

Critical Animal Studies Beyond Anthropocentrism and Humanism

Craig McFarlane
Department of Law
Carleton University
craig@theoria.ca

Thinking About Animals
Brock University
March 31–April 1, 2011

Critical Animal Studies

Critical animal studies differentiates itself from what is often called mainstream animal studies. Calling the latter “mainstream,” is, of course, a bit of stretch given that animal studies—critical or otherwise—remains a rather marginal area of academic interest. But, setting that aside, upon what grounds is the distinction made? Critical animal studies claims, per its own name, to have a *critical* orientation, which is to say, that it is underwritten by a normative commitment to improving the condition of animals in contemporary societies. At the very least, this entails a commitment to “animal liberation” (in the sense of Peter Singer) or a commitment to “animal rights” (in the sense of Tom Regan or Gary Francione). Frequently, value-laden terms, such as “speciesism,” “anthropomorphism,” “humanism,” and “rights,” are used. Mainstream animal studies, in contrast, does not commit itself to any form of engaged scholarship, preferring instead to focus on the ways in which humans and animals have actually related to one another (in the case of social scientific inquiry) or the ways in which human and animal relations are represented in culture (in the case of humanistic inquiry). If the distinction holds, then what is called mainstream animal studies should rarely, if ever, make use of value terms and focus largely on relations and representations.

I am sympathetic to the stated goals of critical animal studies: that is, animals are unjustly treated in horrible ways and that it is incumbent upon academics and ac-

tivists to work towards a society in which animals are not exploited for trivial human purposes or, indeed, for any purposes at all. Put in other terms, relative to animals, humans have no necessary ethical priority to other beings and ought not to have any necessary ethical priority to other beings: that is, a human's interest in consuming an animal as food is not sufficient to override the animal's interest in continuing to live. Stated in such terms, it is my impression that everyone in this room agrees with this basic normative commitment, even if we have reasonable disagreement on the means of obtaining this ideal state (for instance, pursuing activism oriented towards "regulation" or "abolition"). I want to be very clear about this: regardless of what else I say in this presentation I am sympathetic to the goals of what is often called the "animal rights" or "animal liberation" movement, even if I am deeply dissatisfied with much scholarship calling itself critical animal studies.

My primary point of contention is that the ethical principle which underlies critical animal studies, as it is presented in the major theoretical works, is contradictory and, as a result, incoherent. The claim that humans have an ethical priority to animals goes by a number of names in the literature: speciesism, humanism, anthropocentrism, and the like. All critical animal studies scholars claim to reject these concepts. The problem is, all of the same critical animal studies scholars implicitly rely upon these categories when articulating their positions. This, by definition, is contradictory and contradiction, by its nature, is incoherent.

Today I am going to focus on Peter Singer and Tom Regan, arguing that they are committed to speciesist solutions to hard problems. I do not deny that they are clearly anti-speciesist on easy problems—but this is not enough: ethics is nothing if it cannot assist us with hard problems. Theoretical coherence demands that we be anti-speciesist, anti-anthropocentric, and anti-humanist in the easy and hard cases alike—even if this means that humans, but not animals, die in truly hard cases.

Implicit Humanism: Steven Best¹

Steven Best's recent article, "The Rise of Critical Animal Studies: Putting Theory in Action and Animal Liberation into Higher Education," published the *Journal of Critical Animal Studies* presents an excellent example of the implicit humanism which plagues critical animal studies theorizing.² A central part of Best's argument

1. Omitted from presentation due to time constraints.

2. Steven Best, "The Rise of Critical Animal Studies: Putting Theory into Action and Animal Liberation into Higher Education," *Journal for Critical Animal Studies* 7, no. 1 (2009): 9–54. The

is that critical animal studies, properly understood, is a form of scholarship that is resolutely connected to activist praxis. This connection to activism—or in Best’s preferred term, *praxis*—is what distinguishes critical animal studies from mainstream animal studies, which in his view is little more than “animals + cultural studies.” In effect, Best’s article is an exercise in boundary policing.

Best is evidently committed to a concept of “critique.” In Best’s analysis, critique refers to praxis, which claims that theoretical and activist work are necessarily interconnected. A conceptual problem emerges at this point. Best develops his concept of praxis with reference to Herbert Marcuse. In turn, Marcuse sensibly and understandably derives his own idea of praxis from Max Horkheimer. The relevant reference is to Horkheimer’s essay “Traditional and Critical Theory.” The problem with Horkheimer, and the tradition of critical theory as a whole, is that it is unabashedly humanist and anthropocentric. Take some examples from Horkheimer’s essay:

1. critical theory “has for its object men as producers of their own historical way of life in its totality.”³
2. critical theory is an “essential element in the historical effort to create a world which satisfies the needs and powers of men.”⁴
3. lastly, “the good is man’s emancipation from slavery.”⁵

The gist of my argument is that you can’t simply move from a humanist (i.e., history is the history of men) and anthropocentric (i.e., the world exists for the satisfaction of the needs of men) positions to Best’s position without doing serious theoretical work. While Best is surely right that “it is not as if we need to work [out–sic] a detailed social ontology before we can proceed,” we need to, nonetheless, work out that detailed social ontology at some point. Indeed, it is likely the case that such an ontology is already implicit in activism. Pointing out, as Best does, that humans are animals and that freedom for humans entails freedom for animals is too simple and, worse, theoretically dubious. Simply substituting “humans and animals” for all instances of man or men doesn’t shed the profoundly humanist orientation of the critical theory of the Frankfurt School.

article is intended to be a pre–cursor to a book entitled *Animal Rights and Moral Progress: The Struggle for Human Evolution*, currently slated to be published in 2011.

3. Max Horkheimer, “Traditional and Critical Theory,” in *Critical Theory: Selected Essays* (New York: Continuum, 1999), 244.

4. *ibid.*, 246.

5. *ibid.*

Strangely, the very intellectual-activists he points to as exemplars of praxis, presented in what he describes as “in sharp contrast to the effete and privileged academics”—namely, Karl Marx, John Dewey, Bertrand Russell, Jean-Paul Sartre, Albert Camus, and Jurgen Habermas—are all unabashed humanists, anthropocentrists and very manly-men. The only marginally non-humanist and non-anthropocentrist thinker is Michel Foucault, who is later dismissed because he is a favourite among those practicing mainstream animal studies. Even stranger, an opening (note: just an opening, not a solution) towards an anti-humanist and anti-anthropocentric theoretical discourse exists in many of the theorists Best *dismisses* out of hand as “effete and privileged,” such as Jacques Derrida. It is also strangely problematic that despite his exhortations that critical animal studies be anti-racist, anti-sexist, and so on, that there are no people of colour in his list of exemplars, men he doesn’t like are dismissed as “effete,” and women are only mentioned in order to be dismissed: e.g., Julia Kristeva, Anita Guerrini, and Susan McHugh. (Carol Adams is the only woman to escape his wrath.) I don’t mean to suggest that Best is sexist, racist, or homophobic or even that he intends to be those, but he is certainly pursuing an odd rhetorical and argumentative strategy that is worthy of criticism and resistance.

Perhaps the important question here is that between the implicit humanism of his theoretical stance and the set of exclusions he constructs; exclusions which map on to, as it were, the political history of the concept of humanity. That is, that the vaunted Rights of the Man and the Citizen are really the rights of the bourgeois, property-owning males. To be a bit less oblique: the exact same criticisms that have been raised of the concept of human rights and its humanism are easily raised against the concept of animal rights and its humanism.⁶

Implicit Anthropocentrism: Peter Singer, Tom Regan and Gary Francione

While all claiming to articulate an anti-speciesist and, thus, anti-anthropocentric ethical theory, Peter Singer, Tom Regan, and Gary Francione all remain implicitly committed to the ethical priority of humans, at least in the hard cases.⁷ My argument can only be a sketch rather than a detailed analysis. The sketch, I think, is nonetheless suggestive. For reasons of brevity, I’ll focus upon Peter Singer and Tom

6. See, for instance, Costas Douzinas, *The End of Human Rights: Critical Legal Thought at the Turn of the Century* (Oxford: Hart Publishing, 2000).

7. Peter Singer, *Animal Liberation* (New York: Ecco, 2002); Tom Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 2004); Gary Francione, *Introduction to Animal Rights: Your Child or the Dog?* (Philadelphia: Temple UP, 2000).

Regan, but I think the same case can be made against Gary Francione.

A well-known problem in utilitarian ethics, such as those advocated by Peter Singer, is that there are no absolute standards of moral rightness or wrongness. Any given act is judged in terms of its particular outcomes, be they actual or possible. Hence, a good act is one which maximizes utility—however defined, and utilitarians do disagree on its definition—and a bad act is one which minimizes utility. As a consequence, utilitarianism is necessarily opposed to ethical theories which assert that there are acts which are necessarily unjustifiable. When asked if killing is right or wrong, a utilitarian can only answer, “It depends upon who is being killed.” A rights theorist, in contrast, must answer that it is always wrong, regardless of who is doing the killing, who is being killed, and why.

The obvious consequence of this is that under certain conditions, the ill-treatment of one or some can be justified on the basis of the net benefit to a much larger group. Applied to animals, Singer believes that consuming animals cannot be justified because the suffering it imposes upon animals outweighs the fleeting enjoyment experienced by the human. (That an animal is killed in order to be consumed is not, in itself, an argument against consuming animals. Hence, as Michael Pollan gleefully reports, Singer has no principled opposition to the idea of “happy meat.”⁸)

Speciesism, a term Peter Singer borrows from psychologist Richard Ryder, refers to unjustifiably and unreasonably favouring the interests of your own species above those of another species. More often than not, speciesism combines with anthropocentrism, which refers to the view that the world exists for the purposes of the human species. Speciesism is a view on morality; anthropocentrism is a view on ontology. I’ve already noted that Singer has no principled objection to the idea of “happy meat”—that is, animals raised for food, but not under intensive conditions. This would seem to challenge, in a number of ways, Singer’s commitment to an anti-speciesist ethics. After all, I doubt he’d say the same about feeding happy humans to cows.⁹

A generous reading, however, might say that Singer has merely erred or that Singer’s claim is that “happy meat” is less morally objectionable than meat produced under intensive conditions. We might grant Singer the generous reading if this were the only case where he advocates what is clearly a speciesist view. This view of animals

8. Michael Pollan, *An Animal’s Place*, 2002, <http://query.nytimes.com/gst/fullpage.html?res=9500EFD7153EF933A25752C1A9649C8B63&sec=&spon=&pagewanted=all>.

9. Although I am willing to be wrong. Perhaps he’d ask the meat-eater to consider eating an orphaned infant of less than six months of age?

is not limited to “happy meat,” but consistently appears in his writings. I hope that one example will suffice.

Experimentation on animals is widely viewed as the most problematic test–case for animal ethics as it would seem to present a real conflict of interests between humans and animals: the human’s interest in a cure and the animal’s interest in not being made to suffer. Singer rules out the vast majority of uses of animals in experimentation: for instance, in cosmetics and other consumer product development and in most cases of medical research. Thus, Singer allows for some animal experimentation to continue. To quote from *Animal Liberation*:

But to be opposed to what is going on now it is *not* necessary to insist that *all* animal experiments stop immediately. All we need to say is that experiments serving no direct and urgent purpose should stop immediately, and in the remaining fields of research, we should, whenever possible, seek to replace experiments that involve animals with alternative methods that do not.¹⁰

Hence, it is not incumbent upon the animal liberationist “to insist that all animal experiments stop immediately.” Indeed, all that the animal liberationist must do is insist that “whenever possible” animals should not be used in experiments. The result is that if the experiment calls for determining if a rat would prefer to shock itself or shock its neighbour and there are no reasonable available alternatives to use live rats, then it is permissible to use rats in such an experiment.

Perhaps this is unfair to Singer. After all, he spends much time in the chapter on animal experimentation discussing, with a great deal of horror, experiments such as these. What about the case of experiments that do have a “direct and urgent purpose,” such as the movie scenario where the heroic doctor is in a race against time to develop an important vaccine that will save countless human lives. Given that the vaccine is designed to save human lives, it would be unreasonable to experiment on humans (or so the story goes). Singer would seem to support the position that it is justifiable to make use of animal subjects in such a situation.

Singer does address these sorts of objections. He views an absolutist position on experimentation as unjustifiable, he thinks the absolutist view is open to objections from experimenters such as using a single animal in an experiment to save thousands of human lives. Singer’s response to this objection is interesting: rather than answer in the negative or affirmative, the appropriate response is to ask the experimenter

10. Singer, *Animal Liberation*, 40; emphasis added.

if they would be willing to “experiment on a human orphan under six months old if it were the only way to save thousands of lives?” because in Singer’s view a human infant of that age and condition has no more “morally relevant characteristics to a higher degree than adult nonhuman animals.”¹¹

But, what if we were to take the scenario further and invert the story.¹² What if there were a disease that threatened to wipe out all canids—dogs, wolves, coyotes, hyenas, and the like—and the only way to develop the vaccine would be through experimentation on live subjects. Again, given that the goal is to save the lives of canids, we must rule out canids as experimental subjects. Fortunately, for whatever reason, humans are an appropriate substitution for canids in this experiment. Would Singer justify an experiment on a single human being to save millions, if not billions, of wolves, coyotes, dogs, and the like? Would he justify multiple experiments on a single human subject? Would he justify multiple experiments on multiple human subjects? Or would he rule out the scenario as absurd? If he ruled out the scenario in principle, then it is clear he is doing so on speciesist grounds.

Similar problems can be found in deontological animal rights theories, for instance, that of Tom Regan’s. Take his famous example of the lifeboat:

Five survivors find themselves in a lifeboat. Four are normal adult human beings. The fifth survivor is a dog. The boat only has room for four. Someone must go or all will perish. Who should do it? Special considerations aside, I think it should be the dog. And I think it should be the dog because I believe that death for any of the human survivors would cause a greater harm than death would cause in the case of the dog. For while both the dog and each of the humans would lose everything, if either died, I believe that the “everything” each of the humans would lose comes to more than the “everything” that would be lost by the dog. [...] in these tragic circumstances, it is the dog who should be sacrificed.¹³

At the risk of being exceptionally unfair to Regan, I think the basic thrust of what I have said against Singer also counts against Regan, for much the same reasons. How does Regan resolve this dilemma?

11. Singer, *Animal Liberation*, 81–2.

12. This counter-example was first raised by the criminologist Piers Beirne. To the best of my knowledge, Singer has never addressed it. Piers Beirne, “For A Nonspeciesist Criminology: Animal Abuse as an Object of Study,” *Criminology* 37, no. 1 (1999): 132.

13. Regan, *The Case for Animal Rights*, xxix, 324–5.

Moreover, numbers make no difference. If the choice we faced were between, not one dog and four humans, but between four humans and ten, or a hundred, or a million dogs, it would be the dogs who should be sacrificed.¹⁴

To clarify: a single human life is worth more than the lives of a million dogs. For Regan, it does not make sense to even ask the question: keep throwing the dogs overboard. Indeed, throw so many dogs overboard that you yourself die from exhaustion!

The justification is likewise rather odd:

For there is no individual [...] who is harmed by the deaths of ten dogs, or the hundred, or the million. There is only the harm that death would be for each of the humans compared with the harm that the death would be for each of the ten, or the hundred, or the million dogs. And (in each case) the death of any one of the human beings would represent a greater harm, because of a greater loss, than death would for each of the ten, or the hundred, or the million dogs.¹⁵

In my view, Regan's claim that killing a million dogs represents less of a harm than killing a single human is absolutely perverse—notwithstanding the unlikelihood of there ever being a lifeboat that holds a million dogs and four humans.

The reason why Regan's claim is perverse is that it rests on a speciesist or humanist assumption: to humans, the loss of a human life represents a greater loss to humans because it forecloses future enjoyment that the human may have had. This in itself, and limited to humans, is perverse for it seems to suggest that if you find yourself in a leaky lifeboat with one other person and that person suffers from depression while you do not, then you are justified in throwing that person overboard in order to save your life: women, children, and the undepressed first.

This also presents the problem that the very criteria for determining who lives and who dies is already stacked against the non-human. From the perspective of the human, the non-human by definition cannot experience the joys that a human can experience. Of course, from the perspective of the dog, the human cannot experience its own unique canid *jouissance*, such as the wonder of communication through smelling the bums of other dogs. Sure, the dog cannot enjoy watching "The Wire" for the third time through, but then, that isn't the sort of pleasure that the dog seeks. Indeed, all things being equal, I think it likely that a dog is more apt than a

14. Regan, *The Case for Animal Rights*, xxix.

15. *ibid.*

human to experience pure joy. After all, isn't that why many claim to keep them as pets?

But, put in other terms, even if we accept Regan's claim that the human loses more than the dog when they die, it remains the case that both lose "everything." That is, to each, the loss is infinite. An infinite loss cannot be compared to an infinite loss for they actually represent the same sum. The only just solution to the problem is a random solution: flipping coins or drawing straws—so long as the humans remain honest.

Beyond Anthropocentrism and Humanism

If it is the case that the two best normative theories available to critical animal studies, as well as the very theorizing of the idea of critical animal studies itself, are all committed to the concepts they seek to reject, then we find ourselves faced with a significant problem: our theory is unable to match our rhetoric. In other words, we are all hypocrites. I don't mean that we are hypocrites in the sense that those who refuse to take animals seriously accuse of us being: that is, as using medicines that derive from animal experimentation or hoping for the best when we purchase an item containing an ingredient that could be derived from animals and the like. These are all practical matters and ones we cannot escape. It is simply the case that being a pure vegan is impossible. At the present time, being a pure vegan is not a realistic possibility, even for the most committed activist.

The hypocrisy to which I'm referring is a theoretical contradiction: we say that we are opposed to these concepts, but, when push comes to shove, we endorse these concepts for what are very bad reasons. The most egregious of these reasons are the sort occasionally defended by people such as Peter Singer: it is better to eat a non-vegan meal than offend your host or those around you because making it appear as though it is hard to be vegan is a greater harm than consuming a few mouthfuls of cheese. But, of course, being vegan *is* hard. That ethics is difficult is itself a difficult idea for many ethicists (and activists) to accept.

This, I think, points to the fatal flaws in our theorizing: we make it too simple. Our ethicists seemingly believe that a single theory is sufficient to account for all cases. And, worse, rather than deal with real ethical dilemmas, our ethicists invent convoluted scenarios—dogs on lifeboats, a miracle experiment that would sacrifice one to save thousands. If being vegan teaches us anything, it is that living a day-to-day life is far more complicated and difficult than we are willing to ordinarily admit.

Gary Francione often says, “Go vegan. It’s easy. And it’s the right thing to do.” He’s correct that it is the right thing to do, but it certainly isn’t easy and isn’t easy honest to claim that it is.

This difficulty should orient us towards how difficult constructing concepts really is, especially concepts that are, for the first time in human history, explicitly anti-speciesist, anti-anthropocentrist, and anti-humanist. It is likely the case that we must jettison many of our treasured concepts if we are serious about being critical scholars. This won’t be easy. But, a simple answer does not do justice to animals, nor does it do justice to critical animal studies.