

Intervention or Protest

Acting for Nonhuman Animals

Edited by
**Gabriel Garmendia da Trindade
& Andrew Woodhall**

Vernon Series in Critical Perspectives on Social Science



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*For all of the nonhuman animals,
and the human animals that fight in
solidarity with them*

Table of Contents

Acknowledgements	1
List of Contributors	5
Introduction	9
Saving Nonhumans: Drawing the Threads of a Movement Together	23
<i>Andrew Woodhall & Gabriel Garmendia da Trindade</i>	
Putting Nonhuman Animals First: A Call for a Pragmatic and Nonideal Turn in Normative Theorising	57
<i>Jens Tuijder</i>	
Animal Activism and Interspecies Change	97
<i>Eva Meijer</i>	
The Role of Activist and Media Communication in Helping Humanity Establish its Responsibility toward Fellow Animals	131
<i>Carrie Packwood Freeman</i>	
Beyond Complicity and Denial: Nonhuman Animal Advocacy and the Right to Live Justly	159
<i>Kurtis Boyer, Guy Scotton & Katherine Wayne</i>	

Nonhuman Animals and Sovereignty: On <i>Zoopolis</i> , Failed States and Institutional Relationships with Free-Living Nonhuman Animals <i>Josh Milburn</i>	183
Are Nonhuman Animals Owed Compensation for the Wrongs Committed to Them? <i>Julia Mosquera</i>	213
And the Animals Show Their Veins: Predation, Vivisection and Moral Innocence <i>Wayne Williams</i>	243
The Limits of Intervention in Nature on Behalf of Wild Animals and the Limits of Ethics <i>Patrizia Setola</i>	271
A (Human) Rights-Based Approach to Natural Disaster Intervention for Nonhuman Animals <i>Lauren Traczykowski</i>	317
Climate Justice for Wildlife: A Rights-Based Account <i>Julius Kapembwa & Joshua Wells</i>	359
Index	391

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ing part in more direct action or activism. You can change academia and the world. For those who need us by their side the most. Thank you.

Gabriel and Andrew

August, 2016

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Introduction

A strange place. No home, no comforts, no natural environments – no way to behave as you want to. Solitude. A lack of space. And the inevitable unknown. The fear that all of this creates varies depending on how heightened one’s awareness is, but as Peter Singer has rightly noted sometimes having less capacity for understanding means that one has a greater fear and suffering. For with greater abilities to comprehend also comes the facility to understand one’s situation, why this is happening, and perhaps to devise ways to cope. That fear, loneliness, denial of who and what you are and prefer, and all that comes with it is perhaps the best you can hope for, because otherwise there is pain, things being done to you that you cannot stop, cannot escape, cannot understand. Things that you do not want, that hurt, that scare you, and no one can hear you. And those that can, they do not hear you. Everything you are is in their hands, to do with as they please. Everything you love you see taken away, gone, and you remain alone. Until finally, after your entire life of this pain or numbness – death comes. And these are the “lucky few”...for others, life is far worse.

No human words can do justice to how nonhuman animals feel or describe in terms that they would relate to the myriad horrors that humans put them through, often under the moniker – and frequently the truly-held belief – that what they do is in the interests of those nonhumans. It has been said by survivors of human horrors that one cannot truly understand unless one suffered the horror themselves, and in cases such as with some Holocaust survivors that even they cannot fully understand. Nevertheless, many do try and understand and do the best that they can to aid those who suffer, to free them and enlighten the world so that in the course of this world’s history we make yet another step forward towards the ideal of peace, love, happiness, and an end to suffering for all.

It is to this end, and because of the nonhuman animals experiencing lives much worse than described above, that interspecies ethics – or, as more commonly known (nonhuman) ‘animal ethics’ – arose. This area began, not just as a scholarly exercise or as an area for academic debate but also due to a recognition of the circumstances many nonhuman animals were in, the belief that this was morally wrong or unjustified, and from the desire to take action to do something to help. Interspecies ethics has always been about both theory and action, and has involved difficult questions that challenge deeply held intuitions and beliefs about humanity and how we behave in the world. It is no wonder then that both within society and academia the area has often found its path leads up hill, yet still after almost half a century arguments for aiding nonhuman animals and ending many of our practices are increasingly gaining traction within society. Within the academy the field is also growing, with journals, centres, courses, and degrees slowly but surely flowering into being and becoming increasingly accepted by once-hostile traditional departments. The field of interspecies studies – or, again as more commonly known (nonhuman) ‘animal studies’ – continues to grow with ever more disciplines joining the discussion and bringing their field of expertise to highlight new aspects of the debate or ways in which nonhumans are mistreated. As well as philosophy, politics, language, communication, evolutionary biology, ethology, art, literature, geography, law, environmental studies, and many more have widened the debate and deepened the insights.

More ways that humans harm nonhumans are seen, but so are new ways forward and new paths for human and nonhuman animals to relate and build a less harmful future together. However with this widening the academic side of the field also seems to have become somewhat distanced from the action-oriented side of the field. Activists have become increasingly separate to the numerous ideas that are published within academia, relying rather on traditional interspecies ethics positions or organisations that have been influenced by these. While there is of course cross over, many of the papers published become debates amongst theorists –

having little impact on the many practical-oriented activists, despite their insights. Alternatively, these papers have a limited impact at a larger, organisational or institutional level, though an impact that could have been much stronger with a wider support. Activists, on the other hand, often are not guided by the newer insights or miss marginalised positions that have important claims to share.

It is within this atmosphere, and towards this fractured 'movement', that this book is conceived. The title of this anthology is *Intervention or Protest: Acting for Nonhuman Animals*, a somewhat simple heading but one that captures, and attempts to highlight and address, the main points brought out above. The aim of this book is to be both theoretical and practical, to be both a contribution to the scholarly debates but also to put forward positions that can, and intend, to be real-world practicable. Further, this book considers issues that are important in making a difference to nonhuman animals. With this practical aim, and the careful theoretical deliberations behind them, these two foci are intended to influence both the way the movement and the scholarly fields go forward. It is the hope that this not only bridges the gap between theory and action, and shows that this division need not be, but also that by working together an effective way forward for nonhuman animals can be reached. And so the aim of this book is twofold: first, to be both a contribution to theory and practice, and second, to highlight ways forward on actionable issues for nonhuman animals that are also critical for theorists to consider.

In line with these aims this book is focused on four key areas: (i) how can the movement for nonhuman animals be strengthened or how should it go forward?, (ii) how should we act for nonhuman animals?, (iii) ought we intervene for nonhuman animals, and if so how far and in which areas (e.g. direct action, violence, protest, in nature)?, and (iv) what other areas can we act for nonhuman animals in that we may not be considering already?

These four questions are large areas that have both theoretical and practical importance within interspecies ethics/studies and

society/the movement. Within current political, social, and ethical debates – both in academia and society – activism and how individuals should approach issues facing nonhuman animals have become increasingly important ‘hot’ issues. Individuals, groups, advocacy agencies, and governments have all espoused competing ideas for how we should approach nonhuman use and exploitation. Ought we proceed through liberation? Abolition? Segregation? Integration? As nonhuman liberation, welfare, and rights’ groups increasingly interconnect and identify with other ‘social justice movements’, resolutions to these questions have become increasingly entangled with questions of what justice and our ethical commitments demand on this issue, and the topic has become increasingly significant and divisive. The four areas are essential questions to be asked in regard to each of these, and within this volume they are answered by drawing on both theory and practice, theorists and activists, and interdisciplinary ideas in order to provide grounded, yet actionable, ways forward. The contributors within this volume offer new insights into all of these areas, and while allowing further debate to flourish they offer concrete suggestions for action and change in everyday practice; both on a large and small scale.

This book is therefore intended not only to provide new and interesting insight into the area and important contemporary discussions, but also to constructively aid the nonhuman movement and unite theory and practice on the crucial issues. With the nonhuman movement and its past approaches currently being questioned as a success, more nonhumans than ever being harmed and exploited, and a growing gulf between activists and scholars, this book attempts to be a bridge over these gaps and move both theory and practice – and thus the movement and field – forward.

The literature on interspecies ethics/studies is, if not as wide as other fields, still significant and growing daily. Within this literature questions on intervention have only recently been receiving attention. With the current ‘political turn’ in the field – i.e. a move away from more traditional ethical approaches to nonhuman animal issues to more politically-based positions – questions regard-

ing how the field, and the movement as a whole, can be improved and have more impact have also begun to be raised. It is by regarding these recent debates that this book specifically fits within the literature.

As such, this book can be broken down into three areas. While each chapter covers various topics which often overlap others, the chapters have been arranged both in order to complement each topic with those that come before and after, and as they fit with these three themes. The first five chapters largely focus on broad issues that are of importance to interspecies ethics/studies and the movement as a whole. Questions such as how the movement can be improved, what can be learned from other social movements, and how activism in general should move forward can be found in this section of the book. Chapters six through eleven consider questions relating to intervention in various situations, differing scales, and in regard to different questions. Questions such as whether intervention is conceivable, how we should intervene, how far, in what circumstances, and whether we should recompense nonhuman animals for past wrongs are the focus of this section of the book. Finally, while all of the contributions to this volume offer new insights, chapters ten and eleven also provide new areas within the debate to consider, and new topics for activists to take into consideration.

Within the chapters, and the general themes and questions this book contends with, several specific issues are considered:

- The need for theory to have a practical impact and practice to have good, reasoned grounding
- Direct action and the basis for practical activism
- The intersection between interspecies ethics and the ethics of war and self-defence
- Anthropocentrism as a problem for current approaches to intervention and action, and for the movement in general, and what can be learned from other movements to combat this

- Focusing non-ideal theory on negative rights to be more practical, and why this would mean we must intervene for nonhuman animals only in regard to humans rather than nature
- Different perspectives on why the current movement is not succeeding in its aims
- Nonhuman animals as political subjects and acting agents, and our duty to aid them due to this
- What we can and cannot learn by comparing the nonhuman animal movement to other social movements, and how a better understanding of this is necessary to answer how to aid nonhumans and whether we should intervene or protest
- Comparisons with circumstances that middle-eastern communities face, and a discussion on how this reveals both flaws in the nonhuman animal movement and how we should move forward
- What the attribution of rights means for nonhuman animals, demonstrated by the example of climate change and duties to intervene in the event of natural disasters
- Responses to the ‘predation argument’, why current approaches have problems due to this, and what this means for intervention
- Civil disobedience rather than violent protest
- Recent discussions on the ethics of intervening for nonhuman animals in nature and what limits there may be to intervention
- Whether we have, or whether there can be, duties of restorative justice in regard to harms perpetrated on nonhuman animals by humans
- The importance of the role of communication in activism and aiding nonhuman animals

Within the first chapter, Andrew Woodhall and Gabriel Garmendia da Trindade consider the divide between theorists and activists within the nonhuman animal movement. They consider the recent reflections on the successes and failures of the movement before arguing that instead of a methodological reason that perhaps the source of the movement’s overall lack of success is the result of

this theory/practice gulf. In the first part of their chapter they consider how both theory and practice must be linked together in order for the nonhuman movement to become more effective, and argue that activists ought to ground their action more than currently occurs while theorists must focus more on actual, practical ways to aid nonhuman animals while also actively partake in action themselves. In the second part of the chapter they consider this approach in regard to anthropocentrism and the poorly explored intersection between interspecies ethics and the ethics of war and self-defence. They argue that with the former, anthropocentrism when understood correctly not only results in problems for the movement that need to be confronted but that rejecting anthropocentrism has important implications on theoretical and practical issues, such as intervention. With the latter, they argue that questions concerning direct action and the moral permissibility of using violence to protect nonhuman animals from human oppression cannot be answered within interspecies ethics alone. It is necessary to make use of a more sophisticated and accurate terminology, which can only be found in the ethics of war and self-defence literature.

Jens Tuider considers the movement's progress from an alternative angle in his chapter, arguing that the unsatisfactory headway is the result, at least in part, of the way normative theorising has been undertaken. Tuider argues that the influence of theoretical and ideological constraints as well as Ideal rather than Non-Ideal strategies have resulted in fundamental issues being left unaddressed, and as a result improvements for nonhuman animals have not been achieved adequately. Tuider thus calls for a 'pragmatic and realistic turn' in how theorising is done concerning nonhuman animals, one that advocates a practical, realistic and task-oriented approach that bases itself in reflecting upon real-life conditions rather than a utopian ideal. This turn can be achieved, it is argued, by acknowledging and addressing four fundamental issues: (i) that the nonhuman animal movement differs from other social movements in crucial aspects, (ii) that as divided as the movement is between liberation and reform mutual understand-

ing and cooperation must be fostered, (iii) the psychological and motivational make-up of moral agents, and the question of reasonableness of moral demands, need to be taken seriously rather than being treated with indifference or ignorance, and (iv) a realistic basic notion of morality needs to be accepted which distinguishes the moral and political while understanding how the two relate. Tuider argues that addressing these four issues is not only critical to the movement's success and the theoretical debate, but also has important implications regarding the challenges of intervention.

In contrast to Tuider, Eva Meijer argues in her chapter that, despite the lack of acknowledgment in theory and practical politics, nonhuman animal agency is not only demonstrated but that nonhuman animals exercise such agency in a way that influences human political and social structures and societies. Meijer thus proposes that nonhuman animals be viewed as political actors, rather than objects, and thus both our treatment of them and our relations and co-existence with them need to be re-thought. Meijer argues that within recent political contributions to interspecies studies this role of nonhuman animals and their influence is underexposed, and that instead of looking at nonhumans as beings that need humans to know what is best for them we should instead be exploring forms of interspecies solidarity by looking at how nonhuman animals, as subjects and actors, fight oppression and resist/expose injustices. Taking such acts into account, Meijer argues, is important for activism and opens new avenues of thinking of social change and interspecies communities.

How the movement can be advanced, and important issues theorists and advocates need to consider, is offered by Carrie Packwood Freeman's chapter where she argues for the importance of communication as the fundamental means by which nonhuman animal, and environmental, advocates – as well as the media – can increase awareness of, and accountability for, our actions toward nonhuman animals and how this can be used to facilitate restorative public intervention on their behalf. Freeman uses the ethical principle of responsibility to demonstrate what it means for

humans to bear moral responsibility for both intentional oppression of nonhuman animals and negligent self-centred actions that routinely disadvantage nonhumans. From this, Freeman proposes that nonhuman advocates should communicate four claims to justify and inspire intervention on behalf of nonhuman animals, by establishing: (i) nonhuman animals' worth as persons, (ii) our ethical values and duties in favour of justice, reparations, caring, peace, and freedom, (iii) our fault and responsibility for the harm and exploitation of nonhuman animals, and (iv) effective solutions, both in regulatory and voluntary terms, to the problems we have caused so as to restore fellow animals' health and freedom. Doing so, Freeman concludes, would not only be revolutionary for how we see ourselves and nonhuman animals, but would also result in significant changes in how we treat and act for nonhumans.

In their chapter, Kurtis Boyer, Guy Scotton and Katherine Wayne continue the focus on how the movement can be advanced by questioning the movement's current approach. Outlining how interspecies justice is considered on the basis of moral and political obligations that humans owe to other species, Boyer, Scotton and Wayne argue that while this is an important method, it is incomplete. Taking inspiration from Ariella Azoulay, Boyer, Scotton and Wayne analyse silence, avoidance, and denial as the active products of particular psychological and cultural conditions and suggest that exclusively focusing on human obligations to nonhuman animals hinders the conceptions and realisation of interspecies justice. This, they argue, (i) neglects the embedded cognitive, emotional, and social barriers to our attentiveness to nonhuman suffering and exploitation, (ii) fails to grant normative and political significance to those barriers in terms of how they impoverish and remove conditions for recognizing and fulfilling our obligations to nonhuman animals, (iii) forecloses opportunities for good faith dialogue between activists and mainstream theorists and society, and (iv) constrains the prospect of collectively striving for a nuanced yet accessible vision of what is required to live well together. Examining these obstructions, Boyer, Scotton and Wayne attempt to show how humans are wrong through their unknowing com-

plicity with the exploitation of nonhuman animals, before arguing that as such human citizens are entitled to refuse such complicity and are therefore owed the right not to be perpetrators. This, they argue, offers a more robust and inclusive approach to cultivating public engagement with just forms of interspecies community.

Josh Milburn continues this focus on how nonhumans and humans relate on a societal level but turns his attention to human involvement with free-living nonhuman animals on an institutional, rather than individual, level. In his chapter, Milburn considers the use of sovereignty as it has been used in contemporary political contributions to interspecies studies, namely Sue Donaldson and Will Kymlicka's *Zoopolis*, and highlights how this conception of sovereign territory impacts the debate on intervention, both on a small and a large scale. Milburn argues that through a critical assessment of the conceptual success and coherence of this model, we can better understand our normative obligations toward free-living nonhuman animals. Milburn makes this assessment by setting out what he terms the 'failed state objection', considering Donaldson and Kymlicka's responses to this, and arguing that all three responses can be replied to in a way that reveals problems for *Zoopolis'* concept of sovereignty. It is then argued that this can either reveal that the way that Donaldson and Kymlicka use sovereignty to justify non-intervention in sovereign nonhuman animal communities is problematic, or it is the deployment of sovereignty as is that is unsatisfactory and thus a more limited sovereignty model should be sought. Drawing on this, Milburn finally turns to asking the practical question of what institutions, if any, should be established to protect free-living nonhuman animals. He compares the sovereignty model with animal property theory, before arguing that as there is currently no satisfactory way to implement either proposal if we wish to work towards institutional protection of nonhuman animals we have to work towards changing everyday attitudes towards them, most basically by adopting veganism and spreading a pro-vegan message.

Julia Mosquera considers how our behaviour toward nonhuman animals needs to be considered in light of an account of re-

storative justice. In her chapter, Mosquera argues that in human cases atrocities have been accounted for in various ways, such as via restitution and compensation. As such, she asks whether human mistreatment of nonhuman animals also needs to be considered in such a light, and if so an account of restorative justice is needed. Mosquera argues that the account she proposes has implications for the debate on intervention within nature due to the consideration of territory restitution.

Continuing the focus on intervention, Wayne Williams focuses on the problem of predation, which questions whether we should intervene to aid nonhuman animals who are being preyed upon and argues that as this is problematic, any ethic that requires us to 'police nature' is wrongheaded and as many nonhuman animal rights positions lead to this conclusion such positions are unacceptable. In his chapter, Williams concedes the problem of predation cannot be resolved in abstract or general terms, and thus what he terms merely individualistic or capacities-based approaches to nonhuman animal ethics will inevitably fail to address the issues that the problem highlights. Any adequate position, therefore, must give significant weight and a central role to an understanding of relational and contextualised factors. Despite this, Williams maintains that far from undermining a rights-based approach this instead makes the sort of negative constraints typical of deontological theory even more indispensable, even though they are not complete or wholly sufficient alone. Williams argues that this insight has important implications in that parallels can be seen between the considerations that constrain ethical intervention in predation and those that should govern nonhuman animal activists in their responses to practices such as vivisection. These implications entail that activists engaged in protest or intervention for the purpose of furthering nonhuman animal concerns are necessarily caught between an obligation to act or to intervene to protect nonhuman animals from harm and a duty to regard the instigators of such harms as either morally innocent or, at least, non-culpable, and that consequently our actions must be governed in such instances accordingly.

While the ‘predation argument’ is one of the most common objections to intervention in the more-than-human world, other doubts have been raised as well. In her chapter, Patrizia Setola highlights some of these, such as how nonhuman animals have less moral worth, objections that are based upon nature itself, and the claim that intervention would either be futile or do more harm than good, before also pointing out consequentialist responses within the current literature that attempt to show that, on the contrary, intervention is morally required, not as practically problematic as it seems, and is both possible and already undertaken in many ways. On this background, Setola sets out to establish the scope and limits of intervention within the more-than-human world and asks whether such limits impact or enlighten the endeavour as a whole. To do this, Setola proceeds to consider the cases of intra-species conflict connected to reproduction and the blurred line between mutualism (an association between organisms of different species where both benefit) and parasitism (where the organism of one species benefits to the detriment of the other organism). She argues that these cases show that the ethics and practice of intervention depend upon a far more complex set of factors than the consequentialist calculus provides. Thus, Setola argues, when and if intervention is possible requires serious consideration of several factors, including the complexity of lives and niches in ecosystems.

Lauren Traczykowski shifts the focus to large-scale interventions in her chapter by arguing that in the event of a natural disaster where nonhuman animals are in danger, the international community has a moral responsibility to intervene. Traczykowski argues for this, not by looking at traditional approaches to nonhuman moral considerability or rights, but rather by using a human rights-based approach. Considering how such an approach works in the human rights literature, she argues that the same approach can be applied to nonhuman animals in a manner which generates a duty of response to the needs of nonhuman animals by the international community, in the event of a natural disaster, should the government of a territory that those nonhumans live

within fail – whether willingly or through inability – to do so. Despite this moral obligation, Traczykowski concedes that there are operational and political hurdles to overcome, though she acknowledges that many of these have been or can be addressed in the current intervention literature. Even so others, such as the prioritising of family members, may not be so easily resolved. Despite this, the political, theoretical, and practical impact of this conclusion remains salient.

In the final chapter, Julius Kapembwa and Joshua Wells discuss the impact of climate change in light of nonhuman animal rights. Kapembwa and Wells argue that due to the increasing likelihood of adverse effects caused by climate change, free-roaming nonhuman animals face a significant risk of suffering, and thus an account of this threat needs to be taken within climate change theory and practice. In their chapter, Kapembwa and Wells make an integrationist case for embedding rights of free-roaming nonhuman animals into local and global institutions before outlining how climate change threatens them. Employing the method of rights specification, they then develop a typology that spells out the rights of members of specific nonhuman animal species in specific contexts. Kapembwa and Wells argue that as rights generate obligations on the part of moral agents, this typology provides some pragmatic basis for political decision makers to include free-roaming nonhuman animals within decision-making about climate change both at a local and international level.

The broad range of topics and chapters within this book are written in an academic, yet clear and understandable, manner in order to appeal to both academics and non-academics, to fit with this book's aim and, moreover, so as to be accessible as contributions to the debates, as learning and teaching material, as input for policy consideration, and as food for thought for activists. Thus the chapters offer both a contribution to theory and practice. These two areas need not be separate, and the field and movement would benefit from bridging the ever-widening gulf between academia/theory and activist/practice in order to aid nonhuman animals, and to make theory more current, applicable, influential,

and relatable, not just a talking point in an ivory tower, and to make action more tactically advantageous, well-grounded, more inclusive, less fractured in focus, and less subject to bias or inconsistency.

In the interests of this unifying theme of theory and practice, it should be noted finally that throughout this book attempts have been made to remove prejudicial and centric terminology, phrasing, and examples. Anthropocentric, speciesist, chauvinistic, androcentric, sexist, ethnocentric, and racist language has thus been avoided. As such, terms such as 'animal' have been replaced with 'nonhuman animal', 'other animals', and so on. Similarly, 'wild animals' has been replaced as much as possible with 'free-roaming' or 'free-living' nonhuman animals, at the contributors' discretion. At certain points the 'more-than-human' world has replaced the term 'nature', 'interspecies ethics/studies' has replaced 'animal ethics/studies', and every effort has been made to remove object-based language when applied to nonhuman animals in favour of the personal 'she'. Similar substitutions have been made in reference to humans in regard to sex- and race-based norms. In short, every effort has been made to ensure that nonhuman animals are represented as important, unique, and individual subjects that are to be treated and considered as such and with moral respect and dignity. Similarly with reference to women and all people of colour.

PAGES MISSING
FROM THIS FREE SAMPLE

Index

A

- A Declaration of War, 41, 42, 43, 44, 45, 46, 47, 55
- Abolition, 5, 12, 26, 53, 57, 69, 70, 73, 74, 75, 76, 77, 78, 81, 82, 83, 93, 268
- Activism/activists/advocacy, 3, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 25, 26, 28, 29, 35, 36, 40, 43, 45, 46, 48, 50, 53, 58, 59, 60, 62, 67, 68, 71, 72, 73, 74, 75, 79, 82, 83, 84, 86, 87, 90, 91, 93, 97, 98, 99, 101, 105, 108, 110, 113, 115, 116, 117, 119, 121, 123, 132, 133, 134, 136, 137, 138, 144, 148, 152, 154, 155, 156, 159, 160, 161, 162, 169, 170, 171, 172, 175, 177, 178, 183, 185, 215, 245
- Adams, Carol, 92, 124, 134, 141, 144, 146
- Agency/Agents (nonhuman animals as), 14, 16, 21, 43, 58, 64, 84, 85, 88, 89, 91, 97, 98, 100, 101, 102, 103, 104, 105, 108, 110, 111, 113, 115, 116, 117, 118, 119, 120, 121, 137, 148, 160, 165, 166, 169, 171, 176, 199, 200, 201, 207, 208, 229, 244, 246, 247, 248, 250, 252, 256, 257, 259, 261, 262, 263, 264, 265, 280, 322, 323, 361, 364, 366, 368, 376, 380
- Anarchism, 73
- Androcentrism, 22, 30, 31, 32, 34, 54
- Animal ethics/studies, 2, 5, 6, 7, 8, 19, 29, 54, 103, 127, 129, 155, 162, 181, 210, 211, 242, 244, 253, 255, 257, 268, 269, 314, 315, 355, 360, 381, 388, 389
- Animal Liberation, 24, 26, 48, 55, 61, 68, 93, 94, 127, 128, 157, 268, 269, 276, 312, 313, 314, 329, 356
- Animal Liberation Front, 36, 42
- Animal rights movement, 57, 58, 67, 68, 73, 82, 83, 85, 98, 140, 160, 169, 170
- Annas, Julia, 161, 162, 163, 166, 179
- Antelopes, 107, 346
- Anthropocene, 127, 132, 157

- Anthropocentrism, 8, 13, 15,
 22, 29, 30, 31, 32, 33, 35, 36,
 37, 38, 39, 50, 52, 55, 71, 98,
 115, 116, 118, 119, 123, 170,
 211, 297, 310, 313, 315, 355,
 360
- Apes, 103, 317, 372
- Apes (chimpanzees), 112, 117
- Apes (gorillas), 224
- Apes (orang-utans), 107
- Azoulay, Ariella, 17, 161, 162,
 170, 179
- B**
- Bees, 103, 335, 336, 355
- Bekoff, Marc, 38, 52, 93, 103,
 107, 119, 124, 141, 147, 154,
 155, 224, 242
- Birds, 105, 147, 184, 243
- Boyer, Kurtis, 5, 17, 159
- Buffalos, 245, 246
- C**
- Callicott, J. Baird, 246, 247,
 268, 276, 277, 288, 312
- Camels, 97, 106
- Caney, Simon, 323, 324, 353,
 361, 370, 387
- Capuchin monkeys, 103
- Care ethics, 84, 133, 141, 144,
 282
- Carnism, 7, 88, 93, 146, 148,
 156, 169, 170, 180
- Case for Animal Rights, the,
 47, 54, 128, 157, 211, 226,
 269, 314, 356, 389
- Categorical Imperative, the,
 77
- Cats, 118, 184, 199, 201, 243,
 244, 261, 274, 280
- Cavalieri, Paola, 328, 338, 353
- Cetaceans, 103
- Circuses, 76, 106
- Citizenship, 18, 99, 100, 101,
 102, 103, 105, 109, 110, 111,
 121, 134, 160, 161, 162, 166,
 169, 170, 172, 173, 174, 175,
 176, 184, 188, 191, 192, 193,
 194, 195, 200, 201, 202, 204,
 233, 288, 350, 384
- Civil disobedience, 14, 98,
 101, 106, 108, 109, 110, 111,
 112, 119, 151
- Civil Rights Movement
 (U.S.), 24, 35, 380
- Climate change, 14, 21, 147,
 167, 185, 216, 217, 230, 234,
 239, 241, 286, 309, 320, 336,
 359, 360, 361, 362, 363, 364,
 368, 369, 370, 371, 372, 373,

- 374, 375, 376, 378, 379, 380,
382, 384, 385, 386
- Cochrane, Alasdair, 73, 75,
92, 99, 105, 109, 114, 115,
124, 200, 210, 248, 253, 268,
293, 312, 345, 353
- Communication, 6, 10, 14,
16, 100, 104, 105, 106, 109,
118, 127, 128, 131, 132, 134,
135, 136, 138, 144, 146, 154,
155, 156, 157, 211
- Communities (nonhuman),
16, 18, 98, 100, 104, 109,
110, 119, 120, 187, 191, 272,
273, 287, 288, 292, 293, 294,
295, 297, 305
- Companion nonhuman
animals, 150, 192, 199, 202,
224, 279, 281, 284, 317, 326,
336, 350
- Compensation/reparation,
19, 213, 214, 215, 216, 217,
218, 219, 220, 221, 222, 223,
224, 225, 226, 227, 228, 229,
230, 232, 233, 234, 235, 236,
237, 238, 239, 240, 241, 242,
368, 378
- Complicity, 18, 149, 152, 160,
161, 164, 165, 166, 168, 169,
170, 171, 173, 174, 175, 176,
177, 178
- Cooke, Steve, 105, 115, 125,
197, 204, 208, 210
- Counterproductiveness
Objection, the, 40, 49
- Cows, 36, 147, 167, 168, 181
- Coyotes, 222
- Crocodiles, 245, 246, 303
- Crustaceans, 215
- D**
- de Waal, Frans, 38, 53, 224,
242
- Deep Ecology, 33, 247
- Deer, 147, 200, 248, 290
- DeGrazia, David, 35, 53, 247,
254, 268
- Denial, 9, 17, 147, 165, 167,
169, 170, 172, 175, 176, 177,
178, 303
- Deontology/deontological
accounts, 19, 244, 245, 247,
248, 251, 252, 257, 262, 276,
282
- Derrida, Jacques, 146, 154,
294
- Diamond, Cora, 273, 294,
297, 301, 302, 303, 312, 313
- Dignity/moral respect, 22,
86, 140, 195, 207
- Direct action, 3, 11, 15, 25,
29, 36, 151
- Disability Theory, 103

- Dogs, 34, 93, 99, 103, 110,
111, 118, 120, 121, 122, 126,
127, 128, 156, 180, 233, 237,
272, 285, 314, 335, 341, 348,
353
- Dolphins, 165
- Donaldson, Sue, 18, 25, 26,
34, 35, 53, 66, 92, 98, 99,
100, 101, 102, 103, 104, 105,
109, 110, 111, 113, 115, 125,
134, 154, 184, 185, 186, 187,
188, 189, 190, 191, 192, 193,
194, 195, 196, 197, 198, 200,
201, 202, 203, 204, 205, 208,
210, 211, 272, 273, 276, 287,
288, 289, 290, 291, 292, 293,
294, 295, 296, 297, 298, 299,
300, 301, 302, 305, 307, 309,
311, 313, 319, 326, 327, 328,
329, 333, 344, 346, 347, 354,
360, 361, 383, 387
- Donovan, Josephine, 85, 92,
134, 141, 144
- Dunayer, Joan, 73, 92, 146,
154
- Dworkin, Ronald, 78, 92, 327
- E**
- Eating meat, 167
- Ecofeminism, 113, 114, 126,
127
- Ecosystems, 20, 131, 144,
148, 186, 230, 231, 247, 253,
258, 271, 276, 279, 281, 282,
288, 292, 294, 301, 304, 306,
308, 326, 371, 374
- Elephants, 103, 106, 107, 147,
239, 272, 312
- Empathy, 5, 38, 39, 141, 143,
169, 291
- Environmentalism/studies,
8, 10, 48, 112, 115, 138, 139,
220, 246, 247, 251, 274, 276,
277, 282, 365
- Ethics, 5, 6, 7, 8, 10, 11, 12,
13, 14, 15, 16, 17, 18, 19, 20,
22, 25, 26, 29, 33, 35, 40, 41,
42, 43, 44, 46, 47, 48, 49, 50,
57, 58, 59, 60, 62, 63, 64, 65,
66, 67, 68, 70, 73, 78, 80, 82,
84, 86, 89, 99, 114, 119, 132,
133, 136, 137, 139, 141, 142,
144, 149, 153, 160, 161, 164,
171, 173, 177, 184, 185, 187,
188, 192, 205, 206, 230, 244,
245, 248, 251, 253, 254, 255,
272, 273, 286, 288, 290, 292,
294, 298, 301, 304, 306, 321,
322, 324, 326, 360, 361, 381
- Ethics of war, 5, 13, 15, 29, 50
- Ethnocentrism, 22, 30, 33, 34,
39
- Ethology, 10, 38, 104, 107,
124
- Evolution, 37, 52
- Evolutionary biology, 10

Experimentation, 50, 63, 97,
114

Exploitation, 12, 17, 18, 25,
67, 71, 73, 75, 77, 81, 98,
131, 132, 133, 138, 140, 141,
143, 151, 152, 160, 161, 165,
166, 167, 168, 169, 173, 174,
176, 238, 239, 245, 341

F

Factory farming, 50, 87, 276,
376

Factory farms, 25, 71

Failed State Objection, 18,
185, 194, 202

Feminism, 54

Feminist, 27, 32, 34, 84, 115,
303

Fish, 108, 147, 192, 215

Foucault, Michel, 108, 118,
135, 154, 179

Foxes, 76, 184, 202, 272

Francione, Gary, 92, 255

Free-living/roaming
nonhuman animals, 2, 3, 5,
6, 7, 9, 10, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23,
24, 25, 27, 28, 29, 31, 33, 34,
35, 36, 37, 38, 39, 40, 41, 43,
44, 45, 46, 48, 50, 57, 58, 59,
60, 61, 63, 68, 73, 74, 78, 81,
86, 89, 90, 91, 97, 98, 99,

100, 101, 102, 103, 104, 105,
106, 107, 108, 109, 110, 111,
113, 114, 115, 116, 117, 118,
119, 121, 122, 131, 133, 134,
139, 140, 141, 142, 143, 144,
145, 146, 147, 153, 160, 165,
168, 169, 171, 175, 176, 183,
196, 214, 215, 216, 217, 218,
219, 220, 221, 222, 223, 224,
225, 226, 227, 228, 229, 230,
231, 232, 233, 234, 237, 238,
239, 241, 244, 245, 246, 247,
248, 250, 252, 255, 256, 258,
262, 271, 275, 276, 277, 279,
280, 285, 286, 287, 288, 289,
291, 294, 295, 302, 305, 310,
317, 318, 319, 320, 321, 324,
325, 326, 327, 328, 329, 330,
331, 332, 333, 334, 335, 336,
341, 342, 343, 344, 345, 346,
347, 348, 349, 350, 351, 359,
360, 361, 362, 363, 364, 365,
371, 372, 373, 374, 377, 381,
383, 386

Freeman, Carrie Packwood,
6, 16, 131

Frye, Marilyn, 34, 53

G

Garmenda da Trindade,
Gabriel, 5, 8, 14, 23

Garner, Robert, 65, 99, 205

Geese, 117

Gilligan, Carol, 134

Goats, 341, 348

Goodall, Jane, 117

Goodin, Robert, 170, 235,
377, 379

Gruen, Lori, 114, 247

H

Hadley, John, 203, 211

Haraway, Donna, 102

Hedgehogs, 197

Holocaust, 9, 214, 215, 242

Hooks, Bell, 34, 53

Horta, Oscar, 187, 272

Hunting, 46, 76, 145, 150,
151, 152, 262, 263, 265

I

Ideal Theory, 14, 64, 65, 66,
204

Insects, 108

International community, 20,
185, 317, 318, 321, 322, 324,
332, 342, 343, 344, 351, 352

Interspecies community, 18,
160, 172

Intervention, 6, 7, 12, 13, 14,
15, 16, 17, 18, 19, 20, 21, 36,
37, 38, 39, 57, 59, 132, 133,
136, 139, 143, 144, 150, 152,
184, 185, 186, 188, 195, 197,

198, 199, 200, 201, 202, 208,
209, 228, 244, 245, 246, 247,
248, 257, 262, 263, 265, 266,
267, 271, 272, 273, 275, 278,
279, 280, 281, 282, 286, 287,
288, 289, 290, 291, 292, 293,
294, 295, 298, 299, 300, 301,
305, 306, 309, 310, 317, 318,
319, 320, 321, 325, 333, 334,
336, 337, 342, 343, 344, 345,
346, 347, 349, 352, 360, 361,
369, 375, 377, 379, 385

Intra-species conflict, 20

J

Jamieson, Dale, 250

Joy, Melanie, 7, 88, 145, 169

K

Kant, Immanuel, 77, 90, 93,
355

Kapembwa, Julius, 5, 21, 359

King Jr. Martin Luther, 24,
132

Korsgaard, Christine, 298,
314

Kymlicka, Will, 18, 25, 26, 34,
35, 53, 66, 92, 98, 99, 100,
101, 102, 103, 104, 105, 109,
110, 111, 113, 115, 125, 134,
154, 184, 187, 192, 194, 195,
197, 198, 203, 204, 205, 208,
210, 211, 239, 240, 242, 272,

273, 276, 287, 288, 289, 290,
291, 292, 293, 294, 295,
296, 297, 298, 299, 300, 301,
302, 305, 307, 309, 311, 313,
319, 326, 327, 328, 329, 333,
344, 346, 347, 354, 360, 361,
383, 387

L

Land Ethic, 275, 276

Language, 10, 22, 106, 108,
112, 134, 135, 141, 143, 146,
167, 294, 300, 301, 303, 323,
329, 330, 352

Law, 8, 92, 94, 124, 125, 179,
210, 242, 283, 307, 312, 313,
388

Legal, 44, 49, 76, 111, 140,
163, 205, 216, 217, 218, 219,
220, 232, 283, 288, 307, 322,
363, 386

Leopold, Aldo, 275

Liberation, 12, 15, 24, 26, 67,
68, 73, 75, 76, 77, 78, 79, 81,
86, 98, 116, 117, 141, 148

Linguistic, 221

Linzey, Andrew, 48, 54

Lions, 192, 239, 245, 246, 253

Lobsters, 117

Lungworm, 373

M

MacKinnon, Catherine, 114,
127

Meat-eating, 35, 165

Media, 6, 16, 60, 121, 132,
134, 135, 137, 138, 139, 144,
147, 165, 179, 181, 383

Meijer, Eva, 5, 16, 97

Mice, 201, 243, 287

Midgley, Mary, 288, 314, 337,
349, 350, 355

Milburn, Josh, 6, 18, 183, 211

Milligan, Tony, 25, 54, 128,
204, 211, 337, 350, 355

Moore, G.E., 257

Moral agents/agency, 84,
244, 246, 250, 280

Moral considerability, 20,
253, 279, 311

Moral innocence, 243

Moral worth/value, 20, 247,
249, 253, 254, 255, 256, 262,
275

Morality, 6, 7, 15, 16, 17, 20,
21, 22, 24, 31, 32, 34, 37, 38,
39, 40, 41, 43, 45, 47, 57, 58,
59, 62, 63, 64, 65, 66, 67, 68,
69, 70, 71, 74, 76, 77, 79, 80,
82, 84, 85, 86, 87, 88, 89, 91,
99, 102, 103, 109, 114, 133,

- 134, 136, 138, 141, 144, 145,
148, 159, 160, 162, 163, 164,
165, 166, 167, 169, 170, 174,
175, 176, 177, 183, 190, 191,
192, 196, 199, 200, 201, 202,
207, 208, 213, 214, 215, 217,
218, 219, 220, 223, 224, 229,
238, 244, 245, 246, 247, 248,
249, 250, 252, 253, 254, 255,
256, 257, 258, 259, 260, 261,
262, 263, 264, 265, 266, 267,
272, 273, 275, 276, 279, 280,
282, 285, 286, 287, 288, 291,
292, 293, 294, 295, 298, 299,
304, 306, 307, 308, 309, 310,
311, 317, 321, 325, 328, 339,
340, 342, 343, 348, 349, 350,
351, 359, 360, 361, 364, 365,
366, 367, 368, 371, 375, 376,
378, 380, 382, 383, 384
- Morality (as moral
sentiments), 16, 74
- Morality (nonhuman
animals as having), 38
- Morally considerable, 29, 32,
249, 253, 260, 262, 264, 265,
339, 340
- Muskoxen, 373
- N**
- Nagel, Thomas, 165
- Natural disasters, 7, 14, 41,
185, 229, 280, 318, 320, 321,
325, 326, 329, 334
- Nature/more-than-human
world, 11, 14, 19, 20, 22, 31,
32, 33, 35, 37, 40, 67, 68,
121, 138, 145, 148, 149, 153,
157, 161, 170, 183, 186, 187,
188, 192, 194, 198, 199, 200,
201, 208, 209, 229, 230, 237,
248, 271, 272, 273, 274, 275,
277, 278, 279, 280, 282, 286,
287, 290, 291, 292, 293, 294,
295, 296, 298, 299, 300, 301,
302, 304, 305, 306, 307, 309,
310, 311, 313, 333, 345
- Nonhuman animal
movement, 14, 15, 23, 25,
26, 27, 28, 29, 33, 35, 37, 39,
50
- Nonideal, 57, 62, 64, 66, 93,
94, 387
- Nonideal theory, 64, 65, 66
- Non-ideal theory, 92
- Non-ideal theory, 94
- Nozick, Robert, 235
- Nussbaum, Martha, 247, 273,
306, 315
- O**
- O'Neill, Onora, 213
- O'Sullivan, Siobhan, 99
- Obligation/duties (political),
17

- Obligations/duties (moral),
 17, 18, 21, 134, 161, 174,
 175, 185, 192, 201, 202, 209,
 225, 229, 249, 298, 342, 361,
 366, 368, 377
- Open Rescue, 25, 36
- Oppression, 15, 16, 17, 43, 67,
 98, 100, 107, 113, 114, 115,
 116, 117, 118, 131, 132, 135,
 137, 139, 141, 145, 146, 153,
 160, 170, 177
- Orcas, 189
- P**
- Palmer, Clare, 200, 282, 309,
 362, 377
- Patriarchy, 31, 114
- Personhood, 17, 65, 77, 127,
 131, 133, 139, 140, 143, 147,
 153, 214
- PETA, 115, 215
- Philosophy, 5, 6, 7, 29, 41, 52,
 54, 55, 63, 67, 69, 72, 78, 82,
 95, 99, 124, 125, 128, 129,
 137, 158, 181, 183, 210, 211,
 242, 268, 269, 294, 312, 313,
 315, 353, 354, 355, 381, 387,
 389
- Pigeons, 105, 287
- Pigs, 36, 147, 243
- Plumwood, Val, 33, 258, 303
- Polar bears, 362
- Political subjects/actors
 (nonhuman animals as),
 14, 16, 97, 98, 99, 101, 105,
 108, 110, 111, 112, 113, 119,
 120, 166, 174, 191
- Political Turn, the, 6, 12, 25,
 66, 98, 379, 381
- Politics, 5, 6, 7, 8, 12, 14, 16,
 17, 18, 21, 24, 25, 26, 33, 43,
 53, 54, 55, 57, 63, 64, 65, 66,
 67, 68, 69, 70, 71, 72, 73, 94,
 97, 98, 99, 100, 101, 104,
 105, 107, 108, 110, 111, 112,
 113, 114, 115, 116, 117, 118,
 119, 120, 122, 124, 125, 128,
 132, 136, 138, 141, 150, 151,
 155, 156, 159, 160, 161, 163,
 166, 167, 169, 172, 174, 176,
 178, 180, 183, 184, 185, 187,
 191, 192, 203, 204, 205, 207,
 210, 211, 212, 272, 287, 288,
 293, 294, 300, 315, 323, 328,
 331, 334, 335, 346, 354, 356,
 379, 380, 381, 383, 386, 388
- Predation, 14, 19, 20, 36, 37,
 38, 145, 189, 192, 193, 198,
 237, 244, 245, 246, 247, 248,
 249, 250, 251, 252, 253, 257,
 261, 262, 263, 264, 265, 266,
 272, 279, 280, 288, 289, 290,
 296, 298, 304, 345, 346
- Predation Argument, 313,
 334, 345

Predators, 38, 198, 199, 201,
231, 239, 244, 246, 250, 258,
263, 276, 277, 279, 281, 296,
308, 311, 345

Property (nonhuman animal
as), 141

Property (nonhuman
animals as having), 208

Protest, 1, 11, 97, 156, 157

R

Rabbits, 188, 190, 215, 227

Racism, 113

Racist, 22, 45, 215

Rawls, John, 64, 102, 252

Regan, Tom, 26, 44, 199, 226,
247, 276, 280, 327, 362, 366,
368

Resistance, 98

Restorative/rectificatory
justice, 14, 19, 133, 148,
218, 222, 223, 224, 225, 229,
232, 348

Rhinos, 226, 227, 229, 354

Rights (human), 20, 71, 132,
141, 159, 318, 319, 320, 321,
322, 323, 324, 325, 326, 327,
328, 329, 331, 332, 333, 334,
336, 337, 338, 340, 342, 345,
347, 348, 351, 361, 370, 380,
381, 384

Rights (nonhuman animal),
5, 6, 7, 19, 21, 23, 57, 58, 60,
63, 67, 68, 70, 71, 73, 74, 75,
76, 77, 78, 81, 82, 83, 84, 85,
86, 87, 88, 98, 99, 100, 109,
113, 115, 140, 141, 146, 148,
160, 161, 166, 169, 170, 173,
184, 185, 191, 194, 205, 206,
207, 209, 220, 318, 319, 320,
326, 327, 328, 329, 330, 331,
333, 335, 336, 337, 340, 342,
345, 347, 348, 351, 364, 365,
370, 380, 383

Rodents, 103, 147

Rollin, Bernard, 59, 68, 94

Rolston III, Holmes, 247, 269,
278, 313, 314

Rowlands, Mark, 99, 109, 128,
329, 334, 340, 356, 362, 389

Ryder, Richard, 43, 48, 55

S

Sapontzis, Steve, 127, 279,
280, 314

Scotton, Guy, 7, 17, 159

Screaming Wolf, 42, 43, 44,
46, 47, 55

Self-defence (ethics of), 5, 13,
15, 29, 43, 47, 48

Sentience, 7, 74, 99, 108, 134,
139, 140, 143, 144, 247, 253,
254, 255, 256, 259, 271, 272,

273, 276, 279, 281, 282, 286,
287, 292, 294, 298, 299, 304,
305, 308, 310, 311, 321, 323,
365

Setola, Patrizia, 7, 20, 271

Sexism, 129

Sexist, 22, 45

Sheep, 253

Silence/silencing, 17, 35, 119,
167, 170

Singer, Peter, 9, 26, 48, 215,
247, 276, 329

Social justice movements, 12,
13, 14, 15, 24, 27, 28, 67, 68,
71, 79, 133, 134

Sovereignty, 18, 100, 105,
131, 184, 185, 186, 187, 188,
189, 191, 193, 194, 195, 196,
197, 198, 200, 201, 202, 204,
207, 208, 209, 272, 273, 288,
289, 290, 291, 292, 293, 294,
295, 299, 300, 301, 305, 309,
346, 356

Speciesism, 22, 30, 34, 67, 90,
148, 174, 248, 255, 329

Squirrels, 287

Steiner, Gary, 134

Sztybel, David, 173

T

Terrorism (nonhuman
animal activism as), 8

Terrorist, 46

Theory/practice divide, 3, 11,
12, 15, 21, 22, 26, 27, 28, 33,
35, 36, 50, 61

Thomson, Judith Jarvis, 164,
366

Tigers, 319, 356

Traczykowski, Lauren, 7, 20,
195, 317, 372

Tuider, Jens, 7, 15, 57

Turkeys, 284

U

Utilitarian, 26, 247, 248, 249,
259, 273, 276, 360

Utilitarianism, 74, 248, 251,
252

V

Veganism, 3, 6, 18, 26, 76, 79,
145, 148, 149, 150, 151, 169,
173, 174, 180, 186, 192, 207,
209

Violence, 11, 14, 15, 36, 40,
41, 42, 43, 45, 48, 49, 107,
116, 117, 120, 137, 146, 148,
162, 169, 170, 186, 189, 190,

191, 192, 193, 194, 199, 201,
346, 361

Vivisection, 19, 245, 261, 262,
263, 264, 265, 266, 267, 276

W

Wayne, Katherine, 7, 17, 159

Welfare/welfarism, 12, 24, 73,
74, 75, 76, 77, 81, 86, 98,
115, 140, 141, 148, 152, 223,
231, 249, 323, 328, 330, 338,
365

Wells, Joshua, 8, 21, 359

Whales, 117, 118

Wildcats, 199, 274

Williams, Wayne, 8, 19, 243

Wolfe, Cary, 294, 300

Wolves, 38, 274, 335

Woodhall, Andrew, 5, 8, 14,
23

X

X, Malcolm, 24

Z

Zoopolis, 18, 53, 92, 125, 134,
154, 183, 184, 185, 186, 187,
190, 193, 194, 200, 201, 210,
211, 242, 272, 287, 288, 313,
354, 387, 388

Zoos, 35, 107, 149, 150, 220,
281, 284, 296