ideally in great numbers (Dawkins 1989). The more genes can reproduce, the less likely are they to go extinct and the greater their survival and hence, evolutionary success is. From this perspective, humans are far from being a successful species, compared to bacteria, insects such as ants, and even chickens, which all exist in greater number on this world than humans (The Economist Online 2011). Our cognitive capacities have helped us to survive, despite the existing competition for resources. They have helped us to establish ourselves against other species, in particular against other vertebrates, but we are still competing with invertebrates (for example, with those that are vectors for diseases, or those that are considered pests) or bacteria, which are numerically dominant despite not having advanced cognitive capacities.<sup>116</sup>

Whether capacities for personhood, rationality or deep relationships are important to the value of life depends on the perspective one takes. Humans value those because they are important to human life and because they give meaning to our lives. Yet, it should not be forgotten that this is an anthropocentric and a subjective view. Based on the above, it appears that there are no objective measures to compare the value of different lives – at least none that I know of. In this sense, a tree is a pig is a human.<sup>117</sup> Thus, if humans value their lives – and it can be reasonably assumed that we do – so should we assign value to other forms of life.

We might also imagine a scenario of aliens evaluating the planet earth and the species living on it. These aliens could potentially be a non-carbon-based life form, so different to any life form on the planet that they apply very different criteria to assigning value to the different forms of life on earth. Perspective is crucial (also Clune 1996:179). However, there is and needs to be a caveat to granting equal value to trees, pigs and humans based on one capacity: the ability to feel, perceive and experience; also called sentience (cf. Broom 2014).

### **7.2.5 SENTIENCE AS MORAL MARKER**

Sentience is *the* morally significant trait for moral consideration of animals within animal ethics literature (be it welfare, utilitarian, or rights theories), for activists, and most likely even the wider public which is, for example, reflected in sentience forming the basis for legal protection in modern Animal Welfare Acts (*e.g.* in European countries). Supposedly unnecessary killing can result in public

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<sup>116</sup> This is not to say that sheer numbers should be used as a measure for successful flourishing. This example aims to show that, depending on perspective, other factors might be more important. From the metaphorical ‘perspective’ of genes, numbers indeed count.

<sup>117</sup> In the style of Ingrid Newkirk’s (cofounder and president of PETA) quote: ‘A rat is a pig is a dog is a boy’ (Newkirk 2012).

moral outcry, as was the case when a Scandinavian zoo killed a giraffe and fed it to lions (Eriksen and Kennedy 2014). It is unlikely that the cutting down of a tree would elicit the same outrage. Protest might be inspired by the ecological importance of a particular plant species, or the wider environmental issues around deforestation, soil degradation and so forth that accompany the destruction of plants. Yet, opposition to killing of such forms of life is based on crucially different arguments and sentiments than opposition to the killing of sentient animals. Objections to animal suffering arise because of what it means to the animal rather than who the animal belongs to or because of its dehumanizing effects (Francione 2010). Waldau (2011:23) similarly argues that talking about killing (sentient) animals is morally charged in contrast to talking about “killing” germs or using antibiotics.’

Sentience marks an important ‘threshold for membership’ in the circle of beings with moral standing (Nussbaum 2005:309), and denying sentience is ‘the easiest way to show that animals are worth nothing morally’ (Garner 2005a:25). Serious discussions arise over how we ought to treat animals with respect to their flourishing and their deaths because sentience – the capacity to consciously experience the world (Cochrane 2012:21; Allen and Trestman 2016) – signifies the possession of an individual welfare<sup>118</sup> (Cochrane 2012:24–25). It is also a defining factor for talking sensibly about moral issues concerning the flourishing of living beings.<sup>119</sup> It appears counter-intuitive to consider whether the flourishing of a hedge is restricted by trimming it. From an evolutionary perspective, it might be in the interest of the hedge to grow and spread out as much as possible to ensure its own survival and reproduction of genes. Yet, whether the hedge can spread or not does not matter to the hedge, in contrast to many animal to whom it matters subjectively whether they can roam around or not (cf. Singer 1993:57). For the latter, this has a clear impact on wellbeing.

While wellbeing or welfare is not necessarily the only concept that ethics is concerned about, it undoubtedly is a central concern (Cochrane 2012:24–25). Our value systems are built around those things that are good or bad for us (Korsgaard 2013:643), and they aim at ensuring that ‘people’s lives fare better rather than worse’ (Cochrane 2012:24–25), *i.e.* that they flourish.

Even the aforementioned aliens, presumably, would recognise a difference between conscious and unconscious life, as they themselves must possess some sort of consciousness in order to conceptualise different life forms and assign value to them. At least, my human imagination is too limited to envision an alien form of life so different to humans, that there are no similarities in consciousness.

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<sup>118</sup> Individual welfare includes physiological, psychological, emotional, social and intellectual wellbeing (Regan 2004 [1983]:90).

<sup>119</sup> Defenders of the difference-based approach, *i.e.* those who reject the identity approach, also seem to agree that ethical relations need to include a responsive subject; a being to whom it matters how it is treated (Calarco 2015:42).

### 7.2.6 RIGHTS TO FLOURISHING AND PREVENTION OF HARM: THE FIVE FREEDOMS

Although species, and indeed individuals, differ in their needs and interests that are crucial to their flourishing, some conditions will apply to a greater or lesser extent to all sentient animals. The Five Freedoms might provide a starting point to think about those fundamental conditions necessary for flourishing (table 3, p. 159) (Farm Animal Welfare Council 2009b). The five freedoms constitute an appropriate framework for the following discussion as they define 'ideal states' for welfare, meaning an animal should be 'as free as possible' from negative states. Analogous requirements can be found in other frameworks such as the Declaration of Human Rights (The United Nations General Assembly 1948) or the capabilities approach by Nussbaum (2005:314–17). For example, article 25 in the Declaration of Human Rights refers to 'the right to a standard of living adequate for the health and well-being of' humans which could be considered the equivalent to freedom from hunger and thirst, and partly from discomfort. The Declaration of Human Rights is more specific as it does not state a right to be free from pain and suffering, and instead mentions a right to medical care or a right not to be tortured. It is acknowledged that humans cannot live without pain and suffering but that society should make efforts to remedy any harms incurred. This applies to animals as well, as pain and suffering will always be a part of any sentient animal's life. Species will prey on each other, disease and illness are inevitable, and life for wild animals is a daily struggle for survival. Moreover, states of pain and suffering are warning signals to all animals (including humans) that their life or bodily integrity (including psychological integrity) are under threat (cf. DeGrazia 1996:107). They might also constitute important learning experiences in this regard, *i.e.* learning to avoid the sources of pain and suffering. Sometimes pain and suffering are part of the healing process of an injury encouraging rest and guarding behaviour;<sup>120</sup> or may be an unavoidable side-effect of a medical intervention aimed at restoring wellbeing in the long term. In other cases, an animal might take a risk of being exposed to pain and suffering while engaging in certain behaviours associated with potential rewards, for example territorial fights.

Indeed, Mellor (2016a, 2016b) mentions that the five freedoms have been sometimes misinterpreted as absolute or completely achievable, and as rights. As pointed out above, negative states cannot be eliminated, only minimised. As Mellor correctly states, negative states are important motivators for animals to engage in life-sustaining behaviour, such as foraging and eating, which themselves might be a rewarding experience for animals (also Keeling *et al.* 2011:18; Kyriazakis and Tokamp 2011:44). Based on this shortcoming and the lack of attention given to

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<sup>120</sup> However, excessive pain and suffering lead to an elevation of stress hormones, resulting in delayed wound healing and immunosuppression.

positive states within the five freedoms, Mellor proposed the five provisions (Mellor 2016a),<sup>121</sup> and the five domains model (Mellor 2016b),<sup>122</sup> as a better approach to assessing animal welfare. While the five domains and provisions models are certainly an important update to the contemporary discussion on animal welfare management, a focus on the five freedoms as necessary conditions for flourishing within these chapters suffices. The five freedoms can here be considered essentially broader terms for the necessary, but not absolute, requirements for flourishing across sentient species. An individual that is suffering from excessive hunger and thirst; discomfort; pain, injury or disease; fear and distress; and/or cannot express normal behaviour, is not *well*,<sup>123</sup> and it is fundamentally restricted in its flourishing.

**TABLE 3 THE FIVE FREEDOMS (FARM ANIMAL WELFARE COUNCIL 2009B)\***

	<b>Freedom</b>	<b>By</b>
1	<b>From hunger and thirst</b>	ready access to water and a diet to maintain health and vigour.
2	<b>From discomfort</b>	providing an appropriate environment.
3	<b>From pain, injury and disease</b>	prevention or rapid diagnosis and treatment.
4	<b>To express normal behaviour</b>	Providing sufficient space, proper facilities and appropriate company of the animal's own kind.
5	<b>From fear and distress</b>	Ensuring conditions and treatment which avoid mental suffering.

\*The five freedoms create a framework to assess animal welfare, implying both fitness and wellbeing of animals.

While Webster (2016), who was part of the Farm Animal Welfare Council when it developed the five freedoms, agrees with Mellor's criticism, he, too, points out that the five freedoms never attempted to provide a complete picture. Moreover, he argues in his opinion letter that adding details to strengthen a case can, in some cases, highlight the incompleteness of an argument. Hence, the five freedoms should be understood according to their original meaning: to be as free as possible from

<sup>121</sup> The Five Provisions address good nutrition, good environment, good health, appropriate behaviour, and positive mental experiences. They are aligned with animal welfare goals, and aim at being easily understandable for and accessible to non-specialist audiences (Mellor 2016a).

<sup>122</sup> The Five Domains include the physical/functional domains of nutrition, environment, health (as survival-related factors), and behaviour (as a situation-related factor); and the affective experience domain of mental state (Mellor 2016b).

<sup>123</sup> The term 'to be well' should allow for a broad interpretation, similar to, and potentially even broader than, the World Health Organization's (2005) definition of health. The organisation defines health as 'physical, mental and social well-being and not merely the absence of disease or infirmity.' Thus, 'being well' connotes not only the absence of negative physical and mental states, but also the experience of positive ones.

negative states, or to have as much freedom as possible to experience positive states. They are based on timeless principles which are ‘intended as no more than a memorable set of signposts to right action’ (Webster 2016).

Those right actions mean – at the very least – refraining from negative interference affecting the flourishing of others. In other words, the focus lies on harms that are deleterious to flourishing (Garner 2013:41). In particular, the emphasis will lie on the right to be free from pain, suffering and death, inflicted by other moral agents (which will be briefly discussed and defended in the next sections). So, there might be other positive duties to ensure positive states for animals which are better encompassed within the five domains; however, this needs an in-depth discussion that lies beyond the scope of this chapter.

#### **HARMS INCLUDING PAIN AND SUFFERING**

Anatomical, physiological, and evolutionary arguments<sup>124</sup> along with behavioural evidence indicate that at least mammals, but potentially all vertebrates and some invertebrates, such as cephalopods, are sentient, and hence, can feel pain and can suffer (Bekoff 1994; Garner 2005a:29; Duncan 2006; Cochrane 2012:21–24). Many species feel or are likely to consciously experience positive and negative states, such as pain,<sup>125</sup> other forms of suffering,<sup>126</sup> or happiness (DeGrazia 1996:126; Palmer 2010:11–20). In some situations, humans potentially suffer more because they are able to conceive the helplessness, doom, or far-reaching implications of a situation to a greater extent (Mill 1879:chapter II; DeGrazia 1996:239). In others, however, other animals could experience more intense emotions, as they might not be able to anticipate the relief of pain and suffering (Sapontzis 1987:219; Singer 1993:58–59; DeGrazia 1996:239). Whatever differences there are, they are of limited relevance as there are no reasons to believe that other animals suffer overall less (or more)

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<sup>124</sup> Some other animals are anatomically and physiologically similar to humans, and show comparable physiological and behavioural responses to pain. Given the anatomical and physiological resemblances, it is more likely that sentience is an evolutionarily continuous trait rather than one developed only in humans. Furthermore, natural selection will favour the ability to experience pain as animals will then be more likely to avoid tissue damage (*e.g.* Garner 2005a:29).

<sup>125</sup> Pain is an ‘unpleasant or aversive sensory or emotional experience usually associated with actual or potential tissue damage’ (DeGrazia 1996:107), or described in terms of such damage (in cases of humans who are able to communicate). The inability to communicate verbally, however, does not imply that pain is not experienced. Hence, Molony (1997:293) defines animal pain as ‘an aversive sensory and emotional experience representing an awareness by the animal of damage or threat to the integrity of its tissues ... it changes the animal’s physiology and behaviour to reduce or avoid the damage, to reduce the likelihood of recurrence and to promote recovery.’ The definition of pain puts particular emphasis on the subjectively felt sensation, in order to distinguish it from nociception (a sensory system responsible for detection and alerting an individual to potential damage, which will elicit avoidance of the damaging stimulus) (Sneddon *et al.* 2014). However, pain could also be psychological or psychogenic, and occur in the absence of potential or actual tissue damage.

<sup>126</sup> Suffering is used to refer ‘to animals who may be experiencing adverse psychological and mental states such as pain, discomfort, fear, distress, frustration, boredom, torment or grief’ (Morton 1998:329). Hence, suffering can occur without pain.

than humans (Garner 2013:125–26). Being free from – at least moderate to severe – pain and suffering, is crucial to wellbeing and flourishing, both for humans and non-human animals. Mellor (2016b) also points out that significant levels of survival-critical negative affects (including pain and suffering) inhibit an animal’s motivation to engage in other, potentially rewarding, behaviours. In the absence of relevant differences, all sentient beings *prima facie* have an equally strong claim to not have (at least moderate to severe) pain and suffering inflicted on them by others.

### THE HARM OF DEATH

One necessary condition for flourishing is missing within the five freedoms: the freedom from death. The Declaration of Human Rights asserts in article three the right to life (The United Nations General Assembly 1948); and the first item on the capabilities list is the entitlement to life, even without a conscious interest (Nussbaum 2005:314–17). Without life itself, there is nothing that could flourish. Being alive is crucial to having a good of one’s own; it is a precondition (as is sentience) to talk about the moral significance of being harmed.

The problem with death as a harm is that as long as a being is alive, it is not yet harmed by death, and that once dead, there is no living being capable of being harmed (Epicurus 341-270 B.C., cf. Kaldewaij 2008:59). This might be the reason why some animal welfare advocates assume that death cannot be considered a welfare issue (cf. Yeates 2009:229). Other theories, discussed earlier, argue that death deprives us of opportunities, or that it thwarts the desire to stay alive (also Kaldewaij 2008:59). However, a gradation of value of life, based on the arguments that animals have less opportunities or less of a desire to stay alive, needs to be rejected, as (1) humans cannot objectively assign value to opportunities of other living beings (that will be foreclosed by death) and their (subjective) significance to those living beings, and (2) the beings in question do not need to be aware of a right/value/opportunity in order to have a moral right to it. Even if it was to be accepted that animals do not possess a concept of life and death, and thus have less of an interest in continued life (Garner 2013:14–15, 129), their death would foreclose the pursuit and satisfaction of all *other* interests (Rowlands 2002:94). In this sense, Ferry (2004:148) and Godlovitch *et al.* (1971:171) argue that it would make little sense to morally care about inflicted suffering, while at the same time neglecting the value of life of those beings.

Life is necessary to be able to flourish (cf. Sapontzis 1987:175), and some might consider being alive the most fundamental condition for flourishing, or the most important interest (Cochrane 2012:66). Yet, as some interviewees expressed: there are lives that are *not worth living* because of inevitable and severe pain and suffering (caused by incurable diseases). In those cases, the quality of life or the lack thereof assumes greater importance than life itself. Garner (2013:158) believes that the

majority of people would not agree that a 'life is so sacred that it should be preserved even at the cost of a great deal of suffering or lack of quality.' Similarly, the Farm Animal Welfare Council (2009a), and building on their contribution, Green and Mellor (2011) introduced a scale to assess the quality of life as ranging from a good life to a life not worth living. A life not worth living, in their approach, is a life that is characterised by negative experiences greatly outweighing positives states, and as a severe situation that cannot not be remedied. Hence, euthanasia is considered the only humane alternative. The problem with such scales, as Webster analyses (2016), lies in trying to quantify the lived experience of other beings, and whether one positive state can offset the impact of a negative state. Webster accurately states:

The conclusion as to whether or not the life of a domestic farm or pet animal is worth living is something that we humans will make on behalf of the animal, based on how we think it feels when experiencing a physical and social environment largely dictated by us.

The requirements of being alive, and being free from (at least moderate and severe) pain and suffering are both profoundly significant to flourishing, and shall be regarded as similarly important. Whether one requirement trumps another in cases of conflict will most likely need to be decided based on contextual factors.<sup>127</sup>

#### **FOCUS ON BEING FREE FROM PAIN, SUFFERING AND DEATH**

The claim to life and the freedom from inflicted pain and suffering (as an amalgam between the freedom from discomfort; pain, injury and disease; and fear and distress) bear particular prominence within discussions on human-animal relations. While a good quality of life is important, most concerns regarding our practices appear to revolve around death, pain, and suffering, as reflected within the interviews. While it is unclear what flourishing means for each species and each individual, bodily integrity and the prevention of harm are conceptions of the good that everyone might reasonably aspire to (Waldron 1989:74–75; Garner 2005b:90, 2013:41; Wise 2005:30). The focus in this chapter, on a right to life and to freedom from inflicted pain and suffering cannot provide moral guidance for each and every human-animal relation. Nevertheless, they constitute a minimal requirement to ensure the wellbeing of animals. Our moral duties towards animals might go beyond the moral duties to not kill, and to not inflict pain and suffering; but these would need to be subjected to further discussions. Certain harms, for instance, are not associated with pain and suffering (Regan 2004 [1983]:99). The breeding of blind chickens constitutes such a moral controversy in the sense that it could improve the welfare of chickens farmed intensively in restricted environments (Davis 2003), but also restricts animals from living a normal life to the

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<sup>127</sup> Also see the discussion in '8.1 Cost-benefit analysis *versus* proportionality for conflict resolution.'

extent possible (Regan 2004 [1983]:177).<sup>128</sup> A similar example includes the emphasis on autonomy, *i.e.* a right to make choices and to be free from human control, particularly for companion animals. This right is contested, as some would argue that companion animals have better and longer lives under the care and custodianship of humans (cf. Sunstein 2005:10), which could be considered to be in the interest of the animal, enabling flourishing to a greater extent.

Another difficulty is highlighted by Cochrane (2012:10–11), who argues that animals are not entitled to the same rights as humans, in particular to the ‘right never to be used, owned, and exploited by human beings.’ He stipulates that humans and other animals differ with respect to their capacities to ‘frame, revise, and pursue their own conception of the good.’ Hence, animals do not necessarily possess an intrinsic interest in liberty. Except for animals like Great Apes and Cetaceans, that have been described as persons (Singer and Cavalieri 1996; White 2007:155–84), animals are not harmed by being used, but through pain, suffering, and death (Cochrane 2012:12). Garner, similarly, proposes that animals do not have a right to liberty as it is not necessarily the use itself that harms them, but the pain and suffering associated with how they are used (Garner 2013:2–3, 124). To argue that, for example, captivity harms an animal’s right to freedom, could be considered an anthropomorphic leap that is not justified, depending on the species in question. In Garner’s words: ‘It is like saying that animals are harmed if they don’t have a right to education or to vote’ (Garner 2005a:142–43).

While it can be reasonably claimed that many animals are sentient and can suffer, it is more difficult to sustain a position that argues in favour of equally strong rights for animals, which arise out of humans’ complex psychological characteristics (Garner 2013:128). Therefore, the rest of this chapter will focus on the right to life, and to not have pain and suffering inflicted, as these constitute the least contested and most (but not necessarily the only) fundamental requirements for flourishing, and were also the most frequently mentioned concerns of interviewees.

### **7.3 ALL ANIMALS ARE EQUAL BUT SOME ANIMALS ARE MORE EQUAL THAN OTHERS<sup>129</sup>**

So far, I have tried to argue from a neutral point of view<sup>130</sup> about whether animals and humans, and indeed all life, can be considered equally valuable; and I have concluded that it depends on

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<sup>128</sup> Overcrowded conditions in farms cause stress in chickens which negatively affects their welfare and productivity (Rosales 1994; Gomes *et al.* 2014). A proposed solution is the breeding of blind chickens as it appears that their stress levels are reduced when they are unable to see, and hence, their welfare is improved (Davis 2003; Regan 2004 [1983]:177).

<sup>129</sup> From the book *Animal Farm* (Orwell 2008 [1945]:90).

<sup>130</sup> It is questionable that a neutral point of view can actually exist. However, I argue from what I believe to be a less anthropocentric perspective and an approximation to a neutral point of view with regards to value of life.

perspective. The safest guess probably would be to assume that all sentient life is equally valuable, if we aim to be objective.

I now must turn to the second part of the chapter focused on human-animal conflicts that threaten the translation of theoretical equality of moral significance, into equal treatment or equal protection of rights. Abolitionist approaches, or species egalitarian positions as Garner calls them, deem all animal use by humans *inherently* wrong (Garner 2013:121), and unjust. This approach, however, has already been challenged by acknowledging Garner's and Cochrane's contributions that animals are not necessarily harmed by being used (Cochrane 2012; Garner 2013).<sup>131</sup> The realisation or violation of the fundamental rights to life, and to freedom from suffering (including pain), constitute the most important guiding measures to assess the rightness or wrongness of human-animal interactions; and many interactions do not necessarily involve an infringement of said rights. However, many current practices also seem to be inherently based on thwarting rights to life and to freedom from suffering, such as animal farming, or animal experimentation. If animals have equal rights, does it follow that humans must refrain from those practices, even if it meant neglecting their own fundamental interests crucial to flourishing?

Abolitionism does not provide answers to questions concerning conflicts. Regan, in contrast, provides some guidance by introducing six principles that help resolve conflicts (see 'Literature review'), but also assumes that institutionalized forms of animal use always constitute a violation of animal rights (Regan 2004 [1983]:334). This view, however, neglects the continual conflicts between humans and other animals, and that moral theories concerning justice cannot be separated from questions about constraints, such as 'social, economic, or historical circumstances, moral disagreements or human nature' (Garner 2013:13).

With increasing social security, prosperity, food security and self-sufficiency in terms of quantities of food (including lower costs for consumers, achieved through industrialised agriculture) (Marie 2006; Lengwiler 2015), and automatization (substituting working animals), those conflicts and constraints have decreased. However, there are still conflicting matters to be resolved, such as the risk of illness and disease transmitted through animals (*e.g.* rats) (Sunstein 2005:12), or the dependence of some humans on meat, for example, the need for hunting and bushmeat of desperately poor miners in some African countries, *versus* the survival of chimpanzees (Sunstein 2005:295). In the following part, it will be proposed that those situations might rather be considered moral tragedies occurring in a moral storm, which need to be resolved in a *just* manner based on a different approach to simply stating that rights ought not to be infringed (see also chapter eight).

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<sup>131</sup> There might be wrongs that are not harms. However, within the scope of this thesis, the focus lies on harms that are deleterious to flourishing.

### 7.3.1 MORAL TRAGEDIES AND MORAL CORRUPTION

A moral tragedy is a conflict of fundamental entitlements (Nussbaum 2000:1036). Such conflicts are about more than clashes of trivial interests, but about issues that go 'to the heart of that person's being' (Nussbaum 2000:1014). In other words, they concern fundamental requirements for flourishing. For some those might be human rights as outlined in the respective Declaration (The United Nations General Assembly 1948); for Nussbaum (2000:1021–22) it is the capabilities list; and across species we might refer to the five freedoms (Farm Animal Welfare Council 2009b), the five domains (Mellor 2016b) or the five provisions (Mellor 2016a).

Following Aquinas, Nussbaum divides these dilemmas into dilemmas *secundum quid* (caused by one's own fault) and *simpliciter* (no-fault). Moreover, the latter can be further divided into dilemmas that are corrigible by rearranging the circumstances *versus* those that are not (acknowledging the difficulty of discerning between the two) (Nussbaum 2000:1016). She also argues that moral tragedies are potentially to some degree a 'structural feature of human life' but one that might be more often caused by habit and tradition, rather than natural necessity (Nussbaum 2000:1013, 1015). Hence, such tragedies raise the question of where society has gone wrong, and the remedies that are to be taken, as the costs of moral tragedy are especially burdensome and should be avoided if possible (and lamented if not) (Nussbaum 2000:1020).

Human-animal relationships and their associated moral issues are, however, more than a moral tragedy; they are also ethical failures caused by what Gardiner terms a perfect moral storm. In his metaphor the perfect moral storm is characterised by several factors (or storms) coming together and impeding the ability to behave ethically (Gardiner 2011:7). Each storm interferes with the course of ethical action, contributing to an increasing 'moral vulnerability' (Gardiner 2011:6–7). The convergence of all factors causes the perfect storm which pressures us to 'distort our moral sensibilities.' The resulting moral corruption facilitates the continued exploitation of – in Gardiner's book – the environment (Gardiner 2011:8).

The analogy of the perfect moral storm, and its three individual storms morally corrupting discussions and actions concerning climate change (cf. Gardiner 2011:7), can be easily transferred to our dealings with animals. The first storm concerns an asymmetry of power which is clearly applicable to human-animal relationships, as there are numerous possibilities open to humans to take 'undue advantage of' other animals (Gardiner 2011:7). Moreover, many of these possibilities greatly serve our own interests. The second one is an interspecies (rather than intergenerational) storm. Human actions interfere with the lives of other species, while the actions of other species have overall probably less impact on humans (although far from none). Moreover, animals cannot

communicate with us in the way other humans do; they cannot claim rights like humans. Just treatment is very much a matter of altruism from the human side (cf. Garner 2005b:42), contributing to the interspecies storm. The third storm is of a theoretical kind as there is no consensus on what framework we ought to use, as the different theories conflict with each other (compare the welfare *versus* rights debate), and as they all have limitations.

The mechanism to avoid real engagement with environmental issues, outlined by Gardiner, also seem somewhat familiar in our dealings with animal welfare/rights matters.<sup>132</sup> For example, buck-passing occurs in our human-animal relationships when consumers expect the industry (or government) to ensure proper standards, while the industry might point to consumer choice. This moral vulnerability and the pressures of the storm exert a strong force on our dealings with moral questions concerning animals. The occurring moral corruption is best described, in Gardiner's words (2011:307), as:

a tendency to rationalize, which casts doubt on the validity and/or strictness of moral claims, by seeking to pervert their status and substance, and in doing so aims to make those claims better suited to our wishes and inclinations, and destroys the characteristics in virtue of which we respect them.

I believe there are at least two important ways in which this moral corruption occurs with regards to animals. Firstly, in cases of true conflicts (*i.e.* moral tragedies), the most just solution might be to make some humans worse off rather than individuals of another species (cf. Regan 2004 [1983]:305). However, I would imagine that such a conclusion would not be widely accepted, and that humans will tend to favour their own fate over those of other species (issue one). Indeed, as reviewed earlier, authors like Singer or Regan, who are in favour of species equality, also argue for anthropocentric favouritism in such cases. Secondly, many of our practices concerning animals might not be necessary as such, and instead serve interests other than those associated with fundamental claims. Yet, most people seem to struggle to adopt new ways of thinking and ethically improved behaviour, and instead tend to rationalise and defend their current behaviour (issue two). Human nature, in particular psychological mechanisms, constitute a powerful source of corruption.

### **7.3.2 HUMAN NATURE AND BEHAVIOUR CHANGE**

Moral corruption appears to lie in our human nature, influencing our decisions and behaviour on both aforementioned issues. It exerts particularly strong forces with regards to issue two: human

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<sup>132</sup> Those mechanisms include distraction, complacency, selective attention, unreasonable doubt, delusion, pandering, hypocrisy (Gardiner 2011:45), or disputing the application of the moral claim, arguing that compliance will have unintended bad consequences, reducing the magnitude of the moral demand, undermining the implementation of the duty, and breeding resentment on the part of the duty-bearer (Gardiner 2011:339).

behaviour change. This is the case as behaviour often influences our attitudes rather than the other way around, leaving us vulnerable to rationalise rather than scrutinise our own behaviour. For instance, Coleman (2010:79) demonstrated that pig-farmers substantially improved their attitudes and behaviour after a cognitive-behavioural intervention, *i.e.* after having changed their actual behaviour first, rather than just being exposed to an awareness-raising campaign that aims at changing attitudes.

Humans can make rational decisions, but more often than not, they are influenced and also somewhat constrained by psychological mechanisms (Kahneman 2012), their habits (Duhigg 2013), and context (Thaler and Sunstein 2009). Even when people hold sympathetic attitudes, their behaviour can be influenced by external circumstances. For example, in an experiment, seminarians attended a workshop on being a good Samaritan and were then told to go to another meeting. The simple cue of learning that they were running late, made them less likely to stop and help another person in need (who was an actor for this study) (Gladwell 2013).

Various authors discuss the attitude-behaviour gap, *i.e.* that attitudes, values or knowledge are not directly linked to behaviour, including discrepancies between concerns for animals and the environment and actual consumer choices (Marteau and Lerman 2001; Levitt 2003:24; Cooney 2011:50-51; de Bakker and Dagevos 2012).<sup>133</sup> While attitudes certainly play some role, social pressure and to some extent perceived behavioural control (one's belief about how easy or difficult performing a certain behaviour is) might also impact one's intentions and actual behaviour (Chan 1998). Inconsistencies between attitudes (*e.g.* believing that animals should have good lives) and behaviour (*e.g.* buying animal products from farming systems that did not provide a 'good' life) are common-place. Hence, some researchers argue that the current focus on awareness raising and expecting subsequent behaviour change (cf. Garner 2005a:164) is a rather ineffective way to achieving change (Diekmann and Preisendörfer 1998; Marteau and Lerman 2001; Barr 2003; Cooney 2011:130; Gardiner 2011:308; Ito 2017:83).

Moreover, people tend to interpret new information in line with their own experiences, meaning that they will only act on it if it fits within their pre-existing conceptions (Diekmann and Preisendörfer 1998:82; Barr 2003:228). Barr (2003) provides an extensive list of other factors that might further influence how people react to, process, and act on critical information. These include not only values (such as biocentrism *versus* anthropocentrism), but situational factors (such as access to goods and services; sociodemographic make-up, knowledge and experience of relevant behaviours), different types of knowledge (abstract *versus* concrete), psychological variables (sense

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<sup>133</sup> Also some participants pointed out that they themselves, despite being well informed on animal issues, struggled to change their behaviour.

of altruism, intrinsic motivations, subjective norms), perceived impact of own actions, logistics, and whether decisions have been made democratically (*i.e.* including oneself) or by others. In particular, (in-)convenience<sup>134</sup> is flagged up as crucial to whether people will change their behaviour, *e.g.* maintain their vegetarian/vegan lifestyles, or recycle (Barr 2003:237). Barr (2003:238) concludes that certain behaviours (waste minimization in his example) are restricted to those who are already intrinsically motivated by their values to engage in the desired behaviours (to some extent). Awareness raising campaigns might reinforce their commitment but fail to target the sectors of society who are not yet engaged (and who might or might not already have the right values in place). One difficulty that in particular vegetarian or vegan campaigns (or any campaign aiming at changing people's individual attitudes and behaviour) face, is that the culprit of the grievance is the person targeted (*cf.* Cooney 2011:41). Campaigns aiming at eliciting outrage over an issue external to the target audience (*e.g.* a particular badly managed farm) might be able to more easily and successfully reach out to people (Mika 2006). However, messages supporting veganism indirectly point to the wrongness of one's past and current dietary practices and associated beliefs. This threatens people's sense of self-worth (as do many issues every day) and activates a 'psychological immune system' in many people (*cf.* Sherman and Cohen 2006:183–84).<sup>135</sup>

A variety of mechanisms exists to protect (or enhance) self-integrity<sup>136</sup> in the light of such threats. They can be considered adaptive responses to ensure mental well-being, but become maladaptive if they impede learning and development (Sherman and Cohen 2006:184–85). Those responses include acceptance of the threat (and subsequent change of attitudes and behaviour), amelioration (downplaying the importance of the threat), or defence and rejection (Festinger 1957; Sherman and Cohen 2006:186). Diekmann and Preisendörfer (1998:79–93) describe similar mechanisms that reconcile inconsistencies between attitudes and behaviour. For example, their attention-shifting strategy equals amelioration as people shift attention to other 'more important' aspects in their lives, that might show them in a more positive light. At the same time, people might then more strongly point to the negative aspects of the attitudes and behaviours they would like to resist

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<sup>134</sup> Various studies on environmentally friendly behaviour, and especially recycling, concluded that increasing the ease of recycling is one of the most effective ways to increase participation (Mrema 2008; O'Neill 2016:29 and references therein). Similarly, while citizens might recognize the benefits of certain environmentally friendly practices, they are less likely to engage in them if they are inconvenient (Ito 2017:86). Marketing research also showed that even those concerned about animal welfare were not willing to sacrifice convenience and the preferences of their families (Ball 2015).

<sup>135</sup> This issues has also been raised by one animal rights campaigner who argued that Greenpeace can more easily reach out to the public by asking people for donations in order to help the environment, in contrast to animal rights groups which ask people to become vegan in order to help animals.

<sup>136</sup> Self-integrity, as defined by Sherman and Cohen (2006:185–86), refers to thinking of oneself, on the whole, as a good and appropriate person.

adopting.<sup>137</sup> Similarly, Hills (1993:124) found relatively high levels of ambivalence in attitudes regarding the treatment of animals in her study, but also pointed out that people assigned their values concerning animals lesser importance, compared to other concerns. Another mechanism is the so-called low-cost strategy, meaning that people will behave differently (or environmentally as in Diekmann and Preisendörfer 1998:89) if the change is not associated with high costs, such as inconvenience, hassle, or social stigma. Lastly, people might apply the subjective-rationality strategy, meaning that they rationalise their behaviour and conclude that it is in their disadvantage to behave in a particular way. This could be the case if the system is organised in such a way that engaging in different behaviour is associated with more costs.<sup>138</sup> Alternatively, they might feel that either their individual actions would not have enough impact, and thus it makes no sense to engage in the behaviour in question; or enough other people are already engaging in particular behaviours, effectively resolving the problem (free-rider problem) (Diekmann and Preisendörfer 1998:93). None of these factors justifies wrong behaviour and transgression of ethical principles. However, they pose real and powerful hurdles to overcome for advocates of ethical theories. This struggle is exemplified in the abolitionist position, as it condemns any form of campaigning that does not directly aim for the ideal ethical state, at the expense of neglecting the influence of moral corruption. Ideal ethical theories are not well suited to advise animal advocates in their everyday work, as they prescribe principles that are to be implemented immediately. They theorise the best course of action in a neutral setting, but one in which such contingent constraints do not apply; and without reflection on whether solutions are feasible or achievable (Gardiner 2011:399). Hence, a non-ideal theory might be better suited to cater for the needs of activists, who also often referred to non-ideal real world circumstances in the interviews.

### **7.3.3 NON-IDEAL THEORIES**

Non-ideal theories acknowledge moral tragedies and constraints of moral corruption to some extent. These constraints are important as a theory of justice should not be divorced from its limiting factors, such as aforementioned 'unsympathetic social, economic, or historical circumstances, moral disagreement or human nature' (Garner 2013:13). A non-ideal theory can acknowledge those constraining factors and aid the transition from the current status quo towards the ideal aim, by conceptualising and justifying intermediate steps (Gardiner calls non-ideal theories 'ethics of

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<sup>137</sup> For example, younger people who do not recycle, might not do so because they do not possess and cannot afford a car. As part of an attention-shifting strategy, they then might point to the negative environmental impact of cars. However, it is the convenience factor that influences their behaviour in this case.

<sup>138</sup> For example, lower prices of non-ecological products contribute to people buying those rather than their more ecofriendly counterparts.

transition,' 2011:400; also Garner 2013:12), which may also help to slowly overcome moral corruption.

Critiques of non-ideal theories regard them as moral 'sell-outs' that justifies the status quo (cf. Garner 2013:10–11). Moreover, critiques might consider current institutions as seriously flawed, resulting in their rejection and the demand to 'radically reconceptualise' them (rather than gradually changing them) (Gardiner 2011:453). However, while non-ideal theories concede certain aspects of the status quo, they ought to still substantially challenge it in order to be valid. Secondly, even if current institutions would need to be overthrown to change the status quo, a transformation overnight is still unlikely. Non-ideal theories could then hold important positions, for example one which aims at preventing injustices from worsening (Gardiner 2011:463). To some extent, it is unclear what factors differentiate valid from invalid non-ideal theories (Gardiner 2011:463; Garner 2013:12). Gardiner (2011:463) mentions that the difference between ideal and non-ideal might be a matter of degree rather than kind. Rawls holds that non-ideal theories should enable courses of action that are (a) in line with moral requirements, (b) politically possible, and (c) effective (Rawls 1999 [1971]:215–18; Garner 2013:12). However, those requirements can conflict, as Garner (2013:12) points out.

The framework proposed in the next chapter should also be considered such a non-ideal theory, as it acknowledges the influence of moral corruption, causing humans to favour their own fate over those of other species. Hence, the framework stipulates an equal status of animals with regards to claims to their lives and claims to be free from inflicted suffering and pain. However, in cases of moral tragedy, it allows favouring the lives of humans or the prevention of suffering and pain to humans over those of animals (addressing issue one). Moreover, it takes moral corruption into account, and hence argues that some proposed solutions to animal rights issues, which fall short of fully realising fundamental animal claims, might be accepted, as long as they are an intermediate step for society to move closer to the ideal state (addressing issue two).

#### **7.4 CONCLUSION**

This chapter argued in favour of acknowledging that humans and animals have equally strong claims to their lives, and to freedom from at least moderate to severe forms of pain and suffering inflicted by other moral agents. However, the chapter then proceeds by arguing that little attention has been paid in animal ethics theories (in particular in animal rights) to resolving conflicts, which were conceptualised as moral tragedies here. Secondly, their ideal theory character has rendered them difficult to implement within the work of animal advocates, at least concerning those campaigns that fall short of realising principles to their fullest extent. Hence, some anthropocentric concessions are

needed, as part of intermediate steps towards a society where animal rights gradually become more and more recognised. Nevertheless, to infringe on another beings' rights should never be taken lightly, and needs to undergo scrutiny with regards to *why* and *how* such infringement is justified (cf. chapter four). The next chapter will propose a framework to guide those deliberations.

## **CHAPTER 8: THE PRINCIPLE OF PROPORTIONALITY IN A NON-IDEAL WORLD**

Trying to establish the superiority of utilitarianism over deontology, or *vice versa*, will not settle ethical questions around other animals – those matters have not been agreed on for humans either. Instead it might be more fruitful to look at how human ethical questions are resolved, despite widespread disagreements and conflicts of values, norms, and principles. This might be particularly useful as this thesis aims to be applicable and relevant to animal activism and society beyond the ‘ivory towers’ of academia.

Thus, this chapter proposes the principle of proportionality, also called means-end testing, as an approach to resolving human-animal conflicts in a manner that acknowledges their assumed equal moral status. It assesses the legitimacy, suitability, necessity and proportionality (in the narrow sense) of practices in which (fundamental) conflicts occur. It will be argued that unequal treatment and the neglect of an animal’s fundamental claim is only justified if the principle of proportionality has been rigorously applied. However, as discussed in the previous chapter, the proposed framework is to be considered a non-ideal theory. Thus, it also acknowledges our prevalent moral corruption (cf. Gardiner 2011) leading humans to favour their own fate over those of other species, and somewhat hindering us from behaving fully ethically towards other sentient animals.

This essentially rights-based approach, however, makes some concessions to, and resonates partially with, utilitarian and welfare theories for at least three reasons. Firstly, it questions the assumption that animals necessarily have rights to liberty and that they are necessarily harmed by being used, implying that their use is not always morally wrong, as discussed previously (cf. Cochrane 2012; Garner 2013). Secondly, in cases of conflicting fundamental claims, it allows for balancing (speaking to utilitarians, and welfare interviewees who referred to weighing interests in their ethical deliberations). Thirdly, based on these considerations, the approach does not call for immediate, unambiguous and unequivocal abolition (cf. Francione 1996:2), which was also rejected by all participants in this research.

The first part of this chapter will provide arguments in favour of using the proportionality approach, and a definition of the principle. The second part considers two examples (animal farming and experimentation), which will provide a sketch of how the framework might be applied in practice.

### **8.1 COST-BENEFIT ANALYSIS VERSUS PROPORTIONALITY FOR CONFLICT RESOLUTION**

It has been argued so far that – in the absence of any convincingly objective measure to claim otherwise – animals have equally strong rights compared to humans, to at least freedom from (moderate to severe) pain and suffering, and death. If animals can be harmed like humans, and if we are not prepared to inflict harm on humans, then all things being equal, we also should not accept

harm being inflicted on animals. It would be *unjust* to do so. However, not all things are equal, and salient moral corruption hampers ethical behaviour. Furthermore, there are exceptions when we are prepared to harm other animals, including humans. During states of (extreme) scarcity, war, or potentially self-defence, one might need to engage in acts that would be considered inappropriate if the circumstances were different. Some of those situations might be considered moral tragedies (cf. Nussbaum 2000; Gardiner 2011).

Conflicts are inevitable for various reasons, such as a lack of sufficient resources. In other cases, inequality will arise as some humans are more creatively and cognitively able to appropriate a greater proportion of resources. Out of that, the virtue of justice is born, to ensure fairer distribution and treatment, so that all or at least a greater number of humans may be able to fulfil crucial needs (Hume 2012).

If resources are, however, so scarce that they can only sustain a small number of beings, questions of justice seem difficult, if not impossible, to answer, if all involved parties share an equal moral status and possess equally strong claims to those resources and to fair treatment. Such conflicts are of particular concern today, given the increase of land use, deforestation and subsequent decimation of various species populations, and eventual extinctions. How much land can humans claim for themselves and how much ought we leave to wild animals? How should we structure our societies and our lives in order to accommodate the needs of various sentient species? And what degree of concessions to other species should be considered too much? How do we balance our own claims to flourishing against those of other species?

One possible way of resolving conflicting claims is a cost-benefit analysis which, however, is often (but not necessarily) utilitarian in nature. Prominent criticism of utilitarianism and of the cost- or harm-benefit analysis has been reviewed in chapter two ('Literature review'). One critique highlights counter-intuitive outcomes, for example, that utilitarianism potentially could justify the killing of an innocent person based on accruing benefits from such an act. Another critique, that has not yet been raised, stems from Nussbaum (2000:1032). She argues that a cost-benefit analysis does not distinguish between infringing fundamental entitlements and others. In other words, it does not divide the different options into classes where 'serious ethical wrongdoing occurs' and those where it does not. It considers all entitlements as being of the same kind but of different weight. Hence, it neglects the 'moral tragedy' that occurs when fundamental claims conflict, and fails to ask the question of whether society has gone wrong somewhere (Nussbaum 2000:1036, 1032).

In comparison to utilitarianism, deontological approaches would respond that consequences should not be the measure used to establish the right or wrongness of such actions. Deontological frameworks are concerned about the right- or wrongness of acts themselves, such as killing or

harming a sentient being. Yet, there are cases where one might need to harm another sentient being in order to fulfil one's own fundamental claims; in which cases one might need to weigh those claims. Deontological objections to weighing, however, fail to acknowledge that conflicts between fundamental rights are unavoidable.

If we chose not to use a balancing approach, a hierarchy of rights would need to be established to resolve those conflicts. Yet, such a hierarchy would inevitably fail, as the intensity of infringement and context are crucial to determining which right should be realised at the expense of another. Alexy (2003:136) provides examples to demonstrate this; one concerns a conflict between freedom of expression and the protection of personality. In this example, a court ruled that a magazine had the right to free speech, even when it meant insulting a person in the case of calling someone a 'born murderer.' In contrast, calling the same person a 'cripple' was considered unjustified as it was clearly associated with humiliation and disrespect, and the infringement of a paraplegic's personality rights. The freedom of expression, in the latter case, did not weigh as much as the protection of personality. Therefore, in some cases, it might be freedom of expression taking precedence, while in others the protection of personality weighs more heavily. In cases of euthanasia of animals, freedom from suffering and pain outweighs the right to life. A hierarchy of different rights would be unable to provide guidance in each and every context, and would fail to provide flexibility depending on the intensity of infringement. Some sort of weighing needs to occur in such situations, and one important potential method is the principle of proportionality.

This principle is widely used today to decide matters of conflicting interests within the law, including conflicts between the state or public, and fundamental individual rights. According to Engle (2012:1–2) it is used worldwide and across millennia, having its foundation in Aristotle's theories. Others suggest that the principle of proportionality was included even earlier in the Code of Hammurabi (Babylonian law code, 1795-1750 BC; Lillian Goldman Law Library 2008b) which stated: 'an eye for an eye', and 'a tooth for a tooth' (Lillian Goldman Law Library 2008a). In contrast, Engle (2012:2) considers the principle of proportionality a 'legal rule that state action must be a rational means to a permissible end, which does not unduly invade fundamental human rights.' In more general terms, proportionality is fulfilled if the means are appropriate to the ends, *i.e.* 'the measure must not exceed in intensity what was required by the pursued objective' (DJGHK 2013:1).

The principle has been heavily implemented, starting in Prussia at the end of the nineteenth century from where it spread across the globe to different jurisdictions (Engle 2012:6; DJGHK 2013:1), including most prominently within the Western context of this thesis: the Treaty on European Union (European Union 2009). The principle is exemplified in laws governing self-defence (in which victims may use proportionate force); international laws and laws of war; and in police laws, particularly

laws concerning crime and punishment (with the latter ideally being proportionate to the committed crime). Within EU treaties as well as internationally, this became the dominant method of global legal convergence, according to Engle (2012:10).

The principle of proportionality should not be confused with interest evaluation and balancing of alienable rights. Rather the principle is used to resolve conflicts between fundamental norms, or what Engle (2012:2) calls inalienable, universal, or natural rights. Natural rights, or valid claims as referred to in this thesis, do not include conditions that aim at maximizing flourishing; rather they are minimum requirements to give an individual being the chance to flourish within its environment and based on its capacities (cf. Nussbaum 2006). One might consider the Declaration of Human Rights a statement of minimum requirements for the human species (The United Nations General Assembly 1948), and some of those claims are also encoded in legislative rights.<sup>139</sup>

Although human rights are considered universal and inalienable in the Western world, it does not follow that they are absolute in the sense that no trade-off is ever possible. Indeed, human rights of different individuals, or between society and individuals, can come into conflict in various ways (see DJGHK 2013). Fundamental rights might constitute the highest protection that can be granted in the Western world, and they protect individuals against others' claims of lesser significance to flourishing. However, when conflicts between those fundamental rights arise, the principle of proportionality gives guidance on dealing with those conflicts in a manner that will limit the moral damage, and that will be more *just*. Nevertheless, full justice cannot be achieved in a situation of moral tragedy.

Today, Western societies and their industries are heavily dependent on animals for resources such as food, clothes, or drugs, and animal-derived by-products are often used in many other goods such as cosmetics, fertilizer, dyes, lubricants, bank notes, paper, musical instruments, cleaning and polishing compounds, and so forth (Klinkenborg 2001; Wise 2005:20). Some might argue that we encounter a fundamental conflict in several of those cases, as not only fundamental animal, but also human claims, are at stake. Farmers might maintain that animal farming is necessary to feed an ever-growing population (cf. Foer 2010:96). We also, as mentioned earlier, face conflicts over resources, especially land use. Hence, I propose to assess and discuss human-animal relations, or practices using animals, within a framework guided by the principle of proportionality, as a non-ideal theory (*i.e.* acknowledging moral corruption).

The principle of proportionality within its legal context concerning humans would most likely acknowledge some fundamental rights as firm boundaries, meaning that certain practices are ruled

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<sup>139</sup> For example, laws protecting life and bodily integrity or compulsory education can be considered fundamental rights enshrined in legislation.

out absolutely (for example, imprisonment without trial, or torture of prisoners, at least in European countries). In contrast, the killing and suffering of animals is not fully ruled out within the proposed framework, based on the earlier discussed anthropocentric concession and non-ideal character of the approach. However, such violations ought to be minimised to the fullest extent possible; and any course of action falling short of full realisation of rights, needs to be defended thoroughly. One argument could be that full realisation is not achievable at this point in time, but that the proposed solution might move society closer to achieving this in the long term.

The following part of this chapter will introduce the principle in more detail, and will explain when and how to apply it. The chapter's second part will discuss the principle with regards to animal farming and animal experimentation to illustrate how it might be applied as non-ideal theory (*i.e.* acknowledging limitations caused by moral corruption). Lastly, some limitations and objections will be raised, but it will be concluded that the principle of proportionality would be the most *just* framework, for situations in which full justice cannot be achieved, and if moral corruption could be overcome.

## **8.2 DEFINITION OF THE PRINCIPLE OF PROPORTIONALITY**

The proportionality principle consists of three elements which have been developed by the Federal Constitutional Court of Germany, and have been adopted in a similar manner by others, such as the European Court of Human Rights (Alexy 2003:135; DJGHK 2013:2). The three elements include:

- (i) Suitability
- (ii) Necessity
- (iii) Proportionality (in the narrow sense)

Suitability refers to the measure being suitable for achieving the desired aim. Necessity means that no other less restrictive mean could have been used to achieve the same end. Proportionality in the strict sense appeals to the intensity of the measure, which ought not to be disproportionate to the objective (DJGHK 2013:1). In some cases, a fourth step is added (*cf.* Engle 2012:8) which aims at ensuring that the pursued aim is legitimate. Alternatively, this step might be subsumed within suitability (*cf.* DJGHK 2013:6–7). For example, the Hong Kong Court of Final Appeal assumes that identical treatment should be accorded to comparable situations (*cf.* principle of justice in DeGrazia 1996:50; Regan 2004 [1983]:128; Wise 2005:30). Nevertheless, exact equality is not necessarily required if there are good reasons to justify differential legal treatment. It needs to be shown that the differential treatment pursues a legitimate aim; and 'for any aim to be legitimate, a genuine need for such difference must be established' (DJGHK 2013:6–7).

To reiterate, such balancing within the principle of proportionality only applies if costs are unavoidable (Alexy 2003:136) with regards to fundamental claims to flourishing. They might constitute minimum requirements but ought to be realised to the ‘greatest extent possible, given the legal and factual possibilities’ (Alexy 2000:47, 2003:135). The principle helps to find a fair balance between the demands of society or a community and the protection of an individual’s fundamental claims (DJGHK 2013:1), and also between individuals (Alexy 2003:131, 134; Engle 2012:5). The difference between the principle of proportionality (means-end testing) and interest balancing (cost-benefit analysis) is crucial, and sometimes these two approaches are confused (Engle 2012:9). Proportionality always concerns fundamental and inalienable rights or claims; while interest balancing concerns claims other than fundamental ones (Engle 2012:8). Proportionality seeks to maximise the fulfilment of all fundamental rights, while trying to minimise their invasion. For example, the scenario discussed earlier in this thesis, about whether it is justified to torture a person (or an animal) for entertainment in order to make other people happy, could be justified in the utilitarian calculus if it could be shown that the benefits exceeded the costs. Applying the principle of proportionality, however, would lead to the conclusion that this would be unjustified, because a claim to entertainment is not on a par with claims concerning freedom from pain and suffering.<sup>140</sup> Additionally, the principle acknowledges that being happy or being entertained could be achieved by other means (element of necessity).

Some interviewed activists, particularly those campaigning for animal welfare, also called upon the principle of proportionality, without realising it. The questions of why and how are inherent to the principle. When it is asked why an animal should be used, this constitutes a question about the aim and its legitimacy. If fundamental claims to flourishing are at stake for the animal, the aim can only be legitimate if crucial needs of humans also need to be served. Suitability, necessity and proportionality in the narrow sense speak to how we are using an animal, *i.e.* ideally with the least invasive method that fulfils the pursued objective.

### **8.3 A SKETCHED APPLICATION OF THE PRINCIPLE**

In the following part, the principle will be applied to two different practices involving animals: animal farming and animal experimentation. These two areas were extensively discussed within the interviews and concern conflicts of fundamental claims, as opposed to companion animal keeping which does not necessarily pose a conflict, if no harm is inflicted on the animal. These shall therefore

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<sup>140</sup> This is not to say that there are no claims to happiness at all, only that claims to happiness should not be realised at the expense of others’ fundamental claims to flourishing. This is also reflected in liberalism: one is free to live, however, one wishes to live, as long as it does not interfere with the freedom of someone else, *i.e.* does not harm anybody else (Garner 2005b:62, 2013:41).

be used as practical examples to apply the proportionality principle. The two cases will be evaluated against the extended version of the principle (*i.e.* including four instead of three elements), and the limitations caused by moral corruption will also be considered. Thus, the extended version includes:

- (i) Legitimacy (fundamental claims are at stake)
- (ii) Suitability (the measure is suitable for achieving the aim)
- (iii) Necessity (the measure constitutes the least restrictive means)
- (iv) Proportionality in the strict sense (the measure is proportionate to the pursued end)
- (v) Moral corruption

### **8.3.1 ANIMAL FARMING**

Freedom from hunger and thirst, or in terms of the Universal Declaration of Human Rights: ‘the right to a standard of living adequate for the health and well-being [...], including food,’ constitutes a fundamental claim.<sup>141</sup> Malnutrition, hunger and famines have been a constant part of human history, and probably constituted an essential struggle for humankind throughout our existence. The human struggle for food has always led to conflicts with other animals, either through direct competition for food sources, or by appropriating the animals themselves as a resource.

Those dynamics have shifted in recent centuries as humans have managed to reduce direct competition (*e.g.* through direct persecution, see Breitenmoser 1998), and through increasingly industrialised animal agriculture after World War II (Marie 2006). This led to an unprecedented increase in meat and dairy consumption (Sans and Combris 2015; WHO 2017), and practices causing suffering and pain to animals became common place in intensive farming (see for example Harrison *et al.* 2013). The animals’ rights to freedom from death, suffering and pain conflict with the fundamental claim of humans to food. Hence, animal farming constitutes a matter that can and arguably should be evaluated using the principle of proportionality.

#### **LEGITIMACY**

As the need for food is crucial to flourishing, animal farming is *prima facie* connected with a legitimate aim, even though it might conflict with fundamental claims of animals. However, as some rights activists pointed out: agriculture has become agribusiness, and its purpose has shifted away from feeding the human population, to also making money. Lassen *et al.* (2006:1003) also suggest that the principle of proportionality (which they suggest ought to be applied to biotechnology) entails a more demanding notion of usefulness, one in which mere profit does not justify ethical

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<sup>141</sup> The freedom from hunger and thirst and the right to food differ with regard to one being a negative and the other a positive right. However, in both cases, it follows that humans and animals should not be rejected and provided access to food.

transgressions. Yet, it is questionable if individual, and in particular small-scale farmers – regardless of whether they focus on animal farming or on crops – have high revenues. Instead they might need to focus on money (potentially at the expense of animal welfare) to stay economically viable. Competitive markets cause lower food prices, while price instability is created by speculators (Collinson 2010). The latter is especially concerning as financial institutions enter the realm of agriculture with the intention to speculate and make money, rather than feeding the world. While those developments could potentially be ethically worrying regarding their impact on animal welfare, for the purpose of this argument it shall be assumed that animal farming primarily serves to provide food.

### **SUITABILITY**

Animal-derived food products are a suitable measure to fulfill the need for food, but only to some extent. Access to food is a crucial requirement for wellbeing, but not all products are equally suitable to contribute to wellbeing (*i.e.* health, here). Arguably, many food items one finds in today's supermarkets, whether they contain animal-derived ingredients or not, are not necessarily healthy, due to high contents of sugar, salt, or fat. Unhealthy products, derived from practices that infringe others' fundamental claims, need to be considered unsuitable as they do not fulfill the objective of sustaining flourishing. Conversely, if an unhealthy food item is produced in an ethically unproblematic manner, its consumption might not raise such ethical concerns.

Secondly, overconsumption of great amounts of certain animal-derived products is linked to health risks (*e.g.* Campbell and Campbell II 2006). For instance, red and processed meats increase the chance of bowel cancer (International Agency for Research on Cancer 2015). Studies also link vegetarian diets or diets containing little meat to decreased risks of cardiovascular diseases and other cancers (Walker *et al.* 2005:349; McEvoy *et al.* 2012; Orlich and Fraser 2014; Westhoek *et al.* 2014; Dinu *et al.* 2017). Therefore, meat is suitable to meet the claim to food, but only in small amounts, for example, no more than 500g of red meat per week, and less or no processed meat, as recommended by the World Cancer Research Fund (2017) and the National Health Service in the UK (2015).

### **NECESSITY**

The principle of proportionality also requires that we ask if it is necessary to use a certain measure to reach an objective, or whether there are less restrictive means available. Indeed, vegetarian and even more so vegan diets constitute such less restrictive means, as they interfere less with the claim

to life, and freedom from suffering and pain.<sup>142</sup> Assuming that vegetarian and vegan diets can sustain health and wellbeing (Walker *et al.* 2005:349; McEvoy *et al.* 2012; Orlich and Fraser 2014; Westhoek *et al.* 2014; Dinu *et al.* 2017), the element of necessity, all things being equal, is not met (as also animal rights and some welfare participants pointed out).

However, the principle does not prescribe vegetarianism nor veganism as compulsory for at least four reasons. Firstly, *in-vitro* or laboratory-cultured meat using animals as cell donors (cf. Garner 2013:136; Singer 2013) in a way that does not interfere with an animal's fundamental rights, would be justified within the proportionality approach. Secondly, some animals are not considered sentient, such as invertebrates, meaning that their consumption would not raise ethical concerns.<sup>143</sup> Thirdly, we might imagine – as some interviewees did – that farms could be set up in which the full flourishing of the animals is guaranteed. For example, humans might consume eggs, assuming the chickens are well taken care of, could live natural lives, that removing eggs causes a minimum of interference with animal wellbeing, and that they would not be slaughtered. Similarly, some milk might be taken from lactating cows, if they live flourishing lives, are not separated from their calves, and the retrieval of the milk does not overly negatively impact on the calf.<sup>144</sup> Similar scenarios have been suggested by some welfare interviewees. Yet, it should also be noted that such production systems probably would be economically unviable if those requirements were met.

The fourth reason questions the assumption that vegetarian and vegan diets are possible for everyone. Animal rights activists assume that everyone can thrive on such a diet, and they might be *prima facie* right. However, one welfare advocate in this study called this into question. Indeed some people report health struggles on a vegan or vegetarian diet, despite attempting to eat a balanced diet, and mention health improvements after reintroducing meat, dairy and/or eggs (Herzog 2011; Ebelthite 2015; Waters 2017). Health issues that are potentially related to a lack of animal products include anemia, vitamin B12 and protein deficiency. They can either stem from rare enzyme or biochemical deficiencies, or from an unbalanced diet. However, well-planned vegan and vegetarian diets can usually provide all necessary nutritional components (BDA 2016; Greger 2016).

Furthermore, it should also be noted that other less restrictive measures to improve health should

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<sup>142</sup> Food production is never free from negative interference, as for example humans compete with animals for land, and accidentally (*e.g.* during crop harvest) or purposefully (pest control) kill animals in the process.

<sup>143</sup> However, recent scientific studies have challenged this assumption with regard to insects, arguing that they might possess sentience, at least to some degree (*e.g.* Klein and Barron 2016a, 2016b). Moreover, some interviewees were concerned about killing insects, as they extended their moral concern beyond vertebrates, *i.e.* those species for which sentience is widely accepted.

<sup>144</sup> Naturally, cows would not produce more milk than is needed for the calf. However, cows have been bred for bigger udders to increase productivity. There might be a possibility of allowing the calf to feed from the mother, while also retrieving some milk. The question that then needs to be answered, however, is whether high welfare can be maintained for the mother in such a scenario.

be adopted first before opting for animal-derived products, for example through nutritional supplements. Moreover, high meat intake does not necessarily prevent anemia (Jamieson *et al.* 2008; Kunitsugu *et al.* 2012), and a variety of plant-based iron sources are available without the potential negative side-effects of meat, related to health, animal welfare, and environmental impact (Agarwal 2013). Nevertheless, there might be a part of the population that struggles to access all necessary nutritional components or the necessary information or advice in order to overcome such deficiencies (for example, for economic reasons). The consumption of some animal products for this part of the population might then be *necessary* in order to maintain health. However, the proportionality approach would also call on society to increase the availability and access to nutritionally sound diets and information on these (potentially including free advice from physicians on how to overcome deficiencies).

Other health-related problems that might lead to a necessity to eat meat are avoidant or restrictive eating disorders. Those who suffer from such an eating disorder are not able to consume certain food items based on the food's appearance, taste, texture, and so forth. Consumption of certain foods might lead to feeling of sickness and regurgitation (Fisher *et al.* 2014). For some, this could mean that food choices are already severely restricted and that eliminating another (potentially animal-derived) product from the diet could decrease health and wellbeing further. Yet, it should also be acknowledged that therapy might be a solution to overcome avoidant/restrictive eating disorder. If therapy, however, were to prove unsuccessful, the requirement of necessity would be fulfilled.

#### **PROPORTIONALITY IN THE NARROW SENSE**

Assuming that legitimacy, suitability, and necessity have been met for at least some parts of the human population, animal farming needs to be assessed regarding its proportionality, *i.e.* whether the practices do not exceed the invasiveness required to achieve the goal. Intensive farming, at least, it could be argued, is out of proportion to the goal of feeding the human population animal products – a view which all but one participant supported. It seems out of proportion because of the harm it causes to animals, but also the environment, and even in certain ways, to humans.

While some might claim that intensive farming is needed to feed the population, this is in fact untrue. While malnutrition still poses a serious problem, with some 840 million people being undernourished, agricultural industry produces enough to feed the entire current population (FAO 2002, 2003).<sup>145</sup> More people today are overweight and obese than malnourished (NCD Risk Factor

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<sup>145</sup> Moreover, Davis and D'Odorico (2015) suggest that 1.3 - 3.6 billion more people could be sustained if less crops were fed to animals.

Collaboration 2016); and a significant part of produce is wasted.<sup>146</sup> Indeed, malnutrition and famines are not caused by a lack of production, but rather by failures of distribution, wars, and other reasons (Sen 1982; Federico 2005:1). The inequality in food production, distribution and quality is affecting developing countries in particular, as they face a so-called ‘double-burden’ of both malnourishment and obesity in the population (FAO 2006b). Food production, the way we eat and how it impacts on other humans, is in many ways also a human rights issue. The environmental impact of animal farming (cf. FAO 2006a) and zoonotic risks (exacerbated through the increased use of antibiotics, and crowding of animals in intensive farming systems) (Gilchrist *et al.* 2007), will also potentially affect poorer communities more strongly.

Furthermore, it is possible to farm animals in less invasive ways, and painful husbandry practices like the castration of piglets without anesthesia appear unnecessary to the overall end goal. To take it one step further, society could discuss whether subsistence hunting, rather than farming, would be more suitable to feed the (most likely very small) part of the population that can legitimately claim to need meat. Hunting might constitute a less restrictive measure than farming, assuming that skilled hunters kill their prey painlessly and instantaneously. As for other animal products such as dairy and eggs, proportionality could be met if benign forms of farming as described above could be implemented. Considering those issues, proportionality of animal farming overall is not met in the case of intensive farming systems. Only the least invasive farming methods or potentially subsistence hunting might meet this requirement.

Based on the principle of proportionality, it needs to be concluded that meat should only be consumed by those who genuinely require it for health reasons (and cannot sustain their health through other means); and certain animal-derived food items might be consumed in small amounts by the wider population. In both cases, however, the least restrictive farming system needs to be guaranteed, ensuring freedom from inflicted animal pain and suffering.

#### **THE INFLUENCE OF AND LIMITATIONS CAUSED BY MORAL CORRUPTION**

While it certainly seems appropriate to say that the above scenario is where society should be moving to, it does not follow that it is also currently feasible and realistic. It neglects socioeconomic and human behaviour change constraints (*i.e.* sources of moral corruption) that prevent people from

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<sup>146</sup> In 2007, WRAP reported that UK households throw away around a third (8.3 million tonnes) of the food that is bought (The Waste and Resource Action Programme 2008). This number has decreased between 2007 and 2012 by 15%, despite an increase of households by 4%, to 7.0 million tonnes of waste in 2012 (The Waste and Resource Action Programme 2013). The latest report on food waste states 7.3 million tonnes for 2015 (The Waste and Resource Action Programme 2017). With regards to animal-derived products, Davis and D’Odorico (2015) suggest that the crops lost through consumer waste of those products could sustain another 235 million people.

living up to ideals. The following part will briefly review socioeconomic factors, but more importantly will argue that it seems unreasonable to expect the majority of the public to adopt a vegan diet immediately at this point in time.

### *Socioeconomic factors*

Economic factors play a role in this discussion,<sup>147</sup> as a reformation of current farming and food production practices will have far-reaching consequences and arguably needs to be realised slowly and over time. The development of feasible economic arguments might even be a stepping stone towards a more pronounced and sustainable change. Social change movements seem to achieve their goals more easily when coupled with economically achievable steps.<sup>148</sup>

Socioeconomic factors can also potentially affect whether someone is more inclined or able to live well on a vegan diet, as some interviewees pointed out. A certain socioeconomic level might facilitate concern for animals, and also veganism, as high-quality plant-based products are more easily available to particular people. A person living in a less well-off neighborhood might not have the same access to such goods (cf. Sholl 2015).

### *Human behaviour change constraints*

Human behaviour constraints might be even more decisive factors for limiting the implementation of widespread veganism, and substantial reduction of the consumption of animal products – as also pointed out in the interviews. This is not to say that it cannot be realised, but highlights the difficulties in achieving such a goal. This seems particularly true, if the issue of eating animal products in itself is conceptualized as a moral storm. Factors like habits, tradition, convenience or taste all can contribute to an ethical vulnerability regarding food choices (cf. Nestle *et al.* 1998; Shatenstein and Ghadirian 1998; Gibson and Brunstrom 2007; Just *et al.* 2007; Foer 2010:32, 194, 263; Zur and Klöckner 2014). While some (interviewed) activists might assume that it is not difficult to change your diet, statistics suggest otherwise (also see Cooney 2014). A substantial number of

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<sup>147</sup> For example, Waldau (2011:40) discusses the costs of animal farming to rural America; which could be a strong argument from an economic perspective. Later in his book, he also mentions that the ban on whaling – while causing some loss of jobs – also created more sustainable jobs through whale watching (Waldau 2011:126).

<sup>148</sup> For example, Davis (2014:145) argues that the anti-slavery movement was more successful in Britain than in America, as slavery was less enmeshed in the local economy, but occurred mostly in remote colonies. However, financial compensations for planters was still needed to enable the cessation of slavery (Davis 2014:269–70). Another example is given by Posner (2005:68) who argues that changing attitudes (with regards to the emancipation of women, or homosexuality) were due to material forces, rather than ideological ones. Although it is debatable that philosophical arguments have no or little influence in changing attitudes, as Posner argues, moral arguments might also be important in other ways. For example, people might like to think that their actions are motivated by good intentions rather than self-serving interests, as Thøgersen and Crompton (2009) suggest.

vegetarians (75% based on Herzog 2011; 86% according to Green 2014) and vegans (70% according to Green 2014) return to eating animal products after some time. Green (2014) concludes that two percent of the US population currently define themselves as vegetarian or vegan, but ten percent have done so at some point.

Initial reasons to quit meat predominantly include health concerns, and ethical issues regarding animal farming; and to some extent environmental reasons; aversion to (the taste of) meat or animal products,<sup>149</sup> or social pressure from others (Maurer 2002:10; Herzog 2011; Green 2014; Herzog 2011). The strongest factor causing people to reintroduce animal products into their diet was health (Herzog 2011; Green 2014; Ball 2015), followed by logistical difficulties (*e.g.* finding high quality food, preparation time), social stigmatisation, irresistible urges, and shifts in moral thinking (Herzog 2011; Green 2014; Ball 2015). Research from the Eller Business School of the University of Arizona concluded that veganism was considered impossible, and vegans annoying, by the general public; and that people would go out of their way to avoiding dealing with a vegan (Ball 2016). This finding resonates with the somewhat negative image that is associated with animal rights, as reported by interviewees. Negativity surrounding vegan or vegetarian products also impacts the perception of food by consumers who preferred food that was not labelled vegan or vegetarian (Ball 2015).

Indeed, the negative association with animal rights and veganism constitutes another aspect hampering ethical behaviour. Veganism sometimes is portrayed as an ‘all-or-nothing’ lifestyle: you are either a vegan or you are not; meaning that you either consume or never consume animal products. However, such a definition might be considered impractical.<sup>150</sup> This binarity is sometimes also associated with a contest for purity (*i.e.* going above and beyond to abstain from animal-products or from supporting companies and institutions that are associated with the use of animals) (Garner 2005a:164; Sholl 2015, and also reported in the interviews). As a consequence of this negative image and the difficulties of living up to such an ideal, some people might decide not to identify with veganism, but rather with flexitarianism (Frizzell 2017), or not to bother at all (*cf.* Ball and Friedrich 2009:55–60; Jacobsson and Lindblom 2012:49). One should also not forget that it is impossible to avoid being complicit in some animal use, given how deeply enmeshed it is within our society (Wise 2005:20).

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<sup>149</sup> Aversion to the taste of meat has also been reported by those interviewees who described themselves as ‘natural vegetarians/vegans.’

<sup>150</sup> Can one be considered vegan after eating a plant-based diet for a week, a month, or a year? Can one still be considered a vegan if eating a vegan diet for a prolonged time but gives in to an ‘irresistible urge’ once? The Vegan Society (2017) provides a clarifying definition: ‘Veganism is a way of living which seeks to exclude, as far as is possible and practicable, all forms of exploitation of, and cruelty to, animals for food, clothing or any other purpose.’

It could be argued that as more people become vegetarian and vegan, issues like logistical difficulties and social stigmatisation will be reduced, making it more likely for people to stick to their new diet and to identify with it more readily. After all, the Vegan Society (2016) reported a 350% increase of vegans in the UK since 2006; and meat consumption is declining in Europe (Scott-Thomas 2014). However, comparing the actual number of vegans (at least 542,000 according to The Vegan Society 2016) to the number of the UK population in 2016 (65.6 million according to the Office for National Statistics 2017) paints a more modest picture. Furthermore, the decline in meat consumption might be driven by so-called flexitarians or reductarians,<sup>151</sup> rather than (just) vegetarians and vegans (Scott-Thomas 2014; Frizzell 2017). Conversely, Crawford (2015) argues that the growth of vegan products can be traced back to those who are reducing animal products, rather than eliminating them. Interestingly, the flexitarian movement is not driven by animal welfare or rights concerns alone, but also, for example, by rising meat prices, environmental impact and health risk awareness (Scott-Thomas 2014).

### CONCLUSION

These psychological, habitual, and contextual barriers need to be taken into account; and in the light of this discussion I am slightly pessimistic about the ability of people to easily change their attitudes and behaviour. This should not be considered an excuse or easy way out of behaving fully ethically. It should only highlight the difficulties of doing so and remind us that a request for immediate, absolute and utopian visions are to some extent unreasonable. It should remind us that a step-by-step approach, and certain concessions to those barriers, are inevitable. And it is a plea; the same one that Cavell (2008:123) makes in the book *Philosophy & Animal Life* when he explains his inconsistencies in values and behaviour towards animals: ‘What I would like to say is simply, “I am human” – but to whom can this plea be directed?’

For the application of the principle of proportionality within a non-ideal theory, this means that we might accept the limitations on fully ethical behaviour; in particular a limitation on expecting people to become vegan immediately. This does not hinder us from arguing that veganism is the ideal ethical behaviour. However, by switching focus to the limitations, we might look for intermediate steps that address those barriers. For an individual that might mean reducing the consumption of meat (instead of complete cessation) and not buying products derived from intensive farming practices. For society, it could involve decreasing the social stigma surrounding vegetarian- and veganism; and increasing the availability and affordability of plant-based products in supermarkets,

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<sup>151</sup> Flexitarians or reductarians eat less meat or other animal products for a variety of reasons related to health, ethical issues concerning animals or the environment. The terms are used interchangeably in this thesis.

restaurants, cafes, and canteens in companies and public institutions (*i.e.* decreasing the factors of inconvenience and hassle), as also pointed out by one rights campaigner. Society and activists might also focus on those practices that cause proportionally more harm and suffering than others, and aim at abolishing those (for example intensive farming practices). All of these measures would be ethically acceptable within a non-ideal theory centred around the principle of proportionality, as firstly, they acknowledge moral corruption (and vulnerability). Secondly, they aim at reducing the infringement (or increasing the realisation) of animal rights, which is the primary goal (Alexy 2000:295).

### **8.3.2 ANIMAL EXPERIMENTATION**

127 million non-human vertebrates were conservatively estimated to be used in scientific procedures worldwide in 2005 (including those used for provision of experimental tissues, maintaining established genetically modified strains, and breeding for laboratory use but killed as surplus to requirements) (Knight 2008). In 2016, 3.94 million procedures were conducted in Great Britain, of which 2.02 constituted experimental procedures, and 1.91 million were related to the creation or the breeding of genetically altered animals (not used further in experimental procedures) (Home Office UK 2017).

Animal experimentation is conducted for a variety of reasons, for example, to test cosmetics (although such testing is now banned within the European Union), or to find cures, treatments and drugs for medical problems. Those experiments often violate the animal's rights to freedom from death, pain and suffering, while serving human interests and claims which might or might not be fundamental ones. In order to establish whether these practices are in line with the principle of proportionality, different purposes need to be examined separately. The enquiry here shall be restricted to testing for cosmetics, fundamental research (*i.e.* the pursuit of general knowledge without any obvious social application), and testing for medical purposes.

#### **COSMETICS**

Cosmetics are to some extent important to emotional and mental wellbeing as they might help to improve appearances and attractiveness, which in turn could be important to, for example, self-esteem. However, the claim to wellbeing obtained through cosmetics is unlikely to be as crucial to flourishing as claims to not have death or suffering inflicted. Opinions might diverge on this question as some people could argue that they suffer without cosmetics.<sup>152</sup> The benefit of the doubt shall be

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<sup>152</sup> Some people might suffer from skin or other conditions that could make them feel unattractive to the extent that they feel unable to participate in society without cosmetics.

applied for now. It also needs to be considered that testing for cosmetics can only be a legitimate aim if it serves primarily the purpose of improving wellbeing, rather than being solely aimed at making money.

*Suitability* is given if the product in question indeed improves wellbeing. However, it is questionable whether cosmetics in all cases lead to an actual increase in wellbeing. A more sophisticated analysis would have to take place of how the product in question would fulfill the desired aim. Furthermore, less restrictive means to improve wellbeing, *i.e.* existing and already tested cosmetics, are available and affordable. Yet another cosmetic product is unlikely to increase wellbeing, and thus testing is *unnecessary*. Lastly, the improvement in wellbeing, by wearing another new mascara, seems out of *proportion* to any suffering or death inflicted on animals. Animal experimentation for cosmetic testing, therefore, does not fulfill the principle of proportionality because of its questionable legitimacy and suitability, and the failure to meet necessity and proportionality in the strict sense.

#### FUNDAMENTAL RESEARCH

Basic research for the sake of knowledge itself does speak to a human interest (*i.e.* fulfilment of curiosity about the biological world), however, not one that is a crucial requirement for flourishing. It would then constitute an illegitimate aim. Some might argue that such research can give surprising insights with unexpected benefits that contribute to a decrease in deaths and suffering, and an increase in wellbeing of humans. Again, the specific research study would need to be scrutinized for its potential benefits, whether it could be conducted using less restrictive measures (*e.g.* through alternative methods), and whether the 3Rs<sup>153</sup> are implemented thoroughly. For proportionality (in the narrow sense) to be met, basic research findings would need to considerably contribute to improved wellbeing, as the stakes for animals are high – something that is difficult to prove. Indeed, if a clear benefit could be demonstrated, such a study would not fall under the category of fundamental research, but applied research.<sup>154</sup> Hence, it needs to be assumed that fundamental research is conducted based on insufficient, vague aims that might not be achieved, implying that the requirements of *legitimacy*, *suitability* and *proportionality in the narrow sense* are not met. Necessity might be the only criterion that is fulfilled, if it can be demonstrated that no other methods could lead to the desired insights. Nevertheless, fundamental research needs to be opposed based on the principle of proportionality, as all requirements must be satisfied.

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<sup>153</sup> The 3Rs stand for replacement (*i.e.* replacing current methods with those that do not use animals), reduction (*i.e.* reducing the number of animals used), and refinement (*i.e.* improving handling and housing of animals) (Russell and Burch 1959).

<sup>154</sup> Should said research classify as applied research, the proportionality assessment might look similar to the discussion on research serving medical purposes.

## MEDICAL PURPOSES

Illnesses, diseases and injuries impact flourishing, in some cases crucially, and therefore claims to medical treatments are a fundamental right. This also includes aims that seek more affordable and effective treatment. Testing for medical purposes, therefore, is a *legitimate* aim (if the aim is to cure diseases rather than making money). Secondly, some animal experimentation is also – although certainly not in all instances – a *suitable* measure to introduce treatments, cures and drugs that improve wellbeing. Each study would have to be rigorously scrutinized for its benefits, even more so than under current ethical reviews (e.g. Hansen *et al.* 2012; Russell 2012). Thirdly, animal experimentation could be considered *necessary* to find treatments for diseases where no alternative methods of testing are available. Those diseases, however, would have to fulfil criteria such as (1) the disease cannot be effectively cured or managed through other treatments, (2) available treatments have strong negative side-effects, or (3) the treatments are unaffordable to all but the wealthiest in a society. However, this should not give outright approval to unrestricted testing. Efforts should also be made to making cures affordable through other means; and to reduce risk factors for certain diseases. Some medical issues, in particular increasing cardiovascular diseases and many cancers in Western societies, could be alleviated or even prevented by lifestyle changes and healthy living, for example, through switching to a plant-based diet (Walker *et al.* 2005:349; McEvoy *et al.* 2012; Orlich and Fraser 2014; Westhoek *et al.* 2014; Dinu *et al.* 2017). Resources might be more effectively used for preventative healthcare campaigns, rather than animal testing; in which case the principle of proportionality errs on the side of prevention, as it constitutes a less invasive measure for the animals.

Assuming that legitimacy, suitability, and necessity were established for certain studies using animal experimentation, *proportionality* is met if the disease under question has a severe impact on the wellbeing and flourishing of people, and if the 3Rs are implemented rigorously. If the animal experiment is conducted to find treatment for a rather benign health issue that does not impair quality of life drastically, the measure would be out of proportion to the aim, given the suffering, pain, death or functional impairment of the animals.

The principle of proportionality, therefore, would allow certain animal testing for grave medical issues. However, it would not relieve society from its responsibility and duty to extensively search for alternatives. Transgressions of fundamental rights should never be taken lightly. The principle of proportionality is based on the assumption that transgressions should be minimised and the fulfilment of crucial claims optimized (Alexy 2000:295). As well as acknowledging doubts over animal models being suitable for human medical research (Knight 2011), research into less invasive or non-

invasive alternative constitutes a moral duty towards the animals that is inherently part of the proportionality principle.

#### THE INFLUENCE OF AND LIMITATIONS CAUSED BY MORAL CORRUPTION

One might ask, however, given that equal moral significance of fundamental claims of animals compared to humans has been established earlier in this chapter, why one would choose to experiment on the less effective animal models rather than humans. *Prima facie*, there is indeed no moral difference between choosing an animal or a human model (except for humans making better models for human diseases). This implies that we ought to treat animals and humans equally (badly or well) with regards to experiments. However, at the moment the standards are rather different when animals are used in experiments, compared to those applied when humans are used in clinical trials. If those standards were aligned, much of current animal experimentation would cease to exist. Moreover, it might be restricted to testing new drugs on patients for whom no other successful treatment is available, and to patients who are volunteered by guardians representing their interests; as is or should be the case for consenting humans or their consenting guardians. Yet, I assume that many are not prepared yet to abolish animal experimentation in its current form. As described earlier, one interviewee pointed out that she disagreed with the pain and suffering caused by animal experimentation, while also acknowledging that if it could save the life of a loved one, she would probably be less conflicted. Hypocrisy is a common human fault, as some participants mentioned, and health struggles can be considered a strong force increasing ethical vulnerability, and empowering moral corruption. Indeed, attitudinal research from 2016 shows that 65% of British people accept the use of animals in medical research where there are no alternatives (although 26% favour an outright ban). The majority also supports scientific research, but considers other types of studies, in particular non-medical chemical testing, less acceptable. Nevertheless, 74% of the public agree that more focus needs to be placed on the development of alternatives (Clemence and Leaman 2016). This indicates that public opinion might actually support more restriction of animal experimentation, rendering the limitations caused by moral corruption less salient compared to dietary issues. Instead, major opposition might stem from institutions or companies with vested interests, which could be required to change their *modus operandi* in substantial ways. Their inertia and attempts to cling to the status quo might be the real moral hurdles to overcome here. Moreover, the issue of animal experimentation is slightly different to the question concerning diet. Individuals might cause severe damage to their own health and wellbeing (and depending on the circumstances might risk their lives) if they refuse to take drugs tested on animals. Alternatives may

not be available to them. The proposed framework should acknowledge the moral tragedy and ethical vulnerability here to its fullest extent, given the severity of the issue and given the strength of the claim to health and wellbeing. Nevertheless, it also urges society to take on greater responsibility ensuring the wellbeing and health of its members (so as to prevent diseases as much as possible) while also working harder on restricting animal testing and on developing viable alternatives.

#### 8.4 CONCLUSION

The proposed framework combines elements from utilitarianism, welfare and animal rights. It grants equality and protection of fundamental requirements for flourishing, which are, at the very least, the freedom from inflicted death, pain and suffering.<sup>155</sup> It does so by acknowledging that no objective rationale convincingly establishes differing ethical significance between those claims of humans and of other animals, as all proposed traits used to justify such claims are anthropocentric and/or perfectionist. Furthermore, the proposed approach takes on board the insight of welfare activists: that using and consuming animals sometimes is inevitable. It conceptualises cases of fundamental conflict as moral tragedies (sometimes accompanied by a moral storm), rendering humans ethically vulnerable to moral corruption. This corruption hampers our ability to behave fully ethically when such tragedies occur, and need to be taken into account as real (but not absolute) limitations. The proposed approach, therefore, is to be considered a non-ideal theory that allows for some of the commonplace inconsistencies in our dealings with human-animal issues (and in activism, see chapter nine). However, it also constrains this concession as it establishes a duty to carefully assess the proportionality of measures and ends when infringing an animal's fundamental rights, and to ensure their best possible treatment and least violation of rights through our practices.

A critique by rights theorists, that has also been raised by Habermas, could concern a potential watering down of rights (Alexy 2003:134). Fundamental rights are supposed to give absolute protection; and should not be overridden even if benefits would accrue by doing so. They need to be upheld regardless of the consequences; and balancing, one might say, reduces their protective power. However, to assume that the principle of proportionality reduces the normative power of fundamental rights is to confuse it with economic balancing (*i.e.* cost benefit analysis, cf. Engle 2012:9). The principle of proportionality does *prima facie* not allow the balancing of fundamental rights against claims that do not concern crucial conditions for flourishing. It seeks to provide guidance in cases of conflicting fundamental claims, in which costs are unavoidable. In the proposed approach, its normative power might appear reduced as it is adopted as a non-ideal version. It is

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<sup>155</sup> Thus, the focus of the framework is rather narrow. However, it is open to encompassing and discussing further claims, such as claims to assistance.

important to note, however, that its ethical principles are still to be upheld. Nevertheless, some courses of action and concessions (which might not completely fulfil the proposed ethical principles) can be made, if it can be demonstrated that they are not feasible or achievable at this point in time, and that the course of action might contribute to greater realisation of principles in the long-run.<sup>156</sup> Furthermore, Alexy (2003:137) argues that objections, like those of Habermas, assume that judgements about intensity of infringement, degree of importance, and their relationship to each other, cannot be assessed rationally. However, the earlier discussed example of a court ruling on the freedom of expression *versus* the protection of personality, demonstrated that intensity of invasion, degree of importance, and their relationship can indeed be assessed, if the context in which those conflicts occur is known.

The principle of proportionality is widely used to resolve human rights conflicts. In the past decades, various animal ethicists have convincingly argued that those fundamental conflicts do not just arise within our species, but also with other sentient animals. Applying the principle of proportionality to our conflicts with other species does not mean discriminating against them. On the contrary, it means taking their moral status seriously, and asking whether our practices are legitimate, suitable, necessary and proportional to the infringements of other animals' claims. The proposed proportionality approach acknowledges fundamental claims of all parties involved and aims at finding fair and just solutions to conflicts. It also urges us to think about all different considerations, and to listen to different voices and opinions concerning the matters at stake, including the plea to take the limitations of our own humanity into account (*i.e.* ethical vulnerability and moral corruption). In some cases, it can be justified to eat animals, or to introduce them to our homes as companions; it depends on the context, and the measure (*i.e.* the how) and the ends. The proportionality approach, however, also urges us to minimise conflicts and to reconstruct society, so that those difficult decisions will not need to be made. As Nussbaum (2005:317) correctly argues: conflicts between rights (or capabilities) 'is a sign that society has gone wrong somewhere,' and that we should focus on securing all rights (or capabilities) for all citizens.

This approach asks for an open and in-depth discussion of our practices and about what should be considered legitimate, suitable, necessary and proportionate (in the narrow sense). It does not assume absolute and universal answers, but seeks input from all involved parties,<sup>157</sup> looks at all the available options and finds context-dependent solutions. This seems particularly important given the criticism of dogmatism by some interviewees and within the literature (*e.g.* Fraser 1999:174–76; Sunstein 2005:296). De-contextualisation of ethical dilemmas (as is the norm within analytical

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<sup>156</sup> However, the latter might not necessarily need to apply with regards to the work of animal activists, as will be discussed in chapter nine.

<sup>157</sup> This might also mean that the proportionality approach requires representation on behalf of animals.

philosophy) limits the morally relevant factors, invites simple solutions, while neglecting real ambiguities, and thus, cannot provide the necessary guidance (Light and McGee 1998:5; Levitt 2003:23). Fraser (1999:174–75) in particular criticises the focus on individualism, trumping all other concerns (*e.g.* species, population); and the emphasis on single simplistic principles, neglecting conflicting principles equally worthy of consideration. Furthermore, he argues that many philosophers fail to acknowledge the importance of balancing; and the importance of the variety of practices using animals. The latter, according to Fraser (1999:176), are lumped together under broad headings (such as animal farming), and ‘extremely general remedies’ are advocated for ‘extremely complex situations’. Moreover, the public discriminates between different species and engages in various practices involving animals for different reasons (Jasper and Nelkin 1992:166; Coleman 2010:75), which needs to be taken into account to some extent. The principle of proportionality can act as a ‘higher order moral principle’ to balance those divergent positions (cf. Garner 2013). It allows for contextualisation, can be applied to individual practices or a broader context, and takes more than one consideration into account.

Western societies are still hugely reliant on animals and animal-derived products. Some of those practices might be justified under the principle of proportionality given the lack of alternative options, or are at least better approached when the limits posed by our own moral corruption are acknowledged. Yet, as we seek a better world for humans in which their fundamental rights are realised as fully as possible, this goal should also be pursued for animals. The animal protection movement is working towards this objective. The implications of the proportionality approach for animal activism will be discussed in the next chapter.

## **CHAPTER 9: ANIMAL ETHICS IN ACTION – ETHICAL AND STRATEGIC CONSIDERATIONS REGARDING ANIMAL ACTIVISM**

### **9.1 INTRODUCTION**

In previous chapters (four to six), data has been presented suggesting that animal welfare and rights activists differ in important ethical, strategic, and personal ways (but so do animal activists compared to each other, regardless of a welfare or rights background). Nevertheless, a consensus emerged regarding the need for a variety of strategies, and activists acknowledged positive sides of all forms of campaigning except violent ones.

As the goal of this thesis is to propose solutions to at least some of these controversies, chapters seven and eight developed a new approach to dealing with animal ethics, which aims at being appealing to both camps: animal welfare and rights. The proposed framework acknowledges an equal moral status of other sentient animals, given the absence of convincing objective measures to establish the opposite. Moreover, it introduces the principle of proportionality as a means to resolve conflicts between humans and other animals when fundamental claims (*i.e.* those that are crucial to flourishing) are concerned. However, the theory is to be considered non-ideal because it concedes a certain anthropocentric favouritism, as our ethical behaviour is effectively limited (though not absolutely) by our own moral corruption.

The questions that this chapter seeks to answer concern the implications of the proposed approach for animal activism. It seeks to discuss and (hopefully) resolve some of the controversies surrounding strategic and tactical approaches. The main question is whether activists ought to campaign solely for the ideal state prescribed by the ethical theory they espouse. This question is inspired by the abolitionist argument that complete abolition of animal use and ethical veganism is the ideal state, and that it follows that all campaigns not aiming at abolition and not promoting absolute and immediate veganism are ethically wrong and strategically ineffective.

The first part of this chapter will focus on rejecting the three major abolitionist arguments (a) that the animal protection movement is unsuccessful, and (b) that the legal property status of animals and (c) inadequate campaigning strategies and tactics are to blame. In a second step, it will be argued that a moral duty to campaign in a particular way, as prescribed by abolitionism, cannot be reasonably established. This part of the chapter will also introduce the concept of moral tragedy to animal activism and the decisions activists face. Moreover, it will be demonstrated how the principle of proportionality as non-ideal theory can accommodate for these difficult situations. Thereafter, the focus will lie on strategic arguments, highlighting problems of adopting just one campaigning approach with regards to appealing to (potential) recruits and the wider public. Furthermore, it will

be argued that the existence of radical groups alongside moderate ones can be beneficial, if polarization triggers positive rather than negative radical flank effects (cf. Haines 1984). Lastly, a few suggestions for future directions of animal activism with regards to both animal welfare and animal rights will be proposed.

## **9.2 REJECTING ABOLITIONISM**

Abolitionists, following Francione's approach and Francione himself, are currently the main defenders of a unified approach to animal activism. His main points are that (a) the animal protection movement is rather unsuccessful in improving the lives of animals; and that (b) the reasons for that are the legal property status of animals, preventing them from being adequately protected; and (c) inadequate campaigning strategies and tactics by all organisations, but in particular by animal welfare activists, and the use of single issue campaigns. He then proposes that the only morally acceptable and strategically effective approach is vegan grassroots education (*e.g.* Francione 1996, 2004, 2008, 2010, 2016; Francione and Garner 2010). While I agree with Francione's premise, that humans and other animals ought to have equal moral status, the three aforementioned points have been heavily criticised in the literature. This criticism – to which we shall turn now – implies that abolitionism needs to be partially rejected.<sup>158</sup>

### **9.2.1 SUCCESS OF THE ANIMAL PROTECTION MOVEMENT**

The first point raised by Francione implies a problem in the animal protection movement as allegedly little progress in favour of animals has been made. To underpin this statement, Francione then points, for example, to the ban of battery cages for laying hens, replaced by enriched cages in Europe in 2012, being only a minimal improvement (Francione and Garner 2010:243). Sometimes he mentions fur campaigns (failing to stop people from wearing fur) or the UK ban on fox hunting (which is not properly enforced, openly violated, and risks being repealed) as examples of ineffective campaigning (Francione and Garner 2010:241). Furthermore, if the aim is to ban one particular practice or one particular type of animal product, Francione claims that people would end up buying and consuming more of other animal products (cf. Francione 2015:42).

Indeed, to some extent the situation might have worsened for animals. For example, the number of animals used in experimentation has increased over the years; and despite the progress made in legislation protecting the welfare of animals, that protection is minimal when commercial profit is involved (Hollands 1979:203–4; Waldau 2011:108–9). Garner (2013:91) also concedes that welfare

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<sup>158</sup> It is important to note here that abolitionism should not be fully rejected. Many aspects are helpful for critical reflection on the current status quo, and on animal activism. Also, its ideal state vision is to some extent in line with what has been proposed in earlier chapters.

has been co-opted by those with vested interests in the continued use of animals, rendering the concept less meaningful regarding its effectiveness in preventing suffering. Some of those problems might be overcome with a stronger focus on promoting veganism, but this neglects (a) the difficulty of encouraging the public to consider veganism (see chapter seven and eight), and (b) the successes the animal protection movement had in the past, in raising public concerns for animals. For example, in 2015, 94% of all EU citizens considered the protection of farmed animals as important, and 82% stated they would like to see an improvement in the aforementioned (TNS opinion & social 2016); constituting an increase in concern compared to a similar 2006 survey (in which 77% of participants called for improvements) (TNS opinion & social 2007).

Other successes, apart from heightened awareness and concerns, were also made. Examples include felony-level penalties for cruelty to other animals in 46 states in the US; a ban on experiments on non-human apes in Austria in 2005; the granting of legal rights to non-human great apes in Spain in 2008; and the prohibition of using wild and domestic animals in circuses in Bolivia in 2009 (Waldau 2011:107–8). Despite Francione's criticism, campaigns against fur led to a decline in sales of 75% in Britain and Switzerland in the early eighties, and Harrods stopped selling fur coats (Jasper and Nelkin 1992:153; Garner 1993:186–87). An interim increase in the fur trade could also be ascribed to a decline in media coverage and awareness over the issue, and an industrial push to raise sales and profits. Having said that, the fashion brand Gucci recently announced that it would phase out fur by 2018 (France-Pressé 2017). Also, campaigns against animal testing for cosmetics have had various successes in the past, with Colgate reducing their animal use by 80% in six years; and Avon and Revlon having phased out animal testing completely (Jasper and Nelkin 1992:109–10). The European Union's ban on animal testing for cosmetic purposes can also be considered another milestone. It cannot be demonstrated whether those developments are primarily attributable to one or more organisations, the sum of pro-animal campaigning, or instead to independent economic and other social developments. Neither can abolitionists convincingly argue that any of their interventions would be more successful. Indeed, Garner (2005a:157) argues that so far individual choices to become vegetarian or vegan have not clearly impacted or harmed the meat industry.

Francione's argument on the lack of success of the animal protection movement is at best weak. Moreover, the limited success and impact of many campaigns might instead be due to the nature of human behaviour and behaviour change, which abolitionist interventions also fall victim to. Even if activists manage to change attitudes, the desired behaviour does not necessarily follow (see chapter eight). For all we know, animals could be worse off if animal protectionists did not intervene. An increase in animal suffering is not the result of growing animal protection, as Francione implies; rather animal activism might have become more popular in response to rising animal suffering.

### 9.2.3 THE LEGAL PROPERTY STATUS OF ANIMALS

Various authors have commented on Francione's argument that their legal property status effectively prevents animals from being protected, as the interests of the owner will always prevail over the interests of the animals. However, as Garner (2005b:47) states, 'being property does not equate being poorly protected' as animal welfare protection legislation can override property rights (also Sunstein and Nussbaum 2005:11; Waldau 2011:100–101). While Garner concedes that the property status of animals will need to be abolished eventually, this will not be a sufficient measure to achieve full protection, and nor does the current property status prevent meaningful improvements (Garner 2005b:160). Furthermore, if animal welfare legislation was significantly better established and enforced, abolishing the property status of animals would not make much of a difference in terms of their wellbeing and protection (Garner 2005b:53).<sup>159</sup> Moreover, economic and political change eventually needs to accompany the liberation of animals (Garner 2005a:102). Another critiqued point is Francione's assumption that being a sentient animal means having similar or equal rights. However, as McCausland (2014:660) puts it: 'belonging to a kind in which some members have an interest in not being owned does not confer the same quality to all members of this kind.' While it certainly makes sense that animals should not be made to suffer because of their ability to experience those negative states, not all sentient species necessarily suffer or have any other form of interest in not being owned (also see chapter seven and Cochrane 2012; Garner 2013). The more convincing argument could stem from a pragmatic abolitionist perspective, which assumes that giving businesses such power over (powerless) individuals is corrupting (McCausland 2014:93). Hence, only abolishing the property status of animals can eventually grant full protection to them. Yet, even the abolition of this property status would not necessarily stop the violation of animal rights. Indeed, wild animals are usually not considered property, but their rights are also not sufficiently established or protected (Garner 2005b:43–45). Moreover, some control over animals is needed. Just as parents exert control over their children, humans need to do the same with regards to domesticated animals (Sunstein 2005:11–12).<sup>160</sup> Abolishing their property status could then also require introducing new concepts, to ensure that the duty of care is assigned to a capable agent.

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<sup>159</sup> Similarly, Garner (2005a:102) argues that if the societal consensus on the moral status of animals reaches a point where it is high enough to lead to sufficient protection, granting formal rights will be more of a symbolic act. In a similar manner, Chiesa (2016:580–82) points out that abolition of animal use as a formal act might not need to happen or will only happen, once economic factors have led to the cessation of most or almost all use of animals anyway (for example, when or if laboratory grown meat can substitute factory farms).

<sup>160</sup> Francione suggests that we should not continue breeding domesticated animals and let them cease to exist. In this scenario, questions about the duty of care would not be applicable anymore. However, it appears to be a utopian scenario given the current prevalent use of domesticated animals. Even if Western societies decided

### 9.3.3 CAMPAIGNING STRATEGIES AND TACTICS

The last of Francione's main arguments concerns campaigning strategies and tactics by all animal protection groups, but in particular those of welfare organisations and single-issue campaigns. He argues that single-issue campaigns or those that do not promote veganism as 'moral baseline' and as the ideal state we all ought to adopt (ideally immediately), are morally wrong because they hinder the eventual liberation of animals. They reinforce the status quo (*i.e.* that is morally acceptable to use animals) and soothe the conscience of the public, according to Francione. The latter is, for example, achieved by pointing to and resolving one particular issue that causes suffering (*e.g.* battery cages), while neglecting to inform the public that suffering is not just restricted to this one practice. It is also argued that those measures do not in fact reduce suffering and might even cause more suffering as they delay abolition. However, this empirical claim is not backed up by any evidence; and such evidence is probably impossible to obtain. All that might be available to those studying the effects of activism on society are trends and correlations, but rarely certainty of causation.

The variety of campaigns and media items covering animal issues, but also those promoting the consumption of animal products, the difference in media exposure of individuals, the existence of not just one but various audiences (on which media items will have different effects) and so forth, all complicate such research. One (limited) study on media impact on meat demand found a small but statistically significant hampering effect of increased media coverage on animal issues with regards to the demand for pork and poultry, but not beef (Tonsor and Olynk 2010).

No conclusive answers can be provided to the question of what kind of effect animal welfare campaigns have on the public. However, what appears obvious is that animal welfare campaigns (in some but not necessarily all cases) reduce current suffering of animals. A pig that is not confined to a gestation crate, or a hen that lives free-range or at least in an enriched cage compared to a battery cage, surely must have a better quality of life, even if the improvement is minimal. To then argue that those improvements should not be taken because they might delay an *uncertain* future abolition opens a whole new philosophical debate about the rights of current *versus* future generations.

However, the main problem remains that it cannot be conclusively shown that those measures indeed delay abolition. It is very likely an overstatement to argue that all animal welfare and many animal rights campaigns have such an effect. There might be particular strategies and tactics that are

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to stop breeding animals for food production, the problem of companion animal overpopulation and stray cats and dogs would most likely continue to exist as an issue that raises duty of care concerns.

less effective in reducing suffering, both now and in the long-term, or that somehow negatively impact on the movement; but it cannot be convincingly argued for the majority of activism. Assuming that some welfare campaigns reduce suffering and do not delay the cessation of animal use, supporters of abolitionism enter what Chiesa (2016:557) calls the 'abolitionist dilemma.' Either abolitionists care not only about future but also current suffering of animals, which would mean they ought to embrace animal welfare campaigns to some extent. Or they disregard current suffering and are willing to sacrifice the rights of current generations of animals for the aforementioned uncertain future abolition (Chiesa 2016:557–58). Other authors also criticise abolitionism for promoting a 'pure philosophical position,' while neglecting a moral obligation to take actions that reduce suffering, and for being politically and legally unrealistic (Favre 2005:236; Phelps 2007:286). Indeed, as abolitionism is an animal rights/deontological approach, it would constitute a moral tragedy to reject welfare reform (that reduces current suffering, and thus, encourages the realisation of the right not to have suffering inflicted) based on its potential consequence of hindering future reduction of suffering (*i.e.* future realisation of this right) (cf. Regan 2008).

Maybe it would be more sensible to see those campaigns as intermediate steps which are necessary for long-term change, some of which might be more useful and effective in driving change, than others. Other successful social change movements demonstrate just that (*e.g.* Davis 2014:315). For example, the emancipation of slaves in Britain and British colonies relied on several steps, beginning with a focus on the slave trade, then reform of slavery to an apprenticeship system, to abolishing this system, and eventually focusing on the international slave trade and other domestic oppression issues (Davis 2014:315). Also the British emancipation bill required a long time to be settled, and was eventually compromised (Davis 2014:262).

Abolitionists at that time might very well also have argued that those steps were wrongfully focusing on only one issue of slavery, or were only reinforcing the status quo by improving the conditions (because of the switch to an apprenticeship module). However, they were crucial to changing the structure of society, so that emancipation could become feasible. Nevertheless, emancipation did not result in an egalitarian society (Davis 2014:289–90) and much work needed to be done, and still needs to be done, to overcome racial inequalities and prejudice. Similarly, the abolition of animal use might not necessarily result in a species-egalitarian society, without species bias, in which animals are fully protected.

### **9.3 ON MORAL DUTIES AND INTERMEDIATE STEPS IN ANIMAL ACTIVISM**

Abolitionism has some interesting criticism to offer but its arguments cannot be generalised to the extent that Francione does. So far, weak points in his arguments have been raised that call the

abolitionist approach into question. This part of the chapter will discuss in more general terms on moral duties concerning campaigning, intermediate steps, and what ought to be done based on the earlier proposed proportionality approach. This section will be guided by the questions of whether a positive duty can be established regarding what one ought to campaign for, and how one ought to do this. These questions will not be fully answered. Instead, I would like to only raise a few thoughts, and conclude that any such attempt to provide complete answers would probably remain futile. Some general statements concerning one's duties as an activist were made in the interviews, and can also be found in the general animal ethics literature. These include for example:

- (a) One ought to engage in actions that help animals (interviews, p. 125).
- (b) One ought not to harm others in the process (interviews, p. 108-112).
- (c) One ought not to engage in actions that harm the animal protection movement and its goals (*e.g.* by creating negative publicity and a backlash for the movement) (*e.g.* Garner 2013:14; Francione 2015).
- (d) One ought to remove the gravest injustice first (Garner 2013:17–18).

The duty to help animals through campaigns is not a controversial one, as this is the very motivation driving activists in their work. The second duty above is also widely accepted as the majority of activists condemned violence on ethical grounds, and all of them opposed it based on strategic considerations. Both of those duties are also endorsed in the proportionality approach which seeks to minimise rights infringements and maximise the realisation of rights, of all involved parties. Hence, all non-violent campaigns that reduce suffering (*i.e.* minimise violation of a right to freedom from inflicted suffering) or prevent and reduce the killing of animals (*i.e.* realise the right to life) are *prima facie* permissible within this approach.

The third duty of not hindering the overall progress of the movement is a more complex question, especially when campaigns aimed at minimising specific rights violations are in conflict with the overall goal of total rights realisation. Other authors also argue, with regard to non-ideal theories, that removing one injustice should not impede the realisation of the end-goal ( Rawls 1999 [1971]:216–18; Garner 2013:14). As already argued, there is no conclusive evidence that a particular kind of campaign, strategy, and tactic hinder the progression of the ideal state. However, even if that could be demonstrated, it does not necessarily follow that not removing the smaller injustice in order to achieve the end-goal, is the best course of action.<sup>161</sup>

Let us consider a scenario where the population of a village is starving because of infrastructural and political insufficiencies. A group of activists has a small budget at its disposal to help those villagers.

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<sup>161</sup> This is particularly true as it is unlikely that individual campaigns alone will hinder the progress of a movement to the extent that it cannot realise its goals.

Either they buy and distribute food in the village (solution one) but have to accept that the villagers might starve again in the future; or they launch a (most likely arduous and uncertain) campaign that aims at overcoming these insufficiencies, helping future generations (solution two) but let current villagers starve to death. Activists in solution one might very well acknowledge the underlying systemic issues, but feel the urge to help the villagers immediately or do not feel capable of working to change political and infrastructural realities. Alternatively, they might have received their donations in order to implement solution one. As they were given the money for this particular purpose, a moral and potentially even legal obligation could be stipulated to not divert the money from its intended use.<sup>162</sup> To do so might also hinder their efforts to successfully call for donations later on. Alternatively, the donations could stem from donors with vested interests in the status quo, who might withdraw the money if the activists engaged in a more critical form of campaigning. Yet, if they did not take the donations, they would not be able to help at all. This scenario could be easily translated in various situations concerning animal issues and activism. The core of the problem with such activism is its moral tragedy; that any course of action in such situations is associated with *wrongs*, but also *rights*. It is difficult to find a straightforward solution to such dilemmas, but what should be clear is that the proportionality approach is better suited to take such contextual factors into account.

The last mentioned duty prescribes campaigning on the gravest injustices, as, for example, Garner (2013:17–18) stipulates. For him, the gravest injustice is the violation of the right not to suffer, which, however, gets him into muddy waters. It then needs to be decided what kind of species or what type of practice is causing the most suffering, in order to establish what to campaign on. There is some difficulty associated with establishing how much a being is suffering through particular practices, and in comparing that to others (although this is not necessarily impossible). For example, Garner (2013:57–58) states that a focus on companion animals might not be adequate as it is not necessarily furthering the cause (people will often have pets and also eat meat),<sup>163</sup> and because pet keeping is not necessarily associated with suffering.<sup>164</sup> Similarly, it could be argued that the current focus of animal rights groups on terrestrially farmed animals is misguided as fish are killed in much greater numbers. Yet, some issues might be more easily won than others, and if they do not hinder overall progress (if that can be established) it is difficult to see why they should not be pursued.

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<sup>162</sup> Indeed, the Humane Society of the United States was criticised for not spending enough of its money on sheltering animals (Cooney 2015:74–75).

<sup>163</sup> However, Garner also acknowledges that sometimes the concern for one's pets can then extend to other animals.

<sup>164</sup> On the other hand, research studies argue that especially children bonding with companion animals score higher on measures relating to empathy (e.g. Poresky 1990; Daly and Morton 2015). As also interviewees pointed out (see p. 89 *et seq.*), empathy is considered vital within animal protection for acknowledging animal sentience, and as a prerequisite to compassion and to ensuring proper treatment.

Furthermore, all suffering and all killing is morally charged, and society should work to reduce all of those, regardless of whether it is a dog in a family home, or a cow on a farm. To ban intensive farming practices and/or convince people to eat less meat does not necessarily impact on the situation of companion animals (in particular if they suffer because of their owners' ignorance about proper care). Thus, for those who value species equality, all suffering should matter.

### 9.3.1 MORAL DUTIES IN ANIMAL ACTIVISM BASED ON THE PROPORTIONALITY APPROACH

The principle of proportionality embraces a variety of welfare reforms and animal rights goals. Welfare reforms tend to pursue the reduction of suffering, which appeals to the claim to being free from inflicted suffering and pain. Animal rights campaigns speak to both postulated rights: the right to be free from inflicted death, and from inflicted suffering and pain. If a non-violent approach or campaign in some way contributes to an increased realisation of fundamental claims (*i.e.* lessens suffering, or the number of deaths), it is *prima facie* on a par morally speaking compared to other approaches or campaigns.<sup>165</sup> Even if it does potentially hinder progress, but also lessens the infringement of rights (*i.e.* being a moral tragedy), it remains difficult to establish moral superiority of one approach over the other, given context specific factors that have been discussed earlier. The proportionality approach also accommodates political, social, economic and human behaviour constraints that impact on campaigning strategies and tactics. Hence, it makes perfect sense for animal welfare groups not to campaign for a right to life, as they work with governments and industries. The framework acknowledges that it is unrealistic at this point in time to expect any of these stakeholders to implement such a right. Hence, for welfare groups to campaign on it might be considered a waste of money and time by many, and most likely would also be a diversion of donations from their intended use. Instead, campaigns might be justifiably pursued that seek meat reduction, as this would normally reduce suffering, and furthermore would help people to gradually change their habits, potentially making it easier for them to stop eating meat in the long term. Those steps might be considered non-ideal, but they are accommodated as the proportionality approach here proposed is a non-ideal theory.

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<sup>165</sup> One might argue that issues, causing greater numbers of animals suffering, might be more worthy of attention as compared to issues concerning less animals. This consideration might be valid, and no element of the principle of proportionality prescribes nor contradicts this argument. However, given context specific factors and matters discussed later in this chapter concerning activist recruitment and public appeal might speak against a focus on numbers and on one single issue only. Matters concerning greater numbers of animals might not be as easily changed as those involving fewer, depending on the kind of change one seeks. Moreover, on the one hand, widespread support and pressure from the majority of activists, focusing on one particular problem, might help to build enough pressure for achieving change. On the other hand, it can be considered not the best use of resources if all activists focus on the same issue, effectively duplicating each other's work (as also pointed out by interviewees).

Moreover, its acknowledgment of ethical vulnerability and moral corruption based on the nature of human behaviour (see chapter eight) adds more depth to judging actions. For example, my diet is approximately around 90% plant-based, and I make this choice for ethical reasons. However, 10% of the time, usually when I am invited elsewhere or eat out, I struggle to choose either just a salad or to not eat when no vegan options are available. Abolitionist theory is blind to those struggles, and sees no difference between my diet and that of somebody who does not choose his/her diet based on any ethical considerations. However, the proportionality approach accommodates those barriers. It does not claim that there are no wrongs associated with those 10% of my diet, but it appreciates the difference compared to eating ethically questionable products all the time. One constitutes a lesser infringement of rights than the other. It also means lesser harm to the animals overall, especially if a greater proportion of the population would eat primarily plant-based. Fortunately, animal advocacy groups realise those constraints and ethical differences. This is the case when they ask people to buy free-range instead of making ethically blind decisions about what products to choose; when they ask them to reduce their meat consumption; not to eat meat on Mondays; or to eat vegetarian, but ideally vegan.<sup>166</sup>

Intermediate or non-ideal steps are also important to social change, if we aim for a society that embraces developments, making it sustainable change. Otherwise, segments of society might rebel and resist, as is the case in Nordic countries (like Sweden) where hunting has become an act of resistance to imposed laws, and where rural populations celebrate the hunters (von Essen *et al.* 2014; von Essen and Hansen 2015; von Essen *et al.* 2015; von Essen 2017; von Essen and Allen 2017a, 2017b). At its worst, social change is forced upon society through revolution and war, which come at grave costs including the violation of fundamental human rights.

Lastly, I believe that we usually think of various human causes of similar worth or similarly laudable to pursue for activists. Campaigns aiming at equal pay for women, those working to end human trafficking, or those trying to help starving children, are all valuable in their own right; even if they do not clearly state that their campaigns aim at realising human rights to their fullest extent. I fail to see why one would then not consider campaigns aimed at reducing the plight of animals (although they cannot end it) as similarly valuable in their own right, either (cf. Garner 2013:90).

Establishing a moral duty to campaign on one particular issue should also be considered controversial, as we then need to factor in all issues that are worth campaigning for, such as human rights, or environmental issues. While we all have a duty not to harm others, establishing a duty to help others (*i.e.* a duty of assistance) in one particular way is more difficult. It also raises the

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<sup>166</sup> This is especially important, given that those willing to purchase 'humane' meat (*i.e.* those making choices based on ethical considerations) seem to be more willing to reduce their meat consumption and/or go vegetarian (Cooney 2014:36).

question of what lengths one need to go in order to help others, and what is considered beyond the 'call of duty.' The safest approach would most likely be one that does not prescribe how one ought to approach (animal) activism, only what one ought to not do; *i.e.* not harm the movement (acknowledging the difficulty of demonstrating such a consequence, and potential moral tragedies associated with this duty).

Assuming that somebody managed to provide a convincing account of the best approach to campaigning, and a moral duty to follow this approach (if one chooses to become an activist),<sup>167</sup> this might eventually matter little to campaigners. In other words, such an attempt is not bound to be widely implemented, given human nature and the varying opinions and concerns (that potential and current) recruits might hold, that motivate them to become advocates in the first place.

#### **9.4 A STRATEGIC JUSTIFICATION FOR CAMPAIGNS NOT AIMED AT THE IDEAL ETHICAL STATE**

Strategic questions cannot be divorced from their ethical dimensions. As an ideal theory of justice should be judged on its feasibility, similarly, effectiveness needs to play a role in activism, but needs to be limited by other moral considerations and values. Hence, a movement should be aiming to '*win over the hearts and minds*' of people (in the words of one interviewee), rather than imposing an ideal vision on others. For example, violent or military tactics could potentially be very successful in creating social change, but their effectiveness does not necessarily justify their use.<sup>168</sup> In this part of the chapter, I will argue that there are two main strategic (and inevitably also normative) problems associated with arguing that only one particular approach to animal activism is valid: the difficulty of appealing to (potential) recruits, and of appealing to different target audiences.

NGOs, advocacy, or activist groups need to appeal to a variety of people in order to form a successful movement, including potential and current recruits, supporters, target audiences, and other stakeholders. Indeed, Francione argues that the need to appeal to more than just the public, but also donating supporters, contributes to the ineffectiveness of animal groups. According to Francione, big animal organisations in particular will claim any success as victory (even when only a rather minor improvement) in order to continuously attract donations from supporters (*e.g.* Francione and Garner 2010; Francione 2015). The more donations they receive, the bigger groups get; eventually they will spend the donations primarily to keep the group up and running, rather than putting the majority of money into actual activism. I do not doubt that this could be indeed the

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<sup>167</sup> This discussion focuses on the duties of those who choose to become activists. Whether there is a duty to engage and work for social causes, *i.e.* become a campaigner, is a discussion beyond the scope of this thesis.

<sup>168</sup> Garner (2005a:161) also mentions that any activist's tactics in a democratic society should not impose a minority view on a disagreeing majority. However, some acts, such as civil disobedience, can in some cases be justified, if the public had been unaware of important issues.

case for some organisations, potentially even smaller groups.<sup>169,170</sup> Such criticism should give rise to serious reflection on the potential of restructuring charities and organisations to be more efficient.<sup>171</sup> However, to suggest that the solution is to only engage in grassroots activism, implying that we ought to let go of all formally set up groups (*e.g.* Francione 2015) is to throw out the baby with the bathwater.

Other successful movements have not been the result of grassroots mobilization only, but also of formally organised groups that engaged in more traditional forms of political action (Gamson 1990; Rootes 2013). For example, the feminist movement experienced conflicts between its older, more conservative and more formally organised, and its younger, more loosely arranged branch. However, as Freeman (2015:15–16) states, this complementarity eventually turned out to be a strength of the women’s movement. Similarly, British slave emancipation eventually resulted from more pragmatic political negotiations (Davis 2014:262), which were presumably led by people with experience in traditional approaches to advocacy. Moreover, Rootes (2013) argues that several local environmental campaigns (*e.g.* anti-airports campaigns) initially failed because those who were in decision-making positions were not local. Their concerns were heard once they could be taken beyond the local to the national level, with either the help of NGOs, or non-local allies, or by appealing to the national concern about the emerging global issue of climate change. Local opposition was necessary but not sufficient (Rootes 2013).

Hence, it should be safe to assume that a movement needs to mobilise a variety of stakeholders to be successful. More grassroots oriented advocates or groups will do important work on the ground, reaching out to the public. More formally organised groups often have access to important stakeholders in the industry or government, but also will rely on donations to keep up their work. Hence, managing to appeal to a variety of stakeholders needs to be included in discussions about the effectiveness of a movement.

#### **9.4.1 APPEALING TO (POTENTIAL) RECRUITS**

Let us first examine the potential problems that could arise concerning appealing to potential and current recruits, if it was decided that all animal groups, advocates, or activists should engage in only

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<sup>169</sup> For example, in 2016 the RSPCA (2016) spent the vast majority of its expenditures (£123.0m) on field animal welfare (including hospitals, the inspectorate and prosecutions; amounting to £81.4m), and a major part on raising funds (£22.3m). For other areas, such as campaigns, communication, publications; science, or education, expenditure did not exceed more than £3.0m in each. This might be interpreted by some as focusing on keeping the organisation running, and treating symptoms rather than root causes (such as a lack of education).

<sup>170</sup> While such criticism is often focused on big organisations, smaller groups, which are not registered as charities, are actually more difficult to evaluate, as they are not obliged to publish financial statements.

<sup>171</sup> Indeed, such criticism has led to evaluation and ranking of charities based on their transparency and efficiency, for example by the Animal Charity Evaluators (2018).

one particular approach to animal activism. This section here will also partially reflect on appealing to supporters for donations, assuming recruits and supporters already hold similar worldviews, and that both need a sense of success in order to keep working for, or donating to, a group.

At least three objections can be raised against the argument that only one approach to campaigning should be used. The first objection has already been discussed, concerning the difficulty to establish a positive duty on what (and how) one ought to campaign for. Two additional objections concern the fact that (a) people hold different opinions and concerns, and will not be recruited if those do not match; and that (b) people have different skills, which are better used in some campaigns than others.<sup>172</sup>

#### **(A) PEOPLE HOLD DIFFERENT OPINIONS AND CONCERNS**

As the interviews demonstrated, activists became part of animal protection organisations through a variety of pathways and concerns (p. 127). Some were initially engaged in animal-related studies or jobs; some were drawn in after having met other activists, or by being informed about particular issues (*e.g.* animal experimentation) and then kept on learning more about other animal rights infringements. Moreover, some campaigners indicated that, despite their acknowledgment of the importance and severity of a wide range of issues, they were particularly passionate about specific areas. It seems unlikely that all those activists could be compelled by one approach only, as the interviews demonstrated. To prescribe just one approach might take away the very passion that motivated activists to engage in the first place. On the other hand, it could be a natural reaction to reject new approaches, as they indirectly raise a criticism of one's strategies and tactics to date (compare to the earlier discussion on the psychological immune system in chapter eight). Hence, the very act of prescribing that one ought to do one thing over another risks alienating a portion of any population (also Jasper and Nelkin 1992:154–55). Having said all that, it needs to be reiterated that no one approach is likely to be free of criticism in any case.

Moreover, apart from engaging existing campaigners, any activist group needs to attract new recruits simply in order to get the work done. Some interviewees pointed to the difficulty of recruitment; and one indeed argued that the movement is not successful, not because of the way activists campaign, but because it fails to attract more recruits. A wide array of academic literature on engagement and recruitment for social causes, also highlight the difficulty and elements that eventually enable recruitment. Most commonly mentioned are biographical availability,<sup>173</sup>

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<sup>172</sup> The abolitionist approach fails with respect to all three issues.

<sup>173</sup> Biographically availability depends on one's constraints and responsibilities in daily life, related to work, family, friends and so forth (McAdam 2015:73). However, someone who is sympathetic to the cause but not biographically available, could become a supporter (if the means are given).

ideological compatibility (*i.e.* matching activism frames and identities), and social network ties (Goodwin and Jasper 2015:54; McAdam 2015:72; Viterna 2015:85).

Social network ties have been emphasised as the most important factor for successful recruitment (McAdam and Paulsen 1993:644; Goodwin and Jasper 2015:54; McAdam 2015:72; Viterna 2015:85).

This is especially the case as attitude changes depend on sender credibility (Aronson *et al.* 1963; Druckman 2001:1059) (which might be higher if close social ties are established) and social pressure (Whittaker and Meade 1967) (exerted through close relationships). Indeed, here abolitionism could fare well with its focus on grassroots education, as it puts emphasis on individual, local interactions.

However, personal contacts are also effective because they allow alignment of the messages or frames with the target audience, and achieve a common definition of a social problem that resonates with the views and experience of the target (Goodwin and Jasper 2015:55). Hence, abolitionism might fare worse as it allows for little deviation of its message and adopts a rigid approach (potentially making senders less likeable) (Moskowitz 1996; Cooney 2011:125, 147).

The communicated frames are important as they are a way to organize issues so that they appeal to potential recruits and/or the broader public (Mika 2006:915; Goodwin and Jasper 2015:6). Frames also help to create or emphasise a collective identity, which keeps people engaged in the movement (Goodwin and Jasper 2015:102). In order to be effective, frames targeted at recruits need to activate or create a collective identity, which ideally already resonates with a highly salient identity (*e.g.* as a Christian, feminist, *etc.*) (McAdam and Paulsen 1993:658). To identify those identities and appropriate frames, however, is difficult enough and would be even more so if only one approach were identified as legitimate. Indeed, Viterna (2015:84) states that the same frames that promote mobilisation in one part of the population can inhibit it in another (Jasper and Nelkin 1992; Connelly and Knuth 1998; Mika 2006; Goodwin and Jasper 2015).

One example of a highly successful frame was the slogan of Occupy Wall Street ('We are the 99%') which attracted very different parts of the population (Milkma *et al.* 2015:31). A broad array of concerns brought them to contribute to the campaign, as its lack of specificity allowed them to interpret their own concerns into it (Milkma *et al.* 2015:32, 37, 41). However, the question remains of what the campaign really has achieved in the long run, other than igniting a wider public discussion around social inequalities. Groups might then decide to emphasize a more exclusive identity in order to be more politically effective.

The more radical branch in the feminist movement seems to have experienced these issues too. Whittier (2015:119–21) reports those developments within the feminist movement with regards to one branch holding a more narrow conception of feminist activism, which it eventually abandoned, once its alienating effects on people were realised. Goodwin and Jasper (2015:344) also point out

that narrow identities might weaken the movement later, as these ignore important differences between its participants.

#### **(B) PEOPLE HOLD DIFFERENT SKILLS**

One further concern regarding recruitment revolves around the skills different people bring into the movement. Activists are motivated to engage and stay engaged in particular activities if they are associated with a strong sense of efficacy and with having an impact (McAdam and Paulsen 1993:644–45; Hirsch 2015:106).<sup>174</sup> It seems reasonable to assume that some people will fare better in vegan outreach than others; while others are more skilled in, for instance, political lobbying. Some activists might feel more comfortable engaging behind the scenes, by writing articles, reports or informative material, rather than working in more outwards-facing ways, such as trying to educate members of the public. Not necessarily everyone feels comfortable engaging in vegan grassroots education. Not everyone necessarily will be effective in convincing others to switch to a vegan diet. Moreover, it is likely that the rate at which one is able to convince others to become vegan is rather low, meaning that one's feeling of impact and success might be low too, at least after some time. Hence, abolitionism might risk failing to attract many supporters because of its narrow conception of what one ought to do, both in terms of one's individual behaviour and one's advocacy/activism. While it might be successful in mobilising a small population of dedicated activists, and moral idealists, they are less likely to appeal to the wider population. Hence, there is also an argument to be made that the abolitionist approach, or any approach trying to establish itself as superior to others, could harm the movement as it alienates potential recruits, and the wider public.

#### **9.4.2 APPEALING TO THE WIDER PUBLIC**

Similar considerations to those that apply to recruiting activists, are also relevant to attracting public support. One frame or message that might appeal to and evoke support in one part of a population, can have the opposite effect in another (Jasper and Nelkin 1992:43; Mika 2006:938; Goodwin and Jasper 2015:55, 213; Viterna 2015:84). Any movement aiming for change faces this dilemma, which grows bigger the more fundamental the demanded change becomes. As Kurzman (2015:79) argues: groups either need to 'water down their message to attract popular support or maintain a pure vision and mobilize a relatively small cadre.' Activism is accompanied by various such dilemmas, as goals and actions need to become less coherent, the more a group expands. Moreover, organisations need to decide whether to reaffirm their collective identity, or fulfil their goal of reaching out to a wider public (Jasper and Nelkin 1992:43). Reaching out to those who are already

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<sup>174</sup> Also see interview results, p. 127.

part of a movement or sympathetic to it needs a different approach than aiming for the uninitiated (Mika 2006:939).

Messages and demands by any social change movement are more likely to succeed in attracting large numbers of people if they resonate with widely held beliefs, concerns, and salient identities (Goodwin and Jasper 2015:12). This activist dilemma also extends to dealings with the media. The presentation of problems and proposed solutions needs to be pitched according to the audience, in order to be discussed within the media (Clifford 2015; Ron *et al.* 2015:322–23), and to find public support. The more widely accessible and appealing a message or demand of social change groups, the easier it is to get publicity for a cause, and to effect change (Jacobsson and Lindblom 2012:45). A society that values, for example, democracy, will be more open to change with regards to practices, where this ideal has not been achieved yet.

Jacobsson and Lindblom (2012:45) also point out that, if a movement fails to ‘translate and externalize their ideals into norms,’ and breaches key societal norms, they will be perceived as norm transgressors and will not receive widespread support. The authors also describe the activist’s dilemma in terms of purity *versus* pragmatism. In order to be successful, they need to downplay the importance of their norm breaking, which might conflict with their ideals. If they fail to do so, they will be considered as deviant and alienating towards the public (Jacobsson and Lindblom 2012:47). While welfare groups in particular excel at externalising their norms (to an extent, some might consider too much), groups at the other end of the spectrum, *i.e.* abolitionists, fail to do so. To point out that animals ought not to suffer unnecessarily is widely accepted.<sup>175</sup> In contrast, to say that we ought not to use animals for our purposes, be it food, clothes, or drugs, means breaking societal norms. Some norm breaking seems inevitable if a movement wants to effect change, rather than just sanctioning the status quo. However, its transgression of norms needs to be balanced, for the sake of winning over new recruits and public supporters and advocates.

The example of the Plowshares in Sweden, an anti-violence, war, and weapon group, demonstrates how radical groups can run the risk of failing and slowly erasing themselves. Jacobsson and Lindblom (2012:56) report that the group’s activities decreased, until they reached a state of terminal crisis, mainly because they failed to generalise their ideals for the wider public. Furthermore, their concern with purity led them to focus on the group itself, rather than being outward reaching. One interviewee in this study also explained that the decrease of activities of radical groups, like the ALF, was due to their resistance to welcoming new recruits. Furthermore, the Plowshares’ messages did not appeal to nor engage audiences, as their meaning was construed by the activists, rather than

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<sup>175</sup> This is reflected in animal welfare laws in many states, and in animal ethics literature, where it is generally (and reasonably) assumed that many people grant animals some moral standing (Garner 2005a:84, 2005b:3; Sunstein 2005:4; Cochrane 2012:1, 21; Fisher 2014:646).

negotiated with the public (Jacobsson and Lindblom 2012:56). This also seems consistent with anecdotes provided in the interviews in this thesis. In particular animal welfare campaigners criticised the lack of genuine negotiation on the side of animal rights advocates.

#### **9.4.2.1 HUMAN BEHAVIOUR AND HUMAN BEHAVIOUR CHANGE**

However, even if a movement and its more radical groups succeed in winning over public support, it is no guarantee that behaviour change will follow. The moral case alone is often not enough, in particular if it conflicts with human interests (Garner 2005a:165). Some academic literature on the value-action gap has been reviewed and discussed in chapter eight, and will not be reiterated here. However, it might be important to point out again, that even if certain values do not conflict with human interests, and would indeed be in our interest, behaviour is not solely decided based on an economic cost-benefit analysis. Environmentally friendly behaviour could be considered to be in the interest of society and individuals. However, individual recycling behaviour can be better predicted by the convenience factor, rather than by eco-conscious attitudes. Even potential health risks do not necessarily influence motivation to change behaviour (Marteau and Lerman 2001).

There is no clear manual on changing human behaviour, but previously mentioned factors important for successful recruitment might also play a role in behaviour change. Those could include convenience (rather than biographical availability), a social network already engaged in the desired behaviour (*i.e.* prevalent social norms), and tapping into salient identities (*i.e.* pre-existing values). This means that any movement might need to consider tapping into existing networks and identities, rather than trying to create new ones. This has also been suggested elsewhere with regards to aiming for support from social groupings and ideological traditions, such as religious circles (Garner 2005a:165; Mika 2006:929). Garner (2005a:164) also suggests that, based on the history of social reform, attracting wide public support is insufficient; instead ideas become more successful if associated with social groupings.

All that, however, does not imply that every group in the animal protection movement should aim to translate and externalise their ideals, at the expense of a tight collective identity. While it certainly should be happening to some extent within the movement, many of the aforementioned reasons can be similarly applied to argue that a group seeking a tight collective identity and a more radical approach would be right to do so. This might be the case because a duty to campaign in one particular way cannot be established, or because the more radical collective identity encourages those activists' engagement in the first place. Moreover, there might be a substantial advantage (but also potential disadvantage) associated with the existence of more radical alongside more mainstream groups: polarization.

### 9.4.3 THE ADVANTAGE (AND DISADVANTAGE) OF POLARIZATION

Besides the importance of a variety of existing organisations and groupings in order to reach out and appeal to different audiences, polarization can be both benefit and curse to a movement. From the viewpoint of more radical groups, the system is dysfunctional, and hence, fundamental demands and disruptive activities are believed to be more effective than compromising with targets (Derville 2005:529). Instead of restraining resentments and having to cope with compromised (and potentially disappointing) results, heated discourse and confrontational tactics convey a feeling of empowerment and increase collective identity – even if no actual aims are achieved (Derville 2005:530–31; Hirsch 2015). Hence, a radical group’s primary target audience can be considered its own members, with its activities aimed at enhancing their collective identity and providing a sense of fulfilment and impact. Their controversial approaches can to some extent spark public attention, the attention of their opponents, and can potentially discourage supporters of their opponents (Derville 2005:523). Moreover, undercover activities might cause extra costs for the industry, as it responds by sharpening security, and as share prices fall due to uncovered information and reputational damage (Garner 2005a:159–60). Radical organisations might also receive greater popular support if governments or industry react with ‘crushing force’ to the perceived threat (Klumpp 1973; Derville 2005:531). The positive effects of public attention and potentially even support, however, might only occur if alienation caused by disruptive activities is kept to a minimum. In particular, violent occurrences tend to garner media attention. Yet, the attention will then focus on the violence rather the cause, and the public becomes less likely to take the activists’ demands seriously.<sup>176</sup> The public might then also rather support a government or industry that reacts with force to stop such activities, instead of siding with the norm breakers (Derville 2005:531).<sup>177</sup> Some disruptive activities and (seemingly) unreasonable demands on behalf of radical organisations might reflect negatively on the movement, and could potentially also affect the work of its moderate branch. As interviewees reported, organisations usually have to distance themselves from radical groups in order to be heard by important stakeholders (pp. 104-112). However, the existence of more controversial branches might be the reason that stakeholders will listen to moderates in the

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<sup>176</sup> The media might focus on controversial and angry confrontations between protesters and supporters, rather than the actual cause, even if no overt violence occurs. This was for example the case with regards to protests against a competitive pigeon shoot event in Pennsylvania. Initially the protestors received little public support, until they adopted a new form of peaceful civil disobedience, in 1996 (Dillard 2002:55). Afterwards, the activists did not appear at the shootings anymore, but pursued cruelty cases in court and lobbied for changes in legislation. The shooting stopped in 1999, after ten years of protest (Dillard 2002:60). This is also another important example of how legislative change needs to accompany awareness-raising tactics for long-term success (cf. Garner 1993:188).

<sup>177</sup> This point has also been raised in the interviews, p. 111.

first place. Radical organisations redefine moderate positions by moving the ends of the spectrum. They create a niche for moderate voices, that is more likely to be respected by stakeholders such as government, policy makers and the industry (Munro 2005:81). This so called ‘radical flank effect’ (Haines 1984:32; Munro 2005:81; Goodwin and Jasper 2015:380) can either be positive or negative. Negative effects could entail tainting the moderates with the same brush as the radicals<sup>178</sup> (Munro 2005:81); undermining general public tolerance for the campaigns; portraying demands as undesirable; and leading to suppression of the whole movement by authorities (Goodwin and Jasper 2015:380). The positive flank effect, however, describes the strengthening of moderate positions through radical activities, helping moderates to be considered reasonable, with authorities granting them concessions or power (to effectively undermine the radicals) (Jasper and Nelkin 1992:173; Derville 2005:531–32; Goodwin and Jasper 2015:380). This happened, according to Munro (2005:81), in the US Congress in response to protest by PETA.<sup>179</sup>

Moreover, radical groups enable or force mainstream organisations to react to issues they used to ignore (Derville 2005:531) (either for strategic reasons, failure to consider the ethical problems raised by an issue, or simple ignorance of its existence), by creating a perception of crisis and focusing public attention on a set of issues (Derville 2005:523; Goodwin and Jasper 2015:380). For example, Jasper and Nelkin (1992:61–62) argue that pressure from the radical animal protection movement led welfare groups to campaign in favour of legislation banning the use of pound animals in research in the 1970s. Conversely, they pressure their targets to work and compromise with moderate activists (Derville 2005:531).<sup>180</sup> It has also been referred to as the ‘good cop, bad cop’ strategy, when animal welfare groups can get their foot in the door because of animal rights pressure (Derville 2005:531; Cooney 2011:145).

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<sup>178</sup> This was the case in the media’s reaction to peaceful protest against live animal export in the UK in the 1990s (Munro 2005:81).

<sup>179</sup> More specifically, Munro (2005:81) describes that amendments to the Animal Welfare Act in 1985 passed because protest from PETA shed a more positive light on moderate organisations (as offering better solutions), helping them to successfully negotiate with US Congress.

<sup>180</sup> Abolitionists argue that animal welfare organisations should not engage in their work as it would further justify the status quo and make animal exploitation more efficient (*e.g.* Francione 1996, 2015). However, government and industry are likely to make animal welfare concessions (rather than making animal rights concessions) to animal rights pressure, whether or not they are developed with the help of animal welfare groups. At least, animal welfare organisations can be assumed to have a more genuine interest in animal wellbeing than industrial stakeholders who might be morally corrupted by vested interests. Hence, compromises developed in association with welfare activists might still be better overall, than solutions that are presented by industry stakeholders only. Foer (2010:73) also points out that animal rights groups like PETA have achieved welfare rather than rights goals, for instance, by managing to have fewer animals per cage introduced, less cramped transport, or better-regulated slaughter. Companies also sometimes change their welfare standards quietly, so as not to be targeted by PETA campaigns, that would give rise to negative publicity (Foer 2010:71).

Polarization is sometimes viewed as unfavourable because of its potential negative effects on the success of the movement, but also because of its impact on people within the movement. For example, Hirsch (2015:106) notes that 'each side sees the battle in black and white terms' (which has also been pointed out by interviewees, p. 137), and develops distrust and anger towards opponents, who might even be members of the movement. Polarization then can make compromise and negotiation less likely and original goals might be lost from sight, according to Hirsch (also Jasper and Nelkin 1992:174, 176). While the affirmation of collective identity and consciousness-raising are important for any movement, too rigid and exclusive group boundaries also cause a loss of supporters (Hirsch 2015:106), and might be an indicator of a movement in decline (Whittier 2015). Both radical and moderate groups are important to success in a movement. The former branch can be crucial to raising awareness, building pressure, and – as is the case with abolitionism – scrutinising the *modus operandi* of current groups. However, radical activists should also be wary of their potential negative effects on the movement. Moreover, even if their tactics do not overtly alienate the public or other potential stakeholders, it needs to be acknowledged that fundamental change does not occur overnight, that legislative change is also needed, and that it will not happen based on public pressure alone (Garner 2005a:160). Moderate organisations, in comparison, are able to work on some achievable change, as a result of the pressure from radical flanks. Both branches, radical and moderate, within a movement, need to balance the positive against the negative impacts of polarization. Achieving an – almost cooperative – positive polarization could make their co-existence highly strategic, and potentially more successful than having a moderate-only or radical-only approach.

## **9.5 SUGGESTIONS FOR FUTURE DIRECTIONS**

In the last part of this chapter, I would like to propose a few important strategic and tactical considerations that the animal protection movement could take on board to increase its future success. Some of these should have become apparent in the previous discussion about the difficulties of appealing to various audiences, and possible benefits of polarization. As pointed out earlier, the success of any social change movement lies in its ability to translate and externalize its messages, to adapt and integrate them into existing societal norms. What is easily stated, however, is far more complicated to implement in practice. This is particularly the case as movements might benefit from groups that support an idealised norm, and only the idealised norm. The big problem within the animal rights *versus* welfare debate in my opinion, however, is that, while polarization successfully strengthened collective identities, it has also effectively caused barriers to negotiation and compromise. What some animal activists need to learn is that the adoption of various

approaches is more likely to eventually further the cause, rather than just one. They might also need to learn to say, as best put by one interviewee: *'That's right for you to do it that way, this is right for me to do it this way. You do it your way, I'll do it my way. Let's not criticise each other, let's have dialogue but let's not criticise each other, especially not publicly.'*

### **9.5.1 ANIMAL WELFARE LIMITATIONS**

For animal welfare organisations, this might mean being more supportive of vegetarian or vegan campaigns, and clear opposition to intensive farming practices. Even if one does not agree with species equality, changing our diets seems a moral requirement and a necessity for the wellbeing of current and future generations, given the abundant animal welfare, environmental, health, and human rights issues associated with intensive farming. Many of these problems would be effectively addressed if the majority of the human population adopted a(n) (almost) vegetarian or vegan diet. However, animal welfare organisations might rightly state that vegetarian and vegan education campaigns are outside their remit.

Furthermore, while welfare organisations sometimes get media publicity and hence raise awareness for certain issues, they need to be aware that this sort of consciousness-raising is probably not enough. Once their proposed solutions are implemented, the public has little reason to pay further attention to animal issues. For a more fundamental change in terms of public opinion and how society treats animals, welfare reform alone is unlikely to suffice. This is particularly the case as welfare groups working with industry and organisations probably seek less public engagement, and hence, lack the necessary social ties to spread their messages and change popular attitudes.<sup>181</sup> Welfare organisations also need to be wary of pitching their campaigns towards the industry or government in terms of more efficient industrial practices. A knock-on or spillover effect from one campaign to other animal issues, and raising awareness more generally, is less likely to occur if the campaign appeals to financial or other anthropocentric motivators, rather than genuine concern for animal welfare (Thøgersen and Crompton 2009).

Lastly, welfare reform overall might have little impact on other factors influencing behaviour, such as convenience. Animal welfare friendlier products are often more expensive than their less welfare friendly counterparts. Another example includes eating out in restaurants, where people might feel uncomfortable asking for welfare friendly or plant-based food, if these are not clearly designated. These aspects could be pursued more strongly by welfare organisations. Nevertheless, as long as a

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<sup>181</sup> In contrast, welfare organisations working to improve the treatment of animals within communities, following a cooperative approach, seem to be fairly successful in achieving attitudinal change.

welfare group aims to reduce suffering and does so successfully, it constitutes an important contribution to reducing the infringement of the right to not have suffering inflicted.

### 9.5.2 ANIMAL RIGHTS LIMITATIONS

For animal rights organisations, greater acceptance of other approaches might mean being more welcoming of welfare reform. Rights interviewees already demonstrated a greater appreciation of welfare approaches, compared to welfare campaigners who were more critical of animal rights groups. Animal rights interviewees considered most measures aiming at the reduction of suffering as worthwhile. If they were concerned about activities of welfare groups, it mostly related to specific groups or campaigns.

Furthermore, animal rights groups might be able to learn from the local outreach methods of welfare activists who aim to improve animal welfare within communities. While animal rights groups tend to be more focused on reaching out to the public, the interviews conveyed the impression that local outreach was decreasing at the expense of stronger national campaigns, in particular awareness-raising/advertising campaigns (cf. Kotler and Zaltman 1971:5). While national campaigns, aiming at nationwide awareness raising, can surely inspire public debate and can be the first step towards behaviour change, they are also severely limited, for several reasons.

Firstly, behaviour change is most likely dependent on several factors and a more continuous exposure to the issues. Hence, Kotler and Zaltman (1971:6) suggest a stepdown communication process for social marketing campaigns<sup>182</sup> in which national media communications are supplemented by other means, such as local or face-to-face engagement. The message is then discussed in a more familiar setting, tapping into social ties and increasing its likelihood of influencing behaviour change. The previously suggested affiliation to other social groupings indeed seems a promising approach, as it means utilising existing social networks for local engagement. Moreover, the more cross-cutting ties exist, the less incompatible or contradictory the different identities, ideas, values or interests between different groups will be; and disagreements will appear to be more easily resolvable through dialogue and compromise (Lalich 2015:131).

Secondly, in the case of mass media communications, public debate might be stimulated, but this does not necessarily influence the direction of debate (Maibach 1993:219), and the mass media also conveys 'counter-propaganda,' as it has been put (Kotler and Zaltman 1971:5–6; Garner 2005b:69).

Thirdly, national campaigns are more likely to adopt a top-down approach, focusing on the message and the behaviour that people ought to adopt. This is criticised by some authors, like Maibach

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<sup>182</sup> Kotler and Zaltman (1971:5) define social marketing as 'the design, implementation, and control of programs calculated to influence the acceptability of social ideas and involving considerations of product planning, pricing, communication, distribution, and marketing research.'

(1993:210–11) or Brulle (2010), who argue that many campaigns focus on selling their message, rather than on the target audience's orientation and enticing dialogue and discussion, making them less effective. The authors suggests using a bottom-up approach, for example through pro-social communication strategies and tools that include developing trust, answering questions, empowering local populations, and developing mutually acceptable solutions (Maibach 1993:210). However, the absolutist rhetorical style of some animal rights activists (cf. Jasper and Nelkin 1992:3), in particular abolitionists like Francione, can also discourage a bottom-up approach, *i.e.* inhibit discussion and negotiation. Animal rights activists should be aware that seemingly powerful rhetoric, for example comparing animal suffering with the holocaust, might positively inspire those who already are sympathetic to animal rights. Other audiences, however, will react to such metaphors rather vehemently, as they might be considered to 'dangerously defy accepted categories' (Jasper and Nelkin 1992:7).

Besides the communication elements of a campaign, other factors should also be considered. In particular, convenience plays a crucial role in determining whether people will engage in certain behaviours or not. The current focus on awareness-raising alone might frustrate and alienate potentially sympathetic members of the public, who experience an interest overkill through saturation campaigns but lack channels to engage in the desired behaviours (Kotler and Zaltman 1971:9). Hence, the promoted cause needs to be made desirable for the 'consumers,' while also being accompanied by various tangible 'products and services', ideally at a low 'price' (including monetary, opportunity, energy and psychological costs) (Kotler and Zaltman 1971:9). Price is particularly important, given the previously discussed discrepancy between values and actual behaviour, that might be influenced by such factors. Raising awareness alone is not enough (cf. Singer 1998:185–86)

### **9.5.3 PRACTICAL ADVICE**

Given the considerations above, three strategies will be proposed in the following that ought to be given greater prominence, if the animal advocacy movement is to be as successful as possible.

#### **(A) PROMOTING VEGANISM BUT NOT ONLY VEGANISM**

Promoting veganism is an important tool for long-term sustainable social change with regards to the treatment of animals. However, this also applies to vegetarianism and reducetarianism, and even more so as several people reducing their consumption of animal products probably has more impact than one person adopting a plant-based lifestyle (Ball 2015). Indeed, if reduction or vegetarianism is considered a significant stepping stone towards veganism, their promotion implies furthering the

vegan cause. Widely known activists like Nick Cooney, Melanie Joy, Tobias Leenart, or Matt Ball speak out in favour of the reductionist paradigm, rather than the all-or-nothing approach, given the many barriers that keep people from changing. This makes sense, given that veganism is viewed as more difficult than vegetarianism and that 51% of non-vegetarians in a marketing study were open to reducing their meat consumption (Ball 2015).

However, in order to actually encourage better behaviour, more needs to be done in terms of convenience and building channels for ethical behaviour. For example, the Eating Better campaign surveyed seventeen retailers, and could only identify 17 sandwiches out of 620 as plant-based (O'Neill 2015). Such a restricted selection is likely to quickly become boring to anyone who relies on these retailers for lunch options. Vegan options for cakes and pastries at cafes might be even more limited. Hence, the Humane League Labs<sup>183</sup> advise activists to encourage people to remove all animal products other than dairy first, as milk products are the most difficult to avoid for people (see Ball 2015).

Convenience is important in several ways, as pointed out by Wellesley *et al.* (2015). Structural factors not only make vegetarianism and veganism difficult, but they effectively support meat consumption, in terms of cost and ease of access. Secondly, cooking skills, time allotted to cooking, and awareness of food production have all decreased with the rise of convenience food, (Dibb and Fitzpatrick 2014; Wellesley *et al.* 2015). This combination of factors poses strong barriers to adopting a plant-based diet (cf. Cooney 2014). Hence, increasing the availability and affordability of plant-based products seems paramount, which would make it easier for people to choose better options. This could mean campaigns aimed at improving plant-based selections in a variety of outlets, but in particular, in chains that are heavily frequented by customers. This should be accompanied by so-called 'nudges,' which can have a significant impact on consumers to make better or worse choices. There is no neutral design, as Thaler and Sunstein (2009:3) explain. Retailers encourage or nudge people to buy sweets while queuing at the till, or to buy duty-free alcohol while waiting for their plane (Wellesley *et al.* 2015). A similar approach could be adopted to channel better behaviour as part of a bigger social change.

At the same time, however, vegan or vegetarian food labels had a negative impact on food perception (Ball 2015; Crawford 2015). While labels are important for concerned and sympathetic consumers to make better choices, it might be better to use less prominent labelling techniques, and to use the word 'plant-based' rather than 'vegan' (Crawford 2015). Additionally, free food samples might aid in changing perceptions of plant-based foods (Ball 2015) and Meatless Mondays could help

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<sup>183</sup> Humane League Labs (2018) are a non-profit organisation dedicated to informing on advocacy strategies and their effectiveness, based on research.

to reduce conscious or unconscious aversions to vegetarian and vegan meals. Kim *et al.* (2015:4) states that reducing meat only one day a week is unlikely to suffice in terms of climate change (*i.e.* avoiding a rise of temperature over 2° C). However, it might be an important first step towards an urgently needed dietary change, and as such could be an effective tool to reduce consumption (cf. Ball 2015).

### **(B) CONSUMER CHANGE IS IMPORTANT, BUT SO IS LOBBYING**

While legislation, legal actions and political lobbying surely cannot resolve all problems, they remain an important tool for long-term, sustainable change, alongside the consumer strategy. As Garner (1993:188) points out to those who disagree: ‘how many people would wear seat belts or crash helmets – an issue, remember, involving self-interest and not the altruism required in the case we are discussing – if it were legal not to do so.’

However, potentially more important changes than banning or imposing certain practices through legislation, concern, for example taxation or subsidies. The higher prices of plant-based compared to animal products can sometimes be explained based on those issues. In Germany and Austria, for instance, animal milk is taxed less than milk alternatives.<sup>184</sup> Subsidies also play an important role, particularly with regards to animal agriculture. 40% of the entire EU budget is used for agricultural and fishery subsidies, according to Vinnari and Tapio (2012). Chemnitz and Becheva (2014) also report on substantial government subsidies for animal products, for example up to 40% of the costs for new animal housing (Chemnitz and Becheva 2014:21). Animal protection organisations could potentially positively intervene where subsidies promote intensification and welfare-unfriendly practices. Moreover, they could pursue a more open and transparent policy-making process with stakeholders, to reduce adverse influence of vested interests. The British anti-vivisection groups’ move to challenge secrecy around animal experimentation might be a profitable approach in this regard, as Garner (2013:139) remarks.

### **(C) DO NOT TREAT PEOPLE AS PASSIVE RECIPIENTS, BUT AS MORAL AGENTS AND ACTORS**

Lastly, the animal protection movement might benefit from social marketing strategies that utilise a bottom-up-approach (as briefly discussed earlier). This means empowering the public as moral agents and actors to make positive changes in their lives and in society (however small they are initially), rather than trying to indoctrinate them with what a group of activists thinks is right. Ryan

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<sup>184</sup> Animal milk is considered a basic food item and hence, taxed at 10% in Austria and 7% in Germany; while alternatives to milk are considered beverages in Austria, and luxury food items in Germany, and hence, taxed at 20% and 19% respectively (Klapp n.d.; Vegane Gesellschaft Österreich 2015).

and Gamson (2015:141)<sup>185</sup> correctly point out that people cannot be transformed. They need to transform themselves ‘through reflection, critique, dialogue, and the development of relationships and infrastructure,’ which constitutes a major reframing effort. Radical groups, like abolitionists, contribute important input to those reflections and discussions. Presenting the ideal vision of how things ought to be, alongside realistic alternatives, is important in attempts to work together and in solving problems collectively (Singer 1998:188 *et seq.*). A participatory communication model (Ryan and Gamson 2015:139) is needed for widely acceptable solutions and policies to be developed. The earlier proposed proportionality approach should be based on such a model, as it ought to invite different viewpoints and concerns into a discussion. Such an approach is also required for democratic reasons (Jasper and Nelkin 1992:176) and for successful, sustainable social change.

## 9.6 CONCLUSION

This chapter aimed at achieving three objectives. Firstly, it rejected the abolitionist position as the only valid approach to campaigning, but has established it as one important contribution amongst several. Francione’s abolitionist position and critique highlights important issues concerning campaigning strategies and tactics, and also moral issues. It identifies the property status of animals as a strong barrier to better treatment, and it is surely right in doing so, but the property status is not the only barrier. Moreover, Francione makes some largely unfounded claims about the lack of success of animal protection groups, and about welfare and single-issue campaigns hindering the progress of the movement.

Even if it could be conclusively demonstrated that a particular kind of intervention is impeding greater social change, not helping current generations of animals in order to achieve an uncertain better future for others, would constitute a moral tragedy. Either way, rights and wrongs occur. Moreover, not everybody in animal protection is necessarily working for the same idealized vision of social change. Establishing a duty to campaign in one particular way, is at best a rather difficult task. Beside the moral complications of arguing in favour of one approach only, strategic considerations are no less important to this discussion. Social movements need to be able to appeal to a variety of audiences, such as (potential) recruits, the wider public, and stakeholders, including governments or industry. Its success depends on translating and externalizing its messages, so they can be incorporated into and transform existing social norms. As each mentioned target audience consists

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<sup>185</sup> Ryan and Gamson (2015:139) differentiate social marketing models (treating audiences as voting individuals) from participatory communication models (treating audiences as collective actors who interact). However, I do believe a combination of the two is possible. The problem with many social marketing models is that they use a top-down approach, which is what Ryan and Gamson (2015) criticise. Social marketing campaigns can, however, also adopt a bottom-up approach (see Kotler and Zaltman 1971; Maibach 1993).

of specific identities, no one message will appeal to all (cf. Cooney 2011:172). Diverse organisations communicating a variety of solutions are more likely to be able to speak to a greater part of the population. Consequent polarization within a movement consisting of diverse groups is inevitable, but can further the cause, as it can strengthen collective identities, expand the spectrum of positions and alter what people consider moderate, and put pressure on moderate organisations and stakeholders. These positive effects, however, will only occur if radical groups manage to avoid alienating themselves from the rest of the movement, and the public.

Social marketing and participatory communication models combined might eventually be best suited to bring about the desired social change. National awareness raising is important, but it needs to be accompanied by structural improvements, and by further reflection and discussion on a local level. No one group would be able to accomplish all of these different steps. Therefore, the necessary co-operation between radical and moderate branches could be based on their similar – although not necessarily identical – moral sentiments. However, competition over resources (*i.e.* supporters) (Jasper and Nelkin 1992:69) is often a barrier to such cooperation – a problem that is beyond the scope of this thesis.

## CHAPTER 10: CONCLUSION

Social change movements can become divided into moderate and more radical branches, which question each other's values and approaches (*e.g.* Davis 2014; Whittier 2015); the animal protection movement is no exception. Those disagreements raise important questions about the morally correct and most strategically effective approach. In animal protection, this has been subsumed under the term 'the animal rights *versus* welfare debate.' In particular, the abolitionist position has fuelled this debate in recent decades, claiming that there is one morally superior and more effective approach to animal advocacy, and that all other positions are a hindrance to the movement.

Those disagreements appear substantial and have supposedly weakened the movement (Garner 1993:48; Ryder 1998). Ethical and strategic disagreements might prevent fruitful co-operation, potentially leading to inefficient use of resources. They might further weaken the inner cohesion of a broad movement, while strengthening resolves and identities of smaller and splinter groups, causing stronger feelings of separation and alienation (Jasper and Nelkin 1992:43; Derville 2005:530–31; Hirsch 2015:106; Whittier 2015). The latter might also occur with regards to the public and other stakeholders when polarization causes a negative flank effect, meaning that the whole movement loses its credibility and hence influence, because of the actions of a few (Haines 1984:32; Munro 2005:81; Goodwin and Jasper 2015:380).

This thesis aimed at exploring and engaging in a discussion over how to resolve these disputes, rather than fuelling them, so as to strengthen the animal protection movement. Chapter one has argued why this might be considered an important goal. The animal protection movement works to realise heightened animal protection based on moral duty, but it also serves self-interests. A moral duty stems from our own values that animals at least should not have unnecessary suffering inflicted. Currently, even the least progressive values are not fully upheld (*i.e.* the moral orthodoxy approach), given the abundance of animal welfare problems (*e.g.* Singer 1995 [1975]; Foer 2010; Harrison *et al.* 2013) and practices causing suffering and pain, that in many cases are not strictly necessary. Protecting animals and furthering the cause of various animal protection organisations is, however, also a human self-interest, given the negative impact of, for example, intensive animal farming on the environment and human rights (*e.g.* Baroni *et al.* 2007; McMichael *et al.* 2007; JRC 2010; UNEP 2010; Foley *et al.* 2011; Sutton *et al.* 2011; Thornton *et al.* 2011; Tukker *et al.* 2011; Bouwman *et al.* 2013; FAO 2014).

Existing literature on the debate as a whole is scarce. Most animal ethics theorists focus on establishing their own theory as superior to another, and little has been said about conflict resolution. Moreover, the focus mostly has been on analytical philosophical theorising, and little attention has been paid to the sociological aspects. Hence, this thesis attempted two things: (a) to

explore the animal welfare *versus* rights debate through philosophical and sociological enquiry, and (b) emerging out of the findings, to develop a framework aimed at resolving the conflict (at least partially).

### **10.1 THESIS SUMMARY<sup>186</sup>**

Part I introduced the problem, the existing literature, and the methodology used in this thesis. The exploratory part of this thesis then focused on the following question: *which aspects divide activists within the animal protection movement, and what common ground do they share?* (Part II). Data was obtained through fifteen semi-structured interviews with activists from a variety of organisations, both welfare and rights. The major point of agreement concerned the greatest possible reduction of suffering; and indeed all, except for three, interviewees held views quite closely aligned with animal rights, in particular concerning species equality (chapter four). Hence, most campaigners did not disagree greatly with regards to ethical opinions, but differed more with regards to their preferred strategic and tactical approach. Animal welfare activists tended to be more critical of animal rights campaigning, and all disagreed with the abolitionism-only approach. Interestingly, animal welfare campaigners felt that animal rights activists had few tangible results to show, and vice-versa. Welfarists were worried about the negative impact of rights approaches on the movement, causing alienation of important stakeholders, including the public (see discussion of negative flank effects in Jasper and Nelkin 1992:43; Derville 2005:530–31; Hirsch 2015:106; Whittier 2015); while rights supporters were concerned that welfarists were overly moderate, to the extent that they might not effect actual social change. Overall, however, all interviewees demonstrated some appreciation of other strategic approaches and their potential to further the cause of the animal protection movement (chapter five). The results also yielded interesting differences on an interpersonal level, and identity differences between activists, which further fuel conflicts (chapter six).

As only one member of each of the fifteen groups was interviewed, and given the limited number of interviews, the results cannot necessarily be generalized to the wider population of activists. This limitation is particularly important with regards to the abolitionist position, as no contact with potential interviewees adopting this approach, both theoretically and strategically, could be established. Hence, their representation here relies on available literature and other sources such as online blogs. Moreover, given the interpretative, constructionist approach of this thesis, the results cannot make a claim to universality. However, it should also be noted that various observations and findings are supported by other studies and authors.

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<sup>186</sup> Key findings are further mentioned under 'The contribution.'

In part III, the thesis developed a framework aimed at bridging the ethical gap between animal welfare and rights, by taking on board key considerations and insights of both camps, as obtained in the interviews (chapter seven and eight). Key findings from part II that influenced chapter seven and eight included that (1) moral species equality was accepted by the majority of activists, but that (2) equal treatment is not always possible. Similarly, (3) animal rights as a concept was accepted overall, although disagreements arose over its actual meaning. Furthermore, in particular welfare activists pointed to (4) the need for a communicative, bottom-up approach; and (5) non-ideal world constraints on ethical behaviour and social change, in particular human behaviour change, affecting activism (as pointed out by welfare and rights campaigners). The main research question here concerned *how those insights can be integrated into a framework that bridges welfare and rights concerns, creating a space for ethical discussion and collaboration.*

Hence, chapter seven discussed the concept of species equality and concluded that, at the moment, no convincing arguments exist against species equality, with regards to fundamental claims to flourishing, *i.e.* the claims to life, and to be free from (at least moderate to severe) pain and other forms of suffering inflicted by moral agents. If humans value life (as a precondition for flourishing) and wellbeing (with the minimum requirement to avoid suffering) for the human species, so should these be valued for other species that are sentient (*i.e.* for those to which/whom wellbeing matters). However, as interviewees pointed out, we live in a non-ideal world, in which issues of conflicting (fundamental) rights (conceptualised as moral tragedies), and constraints caused by moral corruption, threaten equality in treatment. Hence, this thesis proposes taking into account existing moral tragedies and moral corruption as part of the ethical discussion. The acknowledgement of moral corruption, while usually not accepted within ideal ethical theories, is justified in a non-ideal approach. Non-ideal theories accommodate intermediate steps and solutions that might not quite align with the ideal state, but could move society closer to it. This rests on the assumption that a complete change to the ideal state of any ethical theory is neither feasible nor possible at this point in time, and can only be achieved through intermediate steps. Non-ideal theories uphold core principles, such as 'do not kill or inflict suffering on animals,' but acknowledge that a course of action that reduces inflicted death and suffering ought to be taken, if the complete realisation of ethical principles cannot be achieved at a certain point in time. Non-ideal theories are based on the assumption that the necessary economic, social and human behaviour change needed to fully live up to ethical values and principles will, in many cases, occur only incrementally.

Chapter eight took up the ideas concerning conflicting fundamental claims (*i.e.* moral tragedies) and moral corruption, and proposed using the principle of proportionality as guiding framework for our deliberations. The principle of proportionality is used to decide conflicts between human rights, and

hence might constitute a suitable measure to similarly decide cases of conflicting rights occurring between species. The principle encompasses four steps to evaluate the most just course of action: legitimacy, suitability, necessity, and proportionality in the narrow sense. A course of action that infringes another beings' fundamental rights is only *legitimate* if it also serves one's own crucial claims (rather than serving claims other than fundamental ones). The course of action needs to be *suitable* to fulfil that claim, and *necessary*, in the sense that no other less invasive course of action could serve the same purpose. Lastly, the action taken needs to be in proportion to what it aims to achieve.

Such a proportionality assessment of an ethical question concerning animals could favour an animal's right, while putting the human at a disadvantage. It could be concluded, for instance, that in certain situations it might be more just to let a human die, rather than another animal. Such a scenario could occur with regards to animal experimentation, which might (or might not) save human lives. However, in such cases a non-ideal theory might make some anthropocentric concessions; while also pushing for a clear restriction to the infringement of other animals' rights (*e.g.* by asking for stricter regulations of animal experimentation, and for more development of alternative methods). Such a concession appears necessary in order to be palatable to the public, and in order to acknowledge existing barriers to ending, for example, animal experimentation which is legally required to be performed before introducing new drugs to humans.<sup>187</sup>

The last chapter of part III (chapter nine) scrutinized practical disagreements and highlighted the strategic importance of diversity within the movement. As interview results demonstrated, the main opposition towards diverse campaigning strategies and tactics appears to stem from abolitionist positions or interpersonal differences. To resolve the latter is beyond the scope of this thesis. However, the former was addressed in chapter nine and influenced the last research question: *whether one can prescribe how animal activists ought to campaign, concerning both purpose and methods*. Hence, chapter nine partially rejected abolitionism by arguing that abolitionists cannot convincingly demonstrate that (a) the animal protection movement is indeed unsuccessful; (b) that a change of the legal property status of animals alone would result in heightened protection; and (c) that animal welfare and single-issue campaigns have a hindering effect on the movement. Instead, this chapter proposed that animal activism also faces moral tragedies, as helping animals in one way (for example by providing immediate relief through welfare reform) might mean not using resources to help them in other ways (*e.g.* by aiming for systemic change through vegan education), and vice-versa. Welfare reform can reduce some suffering at this point in time, but might have little impact

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<sup>187</sup> However, non-animal alternatives have been accepted by regulatory authorities in some cases, and might continue to be increasingly accepted in the future.

on human behaviour change among the wider public (*i.e.* greater social change). In contrast, focusing on educating the wider public and changing behaviour might eventually cause greater social change, but is a long-term project, which might take generations, and could potentially fail. It also has little impact on current animal suffering overall, and might only be suited to reducing it in the long run. This was illustrated by an interviewee who argued that convincing one human to adopt a plant-based diet has less impact on the suffering of the thousands of animals currently used, than a well implemented welfare reform, such as banning pig gestation crates. Human behaviour change is necessary if animal suffering and deaths are to be reduced sustainably, but, given limited campaigning resources, it might come at the expense of reducing current suffering (and vice-versa). Lastly, chapter nine argued that the success of the movement will rely on reaching out to a variety of audiences, including potential recruits, different stakeholders, and various groups within the wider public. Such a task cannot be achieved by one type of strategy alone. Diverse groups within the movement are better suited to winning over each of these different audiences. However, the movement needs to be wary of negative flank effects associated with polarization, that are already occurring because of diversity. Rather than focusing on differences, exclusion, and separate identities, the movement could use polarization in a constructive way, by encouraging dialogue and scrutiny.

## **10.2 THE CONTRIBUTION**

The goal of this thesis was to unleash synergistic potentials in order to partially resolve the animal welfare *versus* rights debate. Resolution of the debate should not be understood as aiming to say the 'last word' and settle the debate once and for all, but to constructively theorise, contribute and offer answers to open questions in the debate – with the aim of helping to overcome differences between animal advocates, rather than further dividing them. The thesis made three contributions in this regard. Firstly, it provided a richer picture of animal activists, their opinions, motivations, and the difficulties they perceive with regards to other approaches, philosophies, and organisations. While the results might not be generalizable, they provide a more complex image of animal activists and their differences, than current literature on the topic offers. Animal welfare campaigners are usually described in a particular way (*e.g.* as believing that the use of animals is morally acceptable; as people who do not take the plight of animals seriously; as too moderate), and animal rights activists are portrayed as their opposite (*e.g.* as believing that all use of animals is unacceptable; as people who put other animals before humans; as too radical). However, the interviews demonstrated that animal welfare advocates can hold more progressive views; and that animal rights supporters can choose a more moderate approach, than such portrayals suggest. Indeed,

interviewees agreed that animal suffering was the major issue to be overcome, although they differed in their opinions on how that might be achieved. Those differences in several cases could be traced back to either a more pragmatic or more idealistic approach to animal activism and social change. Furthermore, the interview results highlighted aspects such as reputational issues that can cause advocacy organisations to publicly distance themselves from other groups. Reputation and public image are important for groups in order to form collective identities, and also to reach out to other audiences, including potential donors. The importance of these issues was demonstrated, both through sociological enquiry, and a theoretical contribution and analysis of these aspects, in chapter nine.

Secondly, this thesis introduced a new approach to the debate concerning animals: the principle of proportionality. This principle is used to settle human rights conflicts, but does not appear to have been applied to interspecies rights conflicts. This is particularly important, as little conceptual work exists on resolving conflicting rights between humans and animals.

The proportionality approach was developed as a non-ideal theory in this thesis to allow for some anthropocentric concessions in order to acknowledge (and overcome) current economic, legal, social, and psychological barriers to fully ethical behaviour. It therefore follows in the footsteps of Garner's work (2013), which proposes a so-called sentience approach as a non-ideal theory. However, this thesis does not restrict itself to protection against suffering, but includes the protection of life. This is a crucial aspect as the right to life is considered of utmost importance by the interviewed rights activists. Any framework lacking considerations of this right would not be able to bridge the realms of welfare and rights.

The framework can be considered a middle ground between the various approaches as it (1) is a deontological/rights approach at its core, but (2) also contains consequentialist elements, as it allows for some weighing, at least with regards to conflicting rights. The latter should still be palatable to animal rights proponents, such as Regan, given the constraints within which such weighing occurs. Consequentialists, like Singer, might reject this approach on the same grounds on which they reject deontology. However, the concept of rights is a fundamental part of Western human societies, which provide the highest protection, legally and politically. To not use this concept for animals means accepting that ethical values and principles relating to animals are unlikely to be translated into existing political and legal structures. The concessions to moral corruption as a current barrier to fully ethical behaviour (ideally to be overcome) are also unlikely to be palatable to most ideal-theory ethicists. However, they were introduced as a middle ground for the welfare approach, and to make this framework applicable to the realities that animal activists face.

The third contribution of this thesis lies in theorising animal activism in terms of its methodological approach, both ethically and strategically. It introduces the concept of moral tragedy to the ethical discussion concerning activism, and argues that no one framework can adequately prescribe how all animal activists ought to campaign. One might be able to argue for or against specific campaigns; however, a general rule, such as welfare or rights only, cannot reasonably be established. This is because a successful movement needs to translate and externalise its messages to a wide array of potential recruits, supporters and audiences within society, who will not be attracted by only one kind of message. In this sense, the thesis highlights some (though far from all) strategic considerations – in particular those pertaining to diversity and polarization, which are crucial to any social movement.

### **10.3 IMPLICATIONS AND FURTHER RESEARCH**

This thesis will hopefully further inspire the ongoing discussion concerning our treatment of animals, and about how to resolve ethical questions and practical problems. Animal ethicists might further develop the proportionality approach; political theorists might take it more strongly into the policy realm, making it applicable to politicians and policy makers. Animal activists might use it to guide their deliberations with each other, and with stakeholders.

Additional research could be conducted to establish whether the results in this thesis can be generalized to the wider population of animal advocates. Alternatively, future research might seek to interview those who support an abolitionist position exclusively, as the image of abolitionists in this thesis was only based on the existing literature, and on reports from non-abolitionist interviewees. Abolitionists might not be as dogmatic and radical as some participants suggested. The resolution of interpersonal differences and conflict, however, should constitute a more important and urgent topic for future research. The interviews revealed that those differences often cause more difficulties and failures to co-operate, than any other source of disagreement. Those who seek to further the cause of the animal protection movement, but also other social change movements, would profit from such research. Indeed, this thesis might positively inform other fields of social activism as well.

Lastly, more research is needed to establish the impact of individual campaigns, both in terms of succeeding in the aims of the campaign, and in terms of impact on the wider movement. Without studies to this effect, strategic discussions remain vague and theoretical. Such research might also help to further understand when and how negative or positive flank effects occur, and how to use polarization constructively within a movement – something that might also depend on resolving interpersonal conflicts.

The animal protection movement has a long way to go to fully achieve its goal of reducing the suffering and deaths of animals caused by humans. Ethical, strategic, and interpersonal differences will remain the topic of heated discussions, that may or may not negatively impact the movement, depending on how activists engage in those debates. A bottom-up, welcoming discourse seems paramount, in order to win over hearts and minds of other activists, and the wider public. The most important insight of this thesis, however, is that uniformity is not necessarily required for a successful movement. Instead the movement should seek solidarity in its shared goal to protect animals, and should aim to find unity in its diversity.



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## APPENDICES

### APPENDIX 1 ANIMAL WELFARE ORGANISATIONS CONSIDERED

The welfare organisations, considered in this research, are listed in descending order after their annual income in 2014, and after the number of followers on Facebook on the 9<sup>th</sup> of October 2016. Organisations one to eight were considered big charities; nine to 16 medium-sized; and 17 to 24 small charities in terms of their income. \*As the Humane Society in the UK does not have a dedicated Facebook page, the number was taken from the global HSI Facebook page.

<b>No.</b>	<b>Income</b>	<b>Followers</b>
1.	RSPCA	Dogs Trust
2.	PDSA	Humane Society International*
3.	Dogs Trust	International Fund for Animal Welfare
4.	Cats Protection	RSPCA
5.	World Animal Protection (WAP)	Battersea Dogs and Cats Home
6.	Blue Cross	Cats Protection
7.	Battersea Dogs and Cats Home	Born Free Foundation
8.	International Fund for Animal Welfare	Blue Cross
9.	The Brooke	PDSA
10.	British Horse Society	League Against Cruel Sports
11.	Redwings Horse Sanctuary	Compassion in World Farming
12.	Wood Green	World Animal Protection (WAP)
13.	Compassion in World Farming	British Horse Society
14.	Retired Greyhound Trust	Redwings Horse Sanctuary
15.	Born Free Foundation	The Brooke
16.	League Against Cruel Sports	Four Paws UK
17.	The Mayhew Animal Home	Wood Green
18.	The Horse Trust	Mayhew Animal Home (International)
19.	National Animal Welfare Trust	Retired Greyhound Trust
20.	Four Paws UK	Thornberry Animal Sanctuary
21.	Humane Society International	The Horse Trust
22.	Thornberry Animal Sanctuary	Badger Trust
23.	Badger Trust	National Animal Welfare Trust
24.	British Divers Marine Life Rescue	British Divers Marine Life Rescue

## APPENDIX 2 ANIMAL RIGHTS ORGANISATIONS CONSIDERED

The animal rights organisations, considered in this research, are listed in descending order after their annual income in 2014, and after the number of followers on Facebook on the 9<sup>th</sup> of October 2016. Dark grey cell shading indicates a lack of available information. \*As Animal Equality in the UK does not have a dedicated Facebook page, the number was taken from the global Animal Equality Facebook page.

<b>No.</b>	<b>Income/Cash</b>	<b>Followers</b>
1.	People for the Ethical Treatment of Animals (PETA)	Animal Equality*
2.	The Vegetarian Society	People for the Ethical Treatment of Animals (PETA)
3.	Animal Aid	The Vegan Society
4.	The Vegan Society	The Vegetarian Society
5.	Dr Hadwen Trust	VERO
6.	Viva!	Animal Defenders International
7.	Cruelty Free International	Cruelty Free International
8.	Captive Animals' Protection Society (CAPS)	Animal Aid
9.	Animal Equality	Anti-Vivisection Coalition
10.	Animal Defenders International	Captive Animals' Protection Society (CAPS)
11.	National Anti-Vivisection Society (NAVS)	Viva!
12.	Veggies Catering Campaign	Dr Hadwen Trust
13.	Coalition to Abolish the Fur Trade	Hunt Saboteurs Association
14.	Hunt Saboteurs Association	National Anti-Vivisection Society (NAVS)
15.	Movement for Compassionate Living	Coalition to Abolish the Fur Trade
16.	Animal Rights Groups (Cambridge)	Veggies Catering Campaign
17.	VERO	Movement for Compassionate Living
18.	Worcestershire Vegans & Veggies	Worcestershire Vegans & Veggies
19.	Anti-Vivisection Coalition	Animal Rights Groups (Cambridge)

## APPENDIX 3 REVISED TOPIC GUIDES FOR ANIMAL WELFARE AND RIGHTS ORGANISATIONS (AFTER PILOTING)

### TOPIC GUIDE for animal rights organisations

#### Diverging opinions and strategies between different animal protection organisations

#### OBJECTIVES

- To explore the ethical opinions of people in animal protection organisations
- To gather general opinions held on different organisations
- To examine the opinions on strategies in use by different animal protection organisations
- To gather information about successful co-operation or difficulties regarding co-operation between organisations

#### INTRODUCTION

- Introduce myself and the study (goals); recording and confidentiality (not passed on to others *etc.*); timing (60-120 minutes)

#### 1. Personal details

- For how long have you been active in the movement?
- Why did you decide to engage in movement?
- Why this organisation (reasons for engaging)?
- Activities in other organisations?

#### 2. Opinions on animal treatment

- Initial concern for the treatment of animals?
- Current major concern about how animals are treated?
  - Animals for which there is no concern?
  - Different circumstances?
  - How to overcome the raised issues?
- Concerns about suffering?
  - How to address these issues (*e.g.* duty of care, providing a good life)?
- What do you think about the killing of animals?
  - Which circumstances (*e.g.* pests; human benefit)?
  - Are human lives more valuable?
    - Are there any examples when this would not be so?
- What does having a right mean to you?
  - Are there any rights you would want for animals?
    - For which animals?
  - Are there any rights you feel animals should not have?

- To what degree is compassion associated with animal protection?
  - To what degree do you see yourself as compassionate (how much; give an example)?
  - Creating human behaviour change through compassion?

### 3. Opinions on strategies

- Which kinds of strategies does the participant think are most important (in general)?
- Are there strategies you do not approve of (in general)?
- Organisational work?
  - Evaluation of their work regarding success?
- Do you think welfare reforms make people feel comfortable about the use and treatment of animals in our society?
  - Provision of services (*e.g.* labels, awards, information)
  - Seeking legislative changes
  - Seeking cultural/behavioural changes
    - Educational campaigns (*e.g.* vegetarian/vegan campaigns)
  - Seeking changes in organisational policy, *e.g.* retailers, schools/hospitals/prisons re catering for vegans, *etc.*
  - Single issue campaigns
  - Direct actions
    - Illegal (non-violent/violent – property destruction vs. threats or harms toward people? Verbal vs. physical violence?)

### 4. Opinions on the participant's organisation

- How close are your views reflected in the organisation's official views?
  - *E.g.* vegetarianism/veganism
  - *E.g.* welfare/abolition
- Areas of disagreement?

### 4. Opinions on other organisations

- What do you think is the major difference between your organisation and the others?
- Organisations you would not work for?
  - Because of ethical policies, overall objectives, strategies?
- What do you think is problematic about animal welfare organisations?
- Is there anything you appreciate about animal welfare organisations?

## 5. Opinions on Co-operation

- Organisations with which they successfully co-operated?
  - Factors contributing to the success
- Organisations with which they failed or had difficulties to co-operate?
  - Factors contributing to failure/difficulties (moral baseline, strategies *etc.*)
- Do we need more co-operation?
  - Why?
  - What needs to change to increase co-operation?

## 6. If you could change one thing about or in animal protection, what would it be?

## 7. Anything the participant would like to add?

### ENDING

Reassurance about confidentiality and how data will be used; Possibility of re-contact if necessary

## TOPIC GUIDE for animal welfare organisations

### Diverging opinions and strategies between different animal protection organisations

#### OBJECTIVES

- To explore the ethical opinions of people in animal protection organisations
- To gather general opinions held on different organisations
- To examine the opinions on strategies in use by different animal protection organisations
- To gather information about successful co-operation or difficulties regarding co-operation between organisations

#### INTRODUCTION

- Introduce myself and the study (goals); recording and confidentiality (not passed on to others *etc.*); timing (60-120 minutes)

#### 1. Personal details

- For how long have you been active in the movement?
- Why did you decide to engage in movement?
- Why this organisation (reasons for engaging)?
- Activities in other organisations?

#### 2. Opinions on animal use

- Initial concern for the treatment of animals?

- Current major concern about how animals are treated?
  - Animals for which there is no concern?
  - Different circumstances?
  - How to overcome the raised issues (improve conditions vs. stop practice)?
- Concerns about suffering?
  - How to address these issues (*e.g.* duty of care, providing a good life)?
- What do you think about the killing of animals?
  - Which circumstances (*e.g.* pests; human benefit)?
  - Are human lives more valuable?
    - Are there any examples when this would not be so?
- What does having a right mean to you?
  - Are there any rights you would want for animals?
    - For which animals?
  - Are there any rights you feel animals should not have?
- To what degree is compassion associated with animal protection?
  - To what degree do you see yourself as compassionate (how much; give an example)?
  - Creating human behaviour change through compassion?

### 3. Opinions on strategies

- Which kinds of strategies do you think are most important (in general)?
- Are there strategies you do not approve of (in general)?
- Organisational work?
  - Evaluation of their work regarding success?
- Can rights campaigns result in welfare advancements/raise awareness (criticism that they do not work within the system and alienation)?
  - Provision of services (*e.g.* labels, awards, information)
  - Seeking legislative changes
  - Seeking cultural/behavioural changes
    - Educational campaigns (*e.g.* vegetarian/vegan campaigns)
  - Seeking changes in organisational policy, *e.g.* retailers, schools/hospitals/prisons re catering for vegans, *etc.*
  - Single issue campaigns
  - Direct actions
    - Illegal (non-violent/violent – property destruction vs. threats or harms toward people? Verbal vs. physical violence?)

#### **4. Opinions on the participant's organisation**

- How close are your views reflected in the organisation's official views?
  - *E.g.* vegetarianism/veganism
  - *E.g.* welfare/abolition
- What kinds of strategies does the organisation use?
  - Does the organisation evaluate their strategies regarding their success?
- Areas of disagreement?

#### **4. Opinions on other organisations**

- What do you think is the major difference between your organisation and the others?
- Organisations you would not work for?
  - Because of ethical policies, overall objectives, strategies?
- Is there something problematic about animal rights organisations?
- How much would you agree or disagree that animal rights organisations are radical or extreme?
- Is there anything you like about animal rights organisations?

#### **5. Opinions on Co-operation**

- Organisations with which they successfully co-operated?
  - Factors contributing to the success
- Organisations with which they failed or had difficulties to co-operate?
  - Factors contributing to failure/difficulties (moral baseline, strategies *etc.*)
- Do we need more co-operation?
  - Why?
  - What needs to change to increase co-operation?

#### **6. If you could change one thing about or in animal protection, what would it be?**

#### **7. Anything the participant would like to add?**

#### **ENDING**

Reassurance about confidentiality and how data will be used; Possibility of re-contact if necessary

## **APPENDIX 4 ADDITIONAL PILOTING QUESTIONS**

### **Additional piloting questions**

Did you feel well informed on the purposes of the study, confidentiality and risks? Was there anything missing in your opinion?

Which questions during the interview did you find unclear or difficult?

Which questions would you ask differently?

Was there something you were struggling with in the interview?

Did you have the feeling there was something important missing in the interview which should have been addressed?

Was the interview proceeding smoothly in your opinion?

Anything else you would like to comment on the interview?

## APPENDIX 5 INITIAL TOPIC GUIDES (FOR PILOTING)

### TOPIC GUIDE for animal welfare organisations

#### Diverging opinions and strategies between different animal protection organisations

##### OBJECTIVES

- To explore the moral basis of people employed in animal protection organisations
- To gather general opinions held on different organisations
- To examine the opinions on strategies in use by different animal protection organisations
- To gather information about successful co-operation or difficulties regarding co-operation between organisations

##### INTRODUCTION

- Introduce myself and the study (goals); recording and confidentiality (not passed on to others etc.); timing (60-120 minutes)

##### 1. Personal details

- For how long is participant active in the movement
- Why did participant decide to engage in the movement
- Why this organisation (reasons for engaging)
- Activities in other organisations

##### 2. Opinions on animal use

- Which kind of animal uses do you think are unacceptable?
  - Pets/laboratory animals/farm animals/wild animals (zoos, circuses, hunting...)
  - Different circumstances (e.g. would you rather approve of traditional farming methods than intensive farming)
  - To what extents do perceived human benefits alter your positions on animal use?
  - Should we look to improve or end unacceptable practices?
- How far are you concerned about the suffering of animals?
  - Which forms of animal uses, do you think normally or necessarily entail suffering?
  - Are there forms of animal use which do not entail suffering?
  - What contexts are necessary to make various levels of suffering acceptable?
- How far are you concerned about the good life of animals?
  - What does having a good life mean?
- What do you think about the killing of animals?
  - Acceptable or not
  - Which circumstances (e.g. pests; human benefit)
  - Are human lives more valuable?
    - Are there any examples when this would not be so?
- What does having a right mean to you?

- Are there any rights you would want for animals?
  - For which animals?
- Are there any rights you feel animals should not have?
- Do we have a duty to care for animals?
- What does humane treatment mean to you?
  - How far is compassion associated with animal protection?
  - How far does participant see him/herself as compassionate (how much; give an example)?
  - Should humans be more compassionate and less cruel?

### 3. Opinions on strategies

- Which kinds of strategies does the participant prefer (in general)?
- Are there strategies the participant does not approve of (in general)?
  - Provision of services (*e.g.* labels, awards, information)
  - Seeking legislative changes
  - Seeking cultural/behavioural changes
    - Educational campaigns (*e.g.* vegetarian/vegan campaigns)
  - Seeking changes in organisational policy, *e.g.* retailers, schools/hospitals/prisons re catering for vegans, *etc.*
  - Single issue campaigns
  - Direct actions
    - Illegal (non-violent/violent – property destruction vs. threats or harms toward people? Verbal vs. physical violence?)

### 4. Opinions on the participant's organisation

- How close are your views reflected in the organisation's official views?
  - *E.g.* vegetarianism/veganism
  - *E.g.* welfare/abolition
- What kinds of strategies does the organisation use?
  - Does the organisation evaluate their strategies regarding their success?
- Areas of disagreement?

### 4. Opinions on other organisations

- What do you think is the major difference between your organisation and the others?
- Organisations the participant would not work for
  - Because of ethical policies, overall objectives, strategies?

- *Additional questions for participants of animal welfare organisations:*
  - What if anything, do you think is problematic about animal rights organisations?
  - Can rights campaigns result in welfare advancements?
  - Can rights campaigns result in raised awareness of animal welfare?
  - How much would you agree or disagree that animal rights organisations are radical or extreme?
  - Is there anything you like about animal rights organisations?

## **5. Opinions on Co-operation**

- Organisations with which they successfully co-operated
  - Factors contributing to the success
- Organisations with which they failed or had difficulties to co-operate
  - Factors contributing to failure/difficulties (moral baseline, strategies *etc.*)

## **6. Anything the participant would like to add?**

### **ENDING**

Reassurance about confidentiality and how data will be used; Possibility of re-contact if necessary

### **TOPIC GUIDE for animal rights organisations**

#### **Diverging opinions and strategies between different animal protection organisations**

### **OBJECTIVES**

- To explore the moral basis of people employed in animal protection organisations
- To gather general opinions held on different organisations
- To examine the opinions on strategies in use by different animal protection organisations
- To gather information about successful co-operation or difficulties regarding co-operation between organisations

### **INTRODUCTION**

- Introduce myself and the study (goals); recording and confidentiality (not passed on to others *etc.*); timing (60-120 minutes)

### **1. Personal details**

- For how long is participant active in the movement
- Why did participant decide to engage in movement
- Why this organisation (reasons for engaging)
- Activities in other organisations

## 2. Opinions on animal use

- Which kind of animal uses do you think are unacceptable?
  - Pets/laboratory animals/farm animals/wild animals (zoos, circuses, hunting...)
  - Different circumstances (*e.g.* would you rather approve of traditional farming methods than intensive farming)
  - To what extents do perceived human benefits alter your positions on animal use?
  - Should we look to improve or end unacceptable practices?
- How far are you concerned about the suffering of animals?
  - Which forms of animal uses, do you think normally or necessarily entail suffering?
  - Are there forms of animal use which do not entail suffering?
  - What contexts are necessary to make various levels of suffering acceptable?
- How far are you concerned about the good life of animals?
  - What does having a good life mean?
- What do you think about the killing of animals?
  - Acceptable or not
  - Which circumstances (*e.g.* pests; human benefit)
  - Are human lives more valuable?
    - Are there any examples when this would not be so?
- What does having a right mean to you?
  - Are there any rights you would want for animals?
    - For which animals?
  - Are there any rights you feel animals should not have?
  - Do we have a duty to care for animals?
- What does humane treatment mean to you?
  - How far is compassion associated with animal protection?
  - How far does participant see him/herself as compassionate (how much; give an example)?
  - Should humans be more compassionate and less cruel?

## 3. Opinions on strategies

- Which kinds of strategies does the participant prefer (in general)?
- Are there strategies the participant does not approve of (in general)?
  - Provision of services (*e.g.* labels, awards, information)
  - Seeking legislative changes
  - Seeking cultural/behavioural changes
    - Educational campaigns (*e.g.* vegetarian/vegan campaigns)
  - Seeking changes in organisational policy, *e.g.* retailers, schools/hospitals/prisons re catering for vegans, *etc.*

- Single issue campaigns
- Direct actions
  - Illegal (non-violent/violent – property destruction vs. threats or harms toward people? Verbal vs. physical violence?)

#### **4. Opinions on the participant's organisation**

- How close are your views reflected in the organisation's official views?
  - *E.g.* vegetarianism/veganism
  - *E.g.* welfare/abolition
- What kinds of strategies does the organisation use?
  - Does the organisation evaluate their strategies regarding their success?
- Areas of disagreement?

#### **4. Opinions on other organisations**

- What do you think is the major difference between your organisation and the others?
- Organisations the participant would not work for
  - Because of ethical policies, overall objectives, strategies?
- *Additional question for participants of animal rights organisations:*
  - What do you think is problematic about animal welfare organisations?
  - Can welfare reforms eventually lead to the end of animal use?
  - Can welfare reforms eventually lead to more respect for animal rights?
  - Can welfare campaigns contribute to raising awareness of animal issues?
  - How much would you agree/disagree that animal welfare organisations fail to tackle the real problems, and create sufficient change?
  - Is there anything you appreciate about animal welfare organisations?

#### **5. Opinions on Co-operation**

- Organisations with which they successfully co-operated
  - Factors contributing to the success
- Organisations with which they failed or had difficulties to co-operate
  - Factors contributing to failure/difficulties (moral baseline, strategies *etc.*)

#### **6. Anything the participant would like to add?**

#### **ENDING**

Reassurance about confidentiality and how data will be used; Possibility of re-contact if necessary

## **APPENDIX 6 PROJECT INFORMATION SHEET**

### **Diverging opinions and strategies between different animal protection organisations**

I am a research student at the University of Winchester studying for a doctoral degree in animal ethics and welfare. The research study described below, forms part of my thesis on animal ethics and welfare. I am investigating the differences in opinions and strategies between animal welfare and animal rights organisations. Accordingly, I would like to invite you to participate in this study, entitled 'Diverging opinions and strategies between different animal protection organisations.' Before you decide to participate, it is important you understand what the study involves and what you would be asked to do. So, please take time to read the following information. And please don't hesitate to ask me, if anything is unclear.

#### **Participation:**

Participation is completely voluntary and can be withdrawn at any time, without reason or penalty. The participant can ask for the recordings and transcripts to be destroyed at any time. Participants can request a copy of the recording and will be sent a copy of the transcript.

#### **Procedure:**

Participation in the project involves an interview to explore opinions about the use of animals in general, about other animal protection organisations, and about the organisation the participant is involved with. This includes questions on strategies and campaigns. All the information will be handled confidentially (see below).

The interview will take approximately 90 min. The interview can be interrupted or cancelled by the participant at any time without reason or penalty. Interviews will be recorded using a microphone and a recording device.

The results will be used in the doctoral thesis which will be submitted at the latest in March 2018. Moreover, I aim to publish the results in a peer reviewed academic journal. Results also might be used for further academic publications including articles, books, conferences *etc.*

**Confidentiality and anonymity:**

The research student will not disclose the participant's identity. Transcripts, data and results which will be discussed within the supervisory team, and within the thesis, journal articles, conferences and the like, will be made anonymous. Personal and organisational names and other information which might allow identification will be excluded. The organisations which contributed to the project will be named but interview data will not be related to specific organisations. Instead, where applicable, interview data will be grouped as belonging to an animal rights or an animal welfare perspective. It also will be mentioned that the interviews reflect personal opinions and not organisational views.

Although the following factors will not normally be of any concern, I am nevertheless obliged to inform all participants that confidentiality and anonymity does not cover disclosure of involvement in any criminal activities. Therefore, research data does not enjoy legal privilege, and might be liable to subpoena by a court. Moreover, there is a legal obligation to report information on acts of terrorism, or suspected financial offences related to terrorism (Terrorism Act 2000), information on money laundering (Proceeds of Crime Act 2002), or on the neglect or abuse of a child (Section 115 of the Crime and Disorder Act 1998). The research student may also seek legal advice or the advice of her supervisors about whether to report other involvement in criminal activities, if these activities were to constitute serious physical or psychological harm to the participant or others.

Data will be stored in accordance with Data Protection Legislation. The interview transcripts will be kept in a secure and locked cabinet and all computer files will be password protected. Only the research student will have access to the original data. As per Data Protection Legislation 1998, the recordings, transcripts and other data will be kept for no longer than six years.

**Contact for Further Information:**

For further inquiries, feel free to contact the research student:

[M.Leitsberger.15@unimail.winchester.ac.uk](mailto:M.Leitsberger.15@unimail.winchester.ac.uk)

If you have inquiries or problems with the study which you do not want to discuss with the research student, please contact Prof. Andrew Knight: [Andrew.Knight@winchester.ac.uk](mailto:Andrew.Knight@winchester.ac.uk)

**Ethics approval:**

This study has been approved of by the University RKE Ethics Committee at the University of Winchester.

**Permission of gatekeepers:**

If the interview does not take place at the University of Winchester, the manager of the setting or the owner of the premise needs to provide written permission. This person also will be provided with an information sheet and be asked to sign a consent form (consenting to the research taking place in the setting).

(Madelaine Leitsberger)

**APPENDIX 7 CONSENT FORM**

**Diverging opinions and strategies between different animal protection organisations**

**Consent Form**

I have read (or had clearly explained to me) and understand the information provided to me about the project. I understand that my participation in this project is completely voluntary, and that I may withdraw at any time during the project, without penalty.

I understand the arrangements that have been made to ensure my anonymity and privacy. I am aware that I have the right to see what has been written about me.

The researcher has made clear to me any risks which may be involved in my participation in the project.

The arrangements for secure storage of data, and for its eventual disposal, have been explained to me.

On this basis, I consent to taking part in this project.

Print name .....

Telephone number .....

Email address .....

Signature .....

Date.....

**APPENDIX 8 CONSENT FORM (FOR THE MANAGER OF THE SETTING)**

**Diverging opinions and strategies between different animal protection organisations**

**Consent Form for the manager of the setting**

I have read (or had clearly explained to me) and understand the information about the project provided to me.

I consent to the project taking place at this setting/premise.

Print name .....

Telephone number .....

Email address .....

Signature .....

Date.....