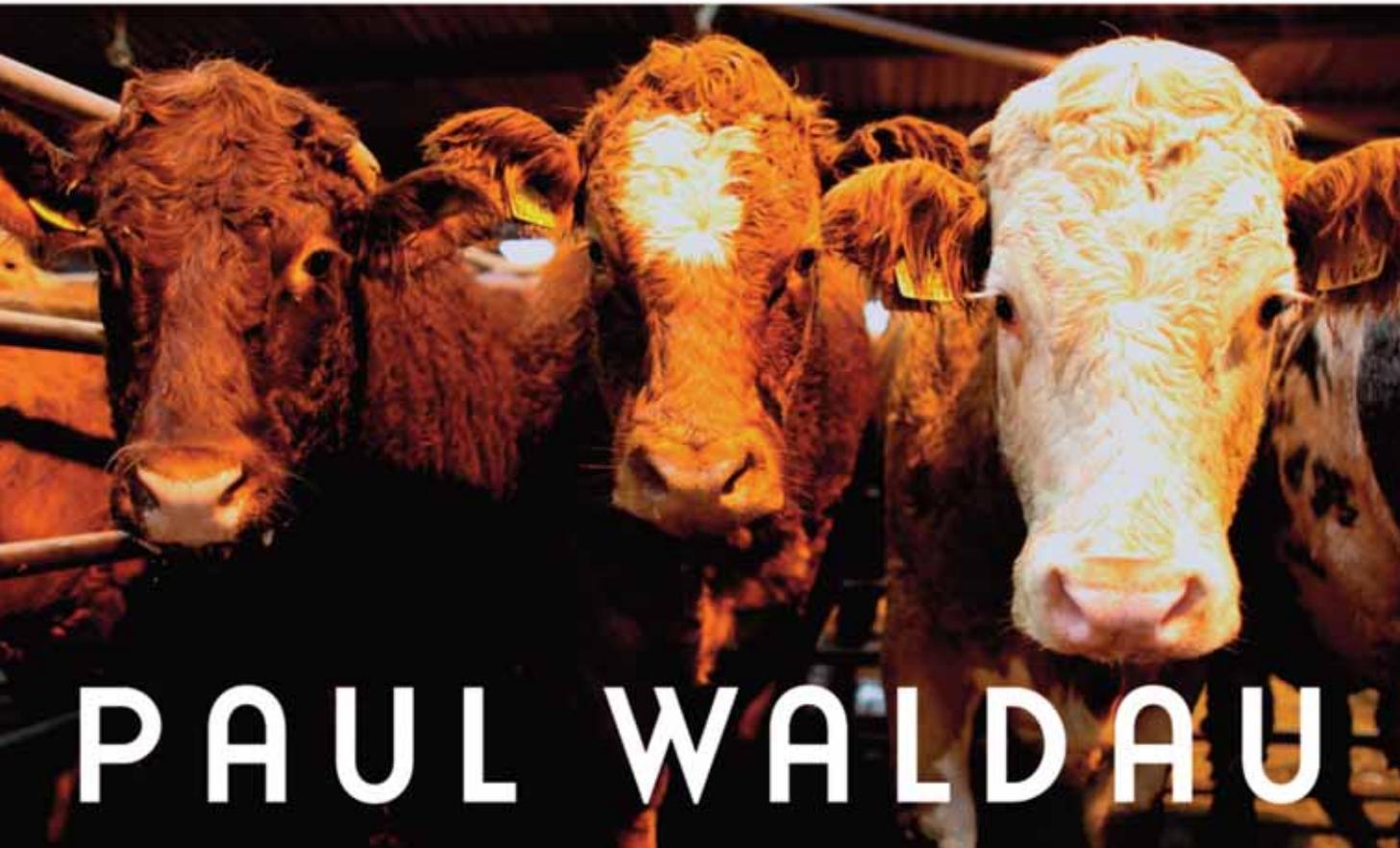




# ANIMAL RIGHTS

WHAT EVERYONE NEEDS TO KNOW



PAUL WALDAU

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# **ANIMAL RIGHTS**

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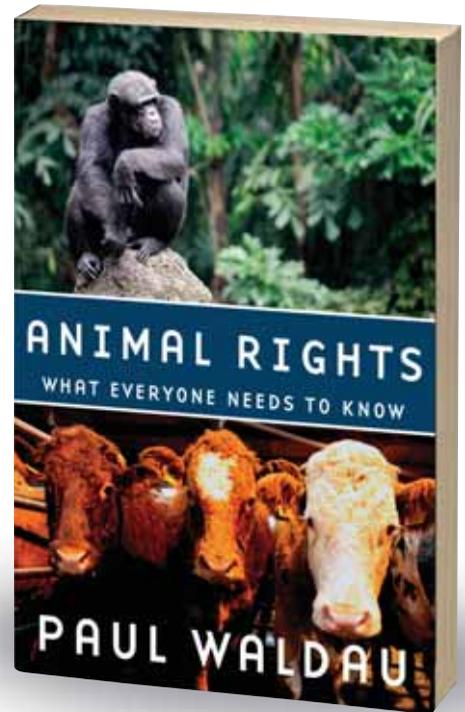
BY **PAUL WALDAU**

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## **ABOUT THE AUTHOR**

**Paul Waldau** is a scholar working at the intersection of animal studies, ethics, religion, law and cultural studies. He has served multiple times as the Bob Barker Lecturer on Animal Law at Harvard Law School, directed animal law reading groups at Yale Law School, and was the Director of Tufts University's Center for Animals and Public Policy from 2004 through 2008.

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## ABOUT THE BOOK

In this compelling volume in the *What Everyone Needs to Know* series, Paul Waldau expertly navigates the many heated debates surrounding the complex and controversial animal rights movement.

Organized around a series of probing questions, this timely resource offers the most complete, even-handed survey of the animal rights movement available. The book covers the full spectrum of issues, beginning with a clear, highly instructive definition of animal rights. Waldau looks at the different concerns surrounding companion animals, wild animals, research animals, work animals, and animals used for food, provides a no-nonsense assessment of the treatment of animals, and addresses the philosophical and legal arguments that form the basis of animal rights. Along the way, readers will gain insight into the history of animal protection—as well as the political and social realities facing animals today—and become familiar with a range of hot-button topics, from animal cognition and autonomy, to attempts to balance animal cruelty versus utility. Chronicled here are many key figures and organizations responsible for moving the animal rights movement forward, as well as legislation and public policy that have been carried out around the world in the name of animal rights and animal protection. The final chapter of this indispensable volume looks ahead to the future of animal rights, and delivers an animal protection mandate for citizens, scientists, governments, and other stakeholders.

With its multidisciplinary, non-ideological focus and all-inclusive coverage, *Animal Rights* represents the definitive survey of the animal rights movement—one that will engage every reader and student of animal rights, animal law, and environmental ethics.

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## WHY IT'S PERFECT FOR YOUR COURSE

- **A well-rounded, non-ideological, and cosmopolitan introduction to the animal rights movement, its philosophy, law, public policy, scientific and religious views, and major thinkers**
- **Laid out in an accessible Q&A format and includes a timeline of major events in the animal rights movement. Low-priced and in paperback, it's perfect for students!**
- **Looks at movements, public policy and legislation in the United States, Europe, and Asia**
- **Ends with consideration of the role of individuals, corporations, non-profits, and governments in deciding the future of animal rights**

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# TABLE OF CONTENTS

Preface

**Chapter 1.** General Information

**Chapter 2.** The Animals Themselves

**Chapter 3.** Philosophical Arguments

**Chapter 4.** History and Culture

**Chapter 5.** Laws

**Chapter 6.** Political Realities

**Chapter 7.** Social Realities

**Chapter 8.** Education, the Professions, and the Arts

**Chapter 9.** Contemporary Sciences—Natural and Social

**Chapter 10.** Major Figures and Organizations in the Animal Rights Movement

**Chapter 11.** The Future of Animal Rights

Time Line/Chronology of Important Events

Glossary

Suggestions for Further Reading

Index

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# Chapter Excerpt

## PREFACE

As I contemplated how to answer the question “What do people need to know?” about the important but controversial notion of animal rights, I considered three things. First, I thought of the hundreds, perhaps thousands, of conversations on this topic that I have had with people in ordinary walks of life from all over the world. These have helped me appreciate the great variety of views on this topic.

Second, I thought about what I had learned during several decades of studying animal topics in various educational contexts. I spent years in Oxford, England, studying the academic side of various issues, and I then spent a decade teaching in a veterinary school. At about the same time, I taught the subject of “animal law” at some of my country’s best law schools. I also had the privilege of lecturing at dozens of universities and law schools as well as in public conferences, before thousands of people.

Third, I looked at hundreds of books, printed articles and Web sites that used the phrase “animal rights” because I wanted to see whether people were talking to—or past—one another.

Based on all of this background and research, I came to the conclusion that the following issues are the most important ones, and thus “what everyone needs to know,” about animal rights.

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Animal rights is an ancient topic that recently has taken a special twist. The phrase “animal rights” has been, and still is, employed most often to describe *moral rights* and social values in favor of compassion and against cruelty. The modern twist is the emergence of conversations where the term means all of this *and more*, namely, the possibility of *legal rights* for some or all nonhuman animals. The latter are important protections, and today there is a very active debate over how often and to what extent our different human societies might put specific legal rights and other protections into place for specific animals.

This debate about “animal rights” as “specific legal rights” colors what many influential people say about the term, but this special and, I think, important sense of the term still remains secondary to the more generic meaning of “moral protections.” This book tries to explain why “animal rights” in the sense of moral rights is the larger and more fundamental issue, and why specific legal rights for specific nonhuman individuals reflects, but does not encompass all of, animal rights as moral rights.

Second, the debate over animal rights often is polarized, but only in some circles. In those places where polarization impacts how people talk and hear one another as this issue is discussed, the advocates and activists at opposite ends of the long continuum of views continue to debate in ways that fuel even further polarization.

Third and most relevant to today’s use of “animal rights,” I found that many people do connect with each other when talking about animal rights. Further, many people recognize discussions about “animal rights” as

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*pro-people*. This conclusion will seem counterintuitive to some, perhaps even an outright falsehood to others. But if you explore the debates over animal rights at length, you will notice that those who make the claim that animal rights can be pro-people argue their point in several different ways. Some argue this must be so because humans are “animals.” Others argue that talk of animal rights affirms life, which of course has decidedly pro-human features. Still others argue that concerns to protect the living beings outside our own species honor *humans* in a special way by, first, affirming and, second, strengthening our ethical nature.

Lots of people also sense that the phrase “animal rights” is not a complicated phrase, but instead a phrase that easily and naturally means something very simple and basic along the lines of “protections for other living beings.” Others think the phrase most truly means “we should listen to the voice of animals.” Veterinary students often told me that “animal rights” is “a valuable term,” but when they use it they risk condemnation by some classmates and, tragically, members of their veterinary school faculty and administration.

Many people feel “animal rights” has undeniable appeal but that it is compromised whenever animal activists use violence on behalf of “the cause.” Quite a few who mentioned violence commented on how rare such violence was, and then answered their own concerns by asking out loud, “Why let a few violent people control whether we use a term that describes a movement that was originally nonviolent and today remains overwhelmingly so?”

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Today, as this book shows, animal protection is a worldwide social movement. At times, active citizens in this movement challenge deeply cherished values and long-standing practices. Some other citizens react strongly to such challenges, which suggests that the risk of polarization is not going to disappear, no matter how effective this book or any other single volume is at getting all of us to talk fairly, fully, and respectfully about the basic issue of our relationships with the life out beyond the species line.

What is most sorely needed is a willingness to recognize that the debate over “animal rights” is one in which fundamental values are being worked out. Without question, some people feel strongly that mere mention of the topic is a repudiation of humans and thus deeply immoral. But I found that many more people feel this kind of thinking focused solely on humans falls short of humans’ ethical possibilities.

Thus I think people need to know how many people find multiple connections with the world in concerns for “animal rights.” Because the phrase works for so many *not as a repudiation of humans* but as an affirmation of humans’ special abilities to care about others, whether those “others” be human or other-than-human, the phrase opens doors to the rich, more-than-human world that is out beyond our species. For them, animal rights is a win-win situation, not an either/or matter.

Particularly revealing about those people who find the notion of animal rights to be a connecting one, rather than a disconnecting one, is the range of connections affirmed by “animal rights.” Of course, one set of connections is with other animals. As the English historian Marc Gold wrote in 1995, “The term animal rights is nothing more than a useful kind

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of shorthand for a movement based on the recognition that nonhuman animals live purposeful emotional lives and are as capable of suffering as humans....kindness and tolerance for those different and weaker than ourselves are amongst the highest possible human aspirations.”

*But the connections by no means stop there.* The phrase “animal rights” also connected people with “nature,” “the environment,” the local ecological world in and beyond their backyards, and, incredibly, *with other humans in a variety of ways.* Of great significance for the future, it seemed to me, was a pattern of children pushing their parents to consider “the animals.”

These connections were not always called out explicitly. Yet even when these connections were only implicit, they were every bit as real, personal, and motivating. Both adults and children found animal rights to be one way to honor the world as, to use a phrase from the recently deceased visionary Thomas Berry, “a communion of subjects, not a collection of objects.”

So one point of this book is that *everyone needs to know* that polarization over animal rights need not be the dominant feature of the debate. Instead, the dominant feature of most discussions about animal rights is the common question, “What is the meaning of life?” My experience in exploring the animal rights debate has taught me that people ask this question because they feel emotionally committed to those around them. People recognize that daily actions, choices, and work can express human imagination and our considerable abilities to care, and they know that we thrive when we connect to some larger project which began before our own life and which will continue after it.

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Ethical concerns for other living beings, whether human or not, provide such possibilities. Many people today understand “animal rights,” however one defines it, to be a path of caring that leads to the fullest possible future. They have found that this form of life not only fosters virtues but in actual practice sustains the prospering of human imagination. My own experience is that in the class, as in life, inquiring beyond the species line prompts healthy, communicative forms of thinking and rationality, rather than the destructive, manipulative, instrumental forms of thinking so characteristic of selfishness and a small soul.

When humans experience others—again, it matters not whether these “others” are human or members of some other species—paradoxically this experience of getting beyond the self allows humans to become as *fully human* as we can be, that is, human in the context of a biologically rich world full of other interesting living beings. As Viktor Frankl said in his influential *Man’s Search for Meaning*, “self-actualization is possible only as a side-effect of self-transcendence.” This is true not only for human individuals but also for the human species as a whole. This has in fact been the message of many religions, many ethical systems, and various wisdom traditions anchored in small-scale societies.

Through writing this book I came to understand that animal rights, as most people described it to me, is about connecting to the meaning of life.

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