

## **TRANSCRIPT OF CHAT WITH DAVID SZTYBEL ON AR ZONE**

**January 16, 2011**

### **Carolyn Bailey:**

ARZone would like to welcome Dr. David Sztybel today, as our Live Chat Guest.

David is a Canadian ethicist who specialises in animal ethics. He is a vegan, and has been an animal rights activist for more than 22 years. David has attained his Ph. D. in Philosophy from the University of Toronto (1994-2000) as well as his M.A. in Philosophy from the University of Toronto (1992-94) his B.A. in Philosophy from the University of Toronto (1986-91) and a B. Ed. in English and Social Studies from the University of Toronto (2005-2006)

David has published numerous articles pertaining to the liberation of all sentient beings and has lectured at the University of Toronto, Queen's University, and Brock University.

David has developed a new theory of animal rights which he terms "best caring," as outlined in "The Rights of Animal Persons." Criticizing conventional theories of rights, based in intuition, traditionalism or common sense, compassion, Immanuel Kant's theory, John Rawls' theory, and Alan Gewirth's theory, David devises a new theory of rights for human and nonhuman animals.

David maintains his blog site at <http://davidsztybel.blogspot.com/> and a very informative website at: <http://sztybel.tripod.com/home.html>

David is looking forward to engaging ARZone members today in reference to topics ranging from his literature to his position on animal rights and welfare.

Please join with me in welcoming David to ARZone today.

Welcome, David!

### **Will:**

Hello

### **Jason Ward:**

Good day David!!!

### **Brooke Cameron:**

Welcome, David!

### **David Sztybel:**

Hi there, Will and others!

### **Tim Gier:**

Hello (again) David!

**Kate:**

Hello David. Thanks for being here.

**Eduardo Terror:**

Hello, David

**Erin:**

Hellooooo

**Fina:**

Hello

**Adam Weissman:**

Hi, David

**Barbara DeGrande:**

Welcome

**Mangus O'Shales:**

hi, Dr. S

**Sky:**

Hi

**Brandon Becker:**

Thanks for being here today!

**David Sztybel:**

G'day Jason, hi again Tim, Kate, Eduardo, Erin, Fina, Adam, Barbara, Mangus, Sky, and Brandon

**Carolyn Bailey:**

Before we begin, I'd like to request that members refrain from interrupting David during the chat session, and utilise the open chat, at the completion of David's pre-registered questions, for any questions or comments you have.

I'd now like to ask Brooke Cameron to ask David his first question, when you're ready, Brooke.

**Brooke Cameron:**

Hi David, thanks very much for being here! In your opinion, who is an abolitionist, and why?

**David Sztybel:**

Hi there, Brooke. Thank you very kindly for the warm welcome. This is an important question. So you've provoked something of a lecture! Indeed, the following brief essay (as essays go!) is also relevant for addressing questions

2, 6, 11, 13, 14, 15. So I hope you do not mind the considerable length, but I am very serious about these and related questions.

As many people know, Professor Gary L. Francione's core website is entitled "The Abolitionist Approach." He is implying that his approach alone qualifies as abolitionist. Now by abolition he explicitly refers to abolishing the property status of animals, just like 19th century (and earlier) advocates pushed against humans-as-property, ie, slavery.

However, it is important to be clear that by property status, Francione means more than:

(1) being legally owned. It is also associated with

(2) being treated literally as if one is an object or thing by denying that one has a mind, feelings, or interests as the Cartesians (followers of Rene Descartes) maintain;

(3) being figuratively treated as a thing by conceding that animals have minds and feelings but by treating them in a way AS IF they are beings without interests, through a disregarding of interests;

(4) being treated as if one is a mere means, tool, resource, instrument, or slave whose value can be reduced to that of a commodity (again disregarding interests);

(5) being subjected to unnecessary suffering (again disregarding a specific interest).

So an animal eradicated as a "pest" is not anyone's property or tool but is being treated as in (2) possibly, but certainly as in (3) to (5).

Vegans may have legal ownership but refuse other dimensions of animals-as-property in Francione's sense. Not all conditions need apply since many exploiters grant that animals have feelings as well. This model can be compared to symptoms of a disease, all of which are had in full-blown form but not all of which are needed to make the diagnosis.

This is my interpretation of Francione's not-property theory, identifying five conditions which he does not clearly set out in this manner. It is I who am interpreting the fact that each condition disregards interests. I newly distinguish between literally and figuratively treating animals as objects; and I use my own disease-symptom comparison for the purposes of clarification.

Really Francione seems to be getting at **speciesism** here. He favours the abolition of speciesism. So do I. I am a vegan animal rightist and I advocate that individuals should transform suitably. I advocate the most possible abolition of speciesism.

On the legislative front, Francione advocates either:

- (1) no action (which seems to be his current recommendation);
- (2) securing proto-rights (Tom Regan's term that Francione has adopted) that fully secure an animal's interest, such as freedom of movement or bodily integrity;
- (3) abolishing a whole area of animal exploitation, such as testing drugs on animals.

I however agree with (3), since it would be great to ban, say, animal circus acts, but disagree otherwise since we can make progress for animals by lessening speciesism, say, by seeing that farmed animals are given 70% freedom of movement rather than 100%. I argue that aiming for 100% protection of this interest would be giving animals the freedom of movement found on animal rights sanctuaries, and contemporary companies and the government or both are just not going to pay for that.

So advocating 100% protection will be defeated in any contemporary legislature, resulting in no lessening of speciesism whatsoever. By contrast, my approach would lessen speciesism more by securing the maximum degree of protection of animals' interests that is available. So both Francione and myself aim for the abolition of animals' property status, which I think is much more clearly termed speciesism the way Francione uses these terms, but we differ in our approach.

And you can see, Brooke, that I maintain that my approach eradicates more speciesism, in practice, than his. I also maintain that it is illegitimate for Francione to call his THE abolitionist approach, as if there is only one.

Allow me to quote my most recent blog entry on that from December 9, 2010: [My blog, On the Road to Liberation, is found at:<http://davidsztybel.blogspot.com/>] "...it is philosophically and grammatically nonsensical for Gary Francione and the Francionists to deny that people such as me are abolitionists. My philosophy aims for the abolition of speciesism, animals as property or slaves. Philosophically, anyone who aims for abolition is an abolitionist. Grammatically, it is unintelligible because the same rule holds for accurate grammarians. On dictionary.com the definition of the suffix "-ist" is as follows: 'a suffix of nouns, often corresponding to verbs ending in -ize or nouns ending in -ism, that denote a person who practices or is concerned with something, or holds certain principles, doctrines, etc.: apologist, dramatist, machinist, novelist, realist, socialist, Thomist.'" Now we are plainly dealing here with abolitionism. Abolitionist in my case and those who are like-minded denotes being concerned with something, and indeed adhering to a principle, namely abolition, making the -ist label not only permissible but grammatically inevitable.

Now the 19th century abolitionists only meant to abolish slavery, not racism. But that original intent was insufficient. We need to abolish racism and speciesism alike.

Notice how I used the term “Francionist.” This is a significant note for this discussion in general. I quote from my blog entry for August 30, 2010 on the term, Francionism: “Note that Francione in the past has objected to the term ‘Francionism’ but I am tired of pandering to this particular preference. For it does not seem justifiable. It could only be objectionable if perhaps it is insulting, but ‘Marxism’ is not that, for example. Or Francione said ‘Francionism’ overly makes it appear as though the debate is about him in particular. However, that is not accurate. The term merely identifies a set of views associated with him, and therefore is as legitimate as ‘Marxism.’ His form of abolitionism in fact really needs to be distinguished from other forms such as that of Joan Dunayer. Failing to do so would in effect unduly associate ALL abolitionism with Francione, which is not the case but which he actively promotes by vainly calling his strategy ‘the abolitionist approach,’ as though there is only one. Ironically, calling his work ‘the abolitionist approach’ without distinguishing, by name, his brand of it would even more seek to make the relevant ideas about Francione, as opposed to any other theorists.

I suspect that the coy fluttering aside of ‘Francionism’ is merely false modesty, then, given that he seeks to encompass ALL abolitionism. Or so his use of ‘the’ here logically implies. Marxism is not about Marx hardly at all and Francionism is certainly not about Francione. It is actually ODD that Francione thinks that using the term would indicate that the debate is about him. The only name that Francione provides for his views is ‘the abolitionist approach,’ and since that is inaccurate, we need another one, and Francionism will do nicely since it is both accurate and distinctive.” Even ‘fundamentalist’ which I use does not only mean Francionist kinds, since Dunayer is more of a fundamentalist than he is as I defend elsewhere.

So in short, abolitionists agree on the end of abolition, however that is defined, but disagree on the means or the way of getting there. Or so my opinion goes, and you asked. But you asked for a justification as to who is an abolitionist. I have given philosophical, grammatical reasons, but also an objection against Francione trying to arrogate the term pretty much solely to himself and those who substantially enough happen to agree with him. Francione himself refers to people like me as “new welfarists,” but in my work I outline how I do not match even ONE of his five criteria of who counts as a new welfarist. I quote the following from my MIRROR PRODUCTION (short form) of “Animal Rights Law”: Francione outlines five supposed characteristics of “new welfarists”:

(1) they favour abolishing animal usage so long as animal interests are not devalued due to speciesism;

(2) they believe that animal rights cannot provide a practical agenda for seeking abolition;

- (3) animal welfare campaigns are identical to traditional welfarist tactics;
- (4) most new welfarists see their measures as causally related to abolishing animal exploitation; and
- (5) new welfarists believe there is no moral or logical inconsistency in “reinforcing an instrumentalist view of animals.”

Although these five characteristics are meant to embody people such as myself, none of them apply at all to my version of animal rights pragmatism. For I favour simply choosing the best of inevitably speciesist legislative options for the short-term contrary to (1), so there is an acceptance that speciesism on the part of others cannot be avoided.

Francione also supports speciesist options, e.g., banning dehorning of cattle. That still leaves eating the cattle and abusing them in other ways.

Contrary to (2), animal rights is very much part of my practical agenda in dealing with individuals and explicitly as a long-term legislative goal. As against (3), my advocating abolition is not “identical” to traditionalists who wholly approve of speciesist animal “welfare” and do not advocate animal rights. Contradicting (4), I argue in favour of “welfarist” laws being CONDUCIVE to animal rights in some cases, never as simply “causing” animal rights laws. Finally, with respect to (5), I openly acknowledge that animal “welfare” laws are logically different from animal rights laws.

The term “new welfarist” has caused ever so much needless division, alienation, lack of communication, and so on. If ultimately I aim to TRANSCEND animal welfare as I explicitly do, it does not seem accurate or fair to label me overall as a “welfarist” since ultimately I aim for abolition, or indeed animal liberation, above all. Also, take the label “new.” It is so inaccurate as well. Henry S. Salt, in Victorian times, e.g., in his book, *ANIMALS’ RIGHTS CONSIDERED IN RELATION TO SOCIAL PROGRESS*, in late Victorian England, argues both for animal rights in the legislative long-term and animal “welfare” laws in the short term.

So Francione, seemingly ignorant of such history, cannot be identifying any “new” form of welfarism unless of course he means that Victorian-era things are really “new.” Take their fashion-sense for example (just kidding).8-)

You asked “why?” with respect to abolitionist approaches. Francione has denied that myself and my cohort are abolitionists, presumably because he thinks his approach works towards abolition and mine does not. I will try to show the exact reverse of what he is telling you. Here I will have to reteach why Szybelian abolitionism, if you will, is much better than Francionist abolition. [I know, I know, when will this wind-bag just give it up and come to the point already!!!] :-\* Sorry for the length, but you asked!

This reteaching will also be relevant to answering other questions in this chat, such as the one from Eduardo Terrer. I have never taught my abolitionist

approach as justifiable and better than Francione's in this way before, and I do so for both clarity and argumentative strength.

So the main respect in which Francione's abolitionism differs from mine is that he would advocate, short of full animal rights in the law, protecting a whole interest of an animal (this can be thought of as winning one animal right at a time, although he never puts matters this way and instead calls this winning "proto-rights" after Tom Regan, which makes sense because one cannot fully respect one animal right without honouring all or most of the others too). So he would say that 100% of the interest in liberty of movement must be honoured in a law, whereas I would say 70% of that would be OK if that is the best we can do. Realistically, he is asking animals be given recognition for their interests equivalent to what they would receive on an animal rights sanctuary (solely with respect to the interest in question though). Who is going to pay for that? Corporations? Government? He never considers this, but I have argued all along that neither will, obviously, in a capitalist society. Therefore his kind of bill would be utterly defeated and replaced with "welfarist" bills or nothing at all. It would be a wasted legislative campaign. (Although it might have some educative value.) Just as full animal rights are unrealistic for the legislative short-term, as everyone agrees, so winning almost a whole animal right or proto-right is equally unrealistic.

He has not cured the problem of being unrealistic, but merely splintered it by focusing on one animal interest at a time rather than all of them at once, as it were. I argue in much more detail about protecting whole interests versus the "welfarist" approach of protecting only degrees of interests in my paper, "Animal Rights Law"

<http://sztybel.tripod.com/arlaw.pdf>

One thing that is not part of this debate are three things that are absolutely identical in my approach and his:

(1) Animal rights and vegan activism, which is good in many ways but will also help build up democratic potential for animal rights laws, as I would put it;

(2) Never opting for cosmetic changes in the law. That is both unethical because duplicitous and not furthering moral goals, but more ineffective than no legal change at all because it will further entrench animal misery and give people the illusion that real change has occurred

(3) Banning entire areas of animal exploitation. He would of course go for that and I am all over that as well. Good examples are prohibiting animal circus acts and marine mammal shows in England, and banning fox hunting, also in the U.K.

Now Francione states in his book, RAIN WITHOUT THUNDER, that one can reasonably abstain from legislative advocacy at this time, and that is the approach he favours on his website: focus on vegan education, for example, instead. He calls animal rights an "outsider" position from the legislative

process, whereas I demonstrate otherwise in my animal rights, abolitionist approach, although we both agree that animal rights are not forthcoming in contemporary laws.

The two key areas for this debate are ETHICS and EFFECTIVENESS. I will both justify my own approach in terms of these, and show that Francionism is no better than but usually much worse than my own, depending which facet one focuses on. Let's start with ethics, since that is the core of the animal rights movement, after all. These questions are not simple, but complex matters, which will be reflected in my evaluating my many criteria rather than just one or a few.

## ETHICS

Let us see if we can agree on criteria for evaluating legislative proposals ethically. I will compare for example my advocating controlled gas killing of chickens versus Francione opposing any such change, or only proto-rights. My approach means the birds:

- (1) are not electroshocked into unconsciousness; that must hurt;
- (2) would not be left conscious, as they often are after shocking, when they are dipped into a scalding tank for de-feathering
- (3) would not be left conscious and terrified of what they see and experience before and while their throats are cut, which would also be painful and not perfectly instantaneous I believe.

Francione's approach clearly means torture along the lines noted above (and more no doubt). Now this presumably comes under 'bodily integrity,' an interest Francione designates as fitting for a right (I would say a right to welfare; it is obvious why Francione resists that term, although having your body intact is not nearly enough to be doing well or OK physically AND mentally). A measure fully respecting bodily integrity would be the birds not being killed at all or would only come with full animal rights. We'd have a LONG time to wait for that. Other reforms he opposes include larger cage sizes instead of living their whole lives in unbearably minimal enclosures often with no room even to move about or stretch a wing, not providing water to thirsty cows in slaughterhouses, among other cruel deprivations that he would deliberately prolong, which to me is morally obscene because also cruel, but let me set about justifying that opinion. [I say this but bear no personal animosity here; I know people have their reasons.]

Anyway, here are the ethical criteria for evaluating such controlled gas killing. Any given legislative measure (whether "welfarist", proto-rights, or just lack of action deliberately taken as a choice):

## ETHICS CRITERIA

- (1) must have positive significance for animals



- (2) must not endorse animal exploitation
- (3) must not exhibit overall complicity with that which is morally wrong
- (4) must avoid speciesism as much as possible
- (5) must avoid a conflict with animal rights theory as much as possible
- (6) must, in the absence of any truly ideal conditions by law, resolve a dilemma choice in a manner that can be reasonably viewed as salvaging the most possible good in the given context.
- (7) must secure, as much as possible, a just and decent share of good for animals
- (8) must realize what is really best for animals at the given time, if the best that is conceivable or imaginable is not possible to realize in the time frame in quest
- (9) must view animals as ends in themselves, not mere means (to use philosopher Immanuel Kant's influential phrasing)
- (10) must not permit unnecessary suffering
- (11) must afford a model that can progressively grow into animal rights
- (12) must be as conducive as possible towards animal rights laws in the long-term since animal rights is a moral goal
- (13) must be as consistent as possible with the principle of equal consideration
- (14) must be self-consistent and avoid any charges of hypocrisy
- (15) must be sustainable even in light of the fact that we would abolish child abuse entirely, not make it "kinder"
- (16) must at least allow for individual kindness towards animals.
- (17) consistent with non-violence

I hope people find these criteria agreeable. If not, so much the worse for someone's position ethically, I would have to say, although I cannot argue for that here. Instead, I am depending on what many animal rights people would agree with. Some of the criteria are not sufficient to formulate animal rights by themselves, but would still be agreed with in conjunction with an animal rights philosophy even by Francionists as I read them. The same goes with the

following criteria for evaluating effectiveness of legislative proposals, before we get down to business and actually apply both sets of criteria to this debate:

### EFFECTIVENESS CRITERIA

The measure:

- (1) must be regarded as meaningful not only semantically but especially in terms of significance to the animals themselves
- (2) must not be positively futile to advocate
- (3) will provide the strongest possible protection for animals
- (4) must provide benefits that no other pro-animal measure, legislative or other, can result in
- (5) will provide the greatest possible inroad against speciesism
- (6) will be positively or most conducive towards adopting animal rights in the law
- (7) will not lead to such complacency with animal treatment that undermines achieving animal rights in the law or even makes it futile to aim for such laws
- (8) must be achievable as one criteria of success
- (9) should not lead to such increases in animal product consumption that would make the measure have an overall negative impact on animals or their rights (EIGHT) again!
- (10) must pass a reasonable test period to see if the given strategy is successful animal law
- (11) should ideally be illustrated to be successful with a real-world example, or at least a plausible hypothetical example
- (12) must overcome Gary L. Francione's seven or so supposed reasons why animal "welfarist" laws cannot work in principle.
- (13) be a worthwhile use of time, money, and other resources to help animals

OK, now let's apply our criteria. (I would defend them in a later work.)

### APPLYING ETHICS CRITERIA LEGEND:

SZTYBEL = mine and PETA's and most animal activists' endorsement of controlled gas killing of chickens (see above), using my framework

FRANCIONE DON'T = his advocating abstaining from legislative reform, his actual position

FRANCIONE DO = his proto-rights theory of supposedly acceptable incremental reforms

(1) must have positive significance for animals.

SZTYBEL: If actions are to have any positive significance at all, it must be in relation to sentient beings. That is because, simply, nothing is significant to any nonsentient being. That is why toasters do not have rights. But we also cannot ultimately act for things such as rights, abolition, or speciesism. These ideals do not care about anything. But we can act for animal rights for the sake of sentient beings, and that is the best caring framework. By contrast, Francionism tries to act for abolition or animal rights even when that is at odds with what is really best for sentient beings in the LEGISLATIVE short-term. The best that is really possible is the best that can actually be accomplished. What is ideally, conceptually or imaginably best may not be possible, by contrast, except in the long-term. We can and should promote animal rights and veganism in the short-term, but cannot expect to pass laws to that effect. The best caring approach aims for animal rights law for the long-term, and the best that is really possible for animal law, that is for sentient beings, in the short-term. In controlled gas killing the three benefits for animals are all of positive significance to the chickens.

FRANCIONE DON'T: Also advocates animal rights law for long-term, but is missing the three items of positive significance.

FRANCIONE DO: He has no recommendations for proto-rights since this is a matter of suffering, and he does not recognize a right not to suffer unnecessarily. He does however support avoiding unnecessary suffering. See item (10).

(2) must not endorse animal exploitation

SZTYBEL: I do not endorse animal slaughter. Nor does PETA. Anyone who knows us knows this. Other people do and that is why chicken slaughter persists. But we urge lawmakers to offer animals the best relief they can in the short-term since our long-term goal of abolition is not now realizable.

FRANCIONE DON'T: Exploitation means ill-using someone, or using them in such a way that involve harm or injustice. Francione's do- nothing approach on this front (though he actively promotes veganism) means more (dire) exploitation because more harm, and also a greater degree of injustice occurs.

FRANCIONE DO: Again, no solutions, worse exploitation.

(3) must not exhibit overall complicity with that which is morally wrong

SZTYBEL: My ultimate principle of moral rightness is best caring for sentient beings. Seeking animal rights as best that is really possible in the long-term and the best that is really possible in the short-term is obligatory. Improved slaughter is perfectly consistent with this standard.

FRANCIONE DON'T: He upholds animal rights, anti-speciesism as fundamental principles that are intuited, or held with no reason. Yet a reason is available, what is best for sentient beings.

But that standard condemns Francionist do-nothingism legislatively.

FRANCIONE DO: Francionists are complicit with what is morally wrong, that is, the state allowing what is avoidably and atrociously worse for birds. Again they have no solution here.

(4) must avoid speciesism as much as possible

SZTYBEL: I am an anti-speciesist. Every time discrimination occurs due to species or species-characteristics, that is wrong. One type of speciesism is being unconcerned with avoidable animal suffering, unlike in the case of humans. Best caring would restrict against this in the short-term legislatively.

FRANCIONE DON'T: Allows more speciesist discrimination by permitting the unnecessary suffering, contrary to Francione's own professed principles.

FRANCIONE DO: ditto, since no solutions here.

(5) must avoid a conflict with animal rights theory as much as possible

SZTYBEL: Aims for animal rights in the long-term. Since rights theory is justified by best caring, short-term relief is justifiable. Rights in the law are only really possible in the long-term, as pretty much everyone agrees. If animals have a right to be precluded unnecessary suffering, as I would argue is a requirement of anti-speciesism, then Francione is more at odds with this right than my more humane law. Think of all of the interests protected by rights. Now picture that we can respect those interest entirely or by degrees. My model affords a DEGREE of protection and Francione's none, so my model more closely approximates animal rights than his model, which disregards animals' interests more than mine.

FRANCIONE DON'T: At odds with anti-speciesist rights as above.

FRANCIONE DO: ditto

(6) must, in the absence of any truly ideal conditions by law, resolve a dilemma choice in a manner that can be reasonably viewed as salvaging the most possible good in the given context.

SZTYBEL: Dilemma theory is applicable in any case in which ideal conditions are impossible, so one must choose a course of action that is unideal. It would normally be morally wrong to leave someone to burn in a building if one could save the person, but not ethically mistaken if one can only rescue one person from the fire, a classic example that Francione himself uses. In dilemmas it is most caring to salvage the most good. My

approach plainly does this, whereas Francione's results in less good and more positive harms to the chickens.

FRANCIONE DON'T: Chooses the dilemma option that is less good and more harmful for animals.

FRANCIONE DO: ditto

(7) must secure, as much as possible, a just and decent share of good for animals

SZTYBEL: Again, picture all the interests of animals. They are closer to a just and decent concern with avoidable suffering on my model than on Francione's, which is farther away from full respect for this interest. Just because speciesists also speak of unnecessary suffering does not mean that anti-speciesists should not also aim for this. Indeed Francione aims for this he says, but he does not do as he says.

FRANCIONE DON'T: Farther away from just and decent treatment.

FRANCIONE DO: Ditto

(8) must realize what is really best for animals at the given time, if the best that is conceivable or imaginable is not possible to realize in the time frame in question.

SZTYBEL: See above. Also, respecting 80% of an interest is really better than respecting an interest not at all, or advocating 100% respect for the interest knowing that would be defeated as a law-proposal.

FRANCIONE DON'T: Animals remain further from what is best for them. Francione writes: "I agree with [Peter—DS] Singer that it would be better for 'food' animals if we adopted true 'free-range' farming and discontinued factory farming." (INTRODUCTION TO ANIMAL RIGHTS, p. 145) Yet he actively resists what is best for sentient beings out of idol worship, to use a metaphor, of ideas such as rights, resisting so many anti-factory-farming legal measures.

FRANCIONE DO: ditto

(9) must view animals as ends in themselves, and not as a mere means (to use philosopher Immanuel Kant's influential phrasing)

SZTYBEL: By this, Kant means persons should not be exploited, or we should not disregard the interests of others if we use them or their services (e.g., exploiting a worker). On my model there is less disregard for animals' interest in not suffering. There is no BETTER regard for interests than seeking the best for someone that is possible at that time, and that is precisely what my best caring affords.

FRANCIONE DON'T AND DO: Animals get less treated as ends in themselves, or with dignity, and more as a mere means, or with blatant disregard for their interests. Animals get treated as mere means in other ways on Francione's framework:

(a) He asks whether helping these chickens will conduce towards animal rights law eventually. Thus the birds are considered as a mere means

towards a distant goal; my approach does not do this because it considers present-day animals as ends-in-themselves as much as possible

(b) He approves of laws, such as banning dehorning, that still would treat animals as mere means (so would mine, but I am MINIMIZING this, and can justify it, unlike Francione)

(c) He says we should realize that animal “welfarist” laws lead to complacency (discussed under effectiveness); the logical implication is that keeping conditions cruel makes people less complacent, thus using animals as a mere means towards the end of checking complacency

(d) he acts ultimately for mere things as rights, abolition, using animals or sentient beings as mere means towards these because their interests are degraded and not addressed out of “service” to these ideals— not that they care about anything; animals become subordinated to a concern with abstractions

(10) must not permit unnecessary suffering

SZTYBEL: Plainly animals would suffer less as I explained.

FRANCIONE DON'T: Francionism leads to more suffering. He champions the principle of avoiding unnecessary suffering but oddly only considers this principle in terms of abolishing animal exploitation. He does not consider unnecessary suffering that can be curbed with “welfarist” laws although that is a key component of this debate. He fails to consider this only because he cannot win on this point, even conceivably. His approach tolerates much, much more animal suffering by advocating no change or else unrealistic proto-rights that equally result in nothing.

FRANCIONE DO: ditto

(11) must afford a model that can progressively grow into animal rights

SZTYBEL: Again, there are an array of interests that rights protect.

Securing a degree of respecting interests under “welfarism” brings us closer to higher degrees of respect or even the full respect that rights involve.

FRANCIONE DON'T AND DO: His approach of course can grow into animal rights, although it leaves us farther away from that full respect for interests in the legislative short-term, which is probably a very long time or even the rest of history if we never achieve animal rights laws (I prefer to remain optimistic however).

(12) Must be as conducive as possible towards animal rights laws in the long-term since animal rights is a moral goal SZTYBEL: see effectiveness discussion. But ending up with nothing as in this example is again more far short of rights.

FRANCIONE DON'T AND DO: see effectiveness discussion

(13) must be as consistent as possible with the principle of equal consideration

SZTYBEL: Animal “welfarism” brings animal suffering closer to parity with consideration for humans as the suffering is negated. Humans are supposed to have their unnecessary suffering negated, although this is far from always true in practice. I advocate a much fuller form of equal consideration for the long-term, as Francione does too.

FRANCIONE DON'T AND DO: Farther from being at parity with the consideration of suffering in a non-speciesist manner. Advocating equal consideration for animals in the legislative short-term does not win such consideration. Francione would claim that in the human case we would not embrace reformist measures. But if a vegan animal rightist were unjustly imprisoned, and we could not free him or her, we should support making sure he or she gets access to vegan food, which is not always the case, at least adequately. That is reforming the injustice, not abolishing it. Dehorning being banned as he says also regulates cattle-destruction, not abolishing it too, which makes Francione a mammoth hypocrite. I can say that without prejudice or ill will, but just as a descriptive fact.

(14) must be self-consistent and avoid any charges of hypocrisy

SZTYBEL: All of my findings are consistent with the best caring principle.

FRANCIONE: Pays lip service to opposing unnecessary suffering, antispeciesism, but when it comes down to cases he allows more suffering which is allowed to occur by government for speciesist reasons. He opposes a law to provide water to thirsty cows in slaughterhouses because it leaves a speciesist practice (RAIN WITHOUT THUNDER p. 208-) and involves a conflict with rights theory (RAIN p. 211). Yet he approves laws to ban dehorning, which equally leave speciesist practices that conflict with rights theory. Plain hypocrisy.

(15) must be sustainable even in light of the fact that we would abolish child abuse entirely, not make it “kinder” SZTYBEL: I would abolish child abuse. But asking for normal treatment of animals just leads to their abuse, unlike in the disanalogous case of children.

FRANCIONE DON'T AND DO: His proposals such as banning dehorning would only abolish the abuse by degrees too. And the torture of the chickens plainly involve worse abuse of these birds, further highlighting his basic hypocrisy.

(16) must at least allow for individual kindness towards animals

SZTYBEL: Full freedom on this score.

FRANCIONE DON'T AND DO: Says we can help thirsty cows in slaughterhouses out of a consideration of their welfare (individuals at the micro level as he calls it), [I know this is like the speech of the Ents in the LORD OF THE RINGS, although I did not take as long to say "hello"] but cannot help them with laws at the macro level. But macro laws address

each individual affected by them, and individuals going to stockyards is a macro phenomenon.

(17) consistent with non-violence

FRANCIONE: Does not address the violence often done to birds of electroshocking, scalding alive, being hung upside down, and being killed in a cut-throat manner while fully conscious.

SZTYBEL: Makes an inroad in this specific form of violence against nonhuman animals.

I conclude that Francionists are immoral inasmuch as they are inconsistent with all of the above principles to the fullest possible degree. He does no worse than my approach on items 2, 11, and 15, but in all other cases is patently further from satisfying the given moral ideal.

### APPLYING EFFECTIVENESS CRITERIA

The measure:

(1) must be regarded as meaningful not only semantically but especially in terms of significance to the animals themselves

SZTYBEL: Meaningful relief for birds in 3 aspects, even though Francione dogmatically writes: "The status of animals as property renders meaningless our claim that we reject the status of animals as things." Welfarist measures reject animals as mere things since their suffering is avoided, although they are not FULLY respected through imperfect laws. FRANCIONE: No meaningful relief for the chickens.

(2) must not be positively futile to advocate

SZTYBEL: Not futile. PETA has won this provision with some companies, etc.

FRANCIONE DON'T: Doing nothing to affect the case is certainly futile from the birds' point of view.

FRANCIONE DO: If one advocates fulfilling a right in effect that is futile. But again he can have no solution to this or offers none.

(3) will provide the strongest possible protection for animals

SZTYBEL: A higher degree of protection offered in 3 aspects.

FRANCIONE: There is nothing weaker than no additional protection at all.

(4) must provide benefits that no other pro-animal measure, legislative or other, can result in

SZTYBEL: This is a key point. Those chickens in the slaughterhouse can ONLY get relief through legislation, not through education, talk shows, or



whatever. Exploiters will only treat the birds differently if laws are enforced to that effect.

FRANCIONE: Utterly misses a key opportunity to help these birds, and endless other animals who suffer needlessly.

(5) will provide the greatest possible inroad against speciesism See above under ethics part.

(6) will be positively or most conducive towards adopting animal rights in the law

SZTYBEL: I do not claim that animal “welfarist” laws CAUSE abolition, as Francione claims “new welfarists” believe. “Welfarist” laws CONDUCE towards animal rights though, because they affect society and make it kinder. Animal rights seems ridiculous and contemptible in an unkind society. China has few vegans and animal rights sympathizers, and so less democratic potential for animal rights as I would put it. However, animal rights is both interesting and plausible enough in a kinder society. To disagree here, the Francionist would have to say that kinder laws do not contribute to a kinder society, even though everyone is supposed to look to the law, that it is more or equally likely to have animal rights in a crueller culture. Both theses are ludicrous. Also, people can be convinced of animal rights without animal rights laws, as is proven every day.

FRANCIONE: Leaves bird cruelty, which is not maximally conducive towards a kinder society and hence animal rights law.

(7) will not lead to such complacency with animal treatment that undermines achieving animal rights in the law or even makes it futile to aim for such laws

SZTYBEL: It is qualitatively worse to be content with a miserable state of affairs than a better one. Quantitatively, “welfarism” conduces more towards animal rights. A concern to always get the best for animals counts against complacency, as does the best caring dictum that “welfare” is really animal ILLFARE. (see “The Rights of Animal Persons”). That is nothing to be smug about. It is implied by Francionists that “welfarist” laws will retard or prevent animal rights laws, but it all depends on human motivation. If there is enough motivation, then we will eventually pass such laws. If there will be insufficient motivation, then we will never have animal rights and we should aim for the best we can get for animals all the same. If we are unsure, it is one of the above, and that again means “welfarism”.

FRANCIONE: If we achieved his more stringent proto-rights, this would inspire even more complacency, since people would say it is almost as if animals have rights. Again, it treats animals as a mere means to keep them miserable so that people will be less complacent.

(8) must be achievable as one criteria of success

SZTYBEL: OK

FRANCIONE: Well, nothing is always “achievable”; proto-rights now are not as discussed above.

(9) should not lead to such increases in animal product consumption that would make the measure have an overall negative impact on animals or their rights

SZTYBEL: I show that overall my approach leads to less suffering and death even if there is a temporary spike in animal product consumption if we consider the long-term. [see <http://sztybel.tripod.com/pragmatism.pdf> for details] Less cruel meat is more expensive, denting consumption.

FRANCIONE: His proto-rights would boost consumption even more since people would be more satisfied with them.

(10) must pass a reasonable test period to see if the given strategy is successful animal law

SZTYBEL: The test period is not over for animal rights pragmatism. It's too soon to tell what will work best. We need both animal “welfarism” in the short-term and animal rights in the long-term, and we do not need to “wait” to know this.

FRANCIONE: The test is over because it is convenient for him to say so. Or at least he gives no reason why else.

(11) should ideally be illustrated to be successful with a real-world example, or at least a plausible hypothetical example Let's use Sweden this time. It has banned anti-biotics and so factory farming. Hogs have more room, better surroundings, time outdoors, less stress, straw bedding, no farrowing crates, and toys.

SZTYBEL: Obviously better for the pigs.

FRANCIONE: Has nothing to say except usual dogmatic pronouncements that we cannot have animal “welfare” and so forth, that it is still speciesist, etc., but see above discussion.

(12) must overcome Gary L. Francione's seven or so supposed reasons why animal “welfarist” laws cannot work in principle

FRANCIONE:

1. will not result in good for animals only their more efficient exploitation
2. only property owners' interests will be considered
3. property cannot have legal relations with owners
4. if animals have no market value, they have no value at all
5. a pen cannot have rights against its owner, neither can we balance the interests of animals against property owners
6. there is a presumptions owner look after their animals
7. Legal wrangles: laws not adjudicated in animals' favour; minor penalties; lack of enforcement; needing to prove cruel intent; many species of animals exempt

SZTYBEL:

1. Not in Sweden
2. Not in Sweden
3. Apparently not in Sweden
4. Not in Sweden
5. Pens have no interests, animals do, and their interests are respected to a considerable degree in Sweden
6. Not in Sweden
7. All these can be avoided and did not stop Swedes from really accomplishing something

(13) be a worthwhile use of time, money, and other resources to help animals

SZTYBEL: These reforms are the only thing that can help billions of animals who need help today, yesterday and in the future, who as argued above, cannot be helped in any other way. Not all activists need work on this, but only those so inclined who are suited to the task, who can and probably would do other things as well.

FRANCIONE: No investment in relief for these chickens, so a moot point.

## CONCLUSION

Thanks for your patience. I say there is no mere difference of opinion here. I think can show that Francione is just plain wrong in what he says about ethics and effectiveness. I don't think everyone will agree, but it is easier to dismiss my claims than to refute them. My case keeps getting more refined, and I keep finding more faults with Francione's, and he never addresses them. My arguments have been around for years and no one has really put a dent in them, to the best of my learning. I hope this explains why I am a more consistent and effective abolitionist than are Francione and the Francionists.

### **Brooke Cameron:**

Wow, thanks for taking my question so seriously, and replying with such detail! May I ask a really quick follow up please?

### **David Sztybel**

That is kind of you to see. Clearly the little box was meant to constrain windbags like me. But please, what is on your mind, Brooke?

### **Roger Yates**

go Brooke

### **Brooke Cameron**

David, Is it that you are essentially saying that you'd be happy if Gary Francione's site was called Animal Rights: An Abolitionist Approach, rather than THE Abolitionist Approach?

**David Sztybel**

Yes, I think that would be perfect. More accurate, and more respectful of other abolitionists such as Joan Dunayer, and, I even think, myself.

**Brooke Cameron:**

Thanks, David. I agree.

**David Sztybel**

Cool, thanks to you.

**Roger Yates**

OK. The next question comes from Barbara DeGrande (I have checked that she's still awake) - Barb....

**Barbara DeGrande**

Thanks Roger. What are your thoughts on the most efficient way to help animal activists understand the need for veganism and abolition?

**David Sztybel**

Hi Barbara. Thanks for the question. OK, this is a tactical concern, maybe even a media or education question. Believe me, I am no expert on either. (I am supposed to be an expert on animal ethics, but many Francionists have execrated my alleged expertise as well, as I document in my blog entry, "Insults and Illusions: the Case of Francione and His Followers" from back on November 21, 2007.)

I guess efficiency means getting the most results? I think getting in to the schools for talks can be extremely effective, although it can be challenging to get in. Letters to the editor reach a lot of people. Radio or TV shows looking for topical issues can be persuaded to cover animal rights at times. Advertised talks can work well. Ads. Everyone firmly committing to reach out to their network of personal contacts can really get things going. The internet is of course invaluable. Scholarly discussion of course helps and can reach a lot of people too, in the form of academic writing or teaching. Protests like I've long participated in can get people to start thinking, talking, or inquiring. Sorry, Barbara, these are all mass-appeal type things. Rather than finding out which are best, I think it would be best if we left no stone unturned and try to activate all at once as a movement, although obviously not as individuals since we could not possibly spread ourselves that thin. If we only did one of these avenues by contrast we would certainly reach fewer people, less those who could ONLY be reached by one of these channels on any given day.

**Barbara DeGrande**

Excuse me but I was asking specifically about animal activists - educating those that work for animals.

**David Sztybel:**

Oh, heck, I'm sorry, I did not follow you. I don't know...the internet? Conferences? Books? A study of why people went vegan, a different

question, appeared in the journal, online, SOCIETY AND ANIMALS. It said people change most after reading, esp. articles and books. Interesting, eh?

**Barbara DeGrande:**

Thank you!

**Carolyn Bailey:**

Thanks again, David and Barb.

**David Sztybel:**

Most welcome, Barbara

**Carolyn Bailey:**

I'll ask a question now if I may

**David Sztybel:**

Yes, please.

**Carolyn Bailey:**

Could you please explain your views on Peter Singer's utilitarianism. Does his position do anything to end exploitation and speciesism? Why or why not?

**David Sztybel:**

Hi Carolyn, thanks for the question, and for hosting this, along with Professor Yates and the rest of the crew. You have been SO helpful behind the scenes before-hand, and as positive as anyone could expect, in my view. Please excuse my long-windedness in general. I am a teacher, among other things, and I want to do this chat in a way that teaches, since not everyone here will be familiar with what we are talking about.

A philosopher, Singer wrote Animal Liberation (1975 first edition, 1990 edition, etc.), although he did not explicitly declare his utilitarianism in that text, unlike his Practical Ethics. A utilitarian aims for that future which contains the greatest possible happiness. Singer, for example, considers both suffering and the satisfaction of preferences. You can calculate the greatest happiness in principle, if not in practice, by estimating the total units of pleasure and subtracting the total units of pain, as one example.

I by contrast am an individual rights theorist. In my article, "The Rights of Animal Persons" [http://sztybel.tripod.com/rts\\_animal\\_persons.pdf](http://sztybel.tripod.com/rts_animal_persons.pdf) I contrast how I what like to see what is best for each and every sentient being realized. By contrast, Singer, as with his utilitarian cohort, pools all happiness together.

Notoriously, utilitarians act contrary to what is best for individuals at times. Singer apparently would support a ban on meat-eating in most cases (weird utilitarian counter-examples might exist), recreational hunting, using animals for fur or leather, and perhaps other uses. However, the biggest practical area of contention between him and I is medical vivisection. He in principle thinks it may serve the greatest overall happiness (or relief from suffering) to medically

vivisect nonhuman animals and also mentally disadvantaged humans. I document this in the article.

However, in fairness, on his FAQ for his Princeton University website, Singer claims we should abolish institutionalized vivisection because it is a waste of resources. Notice how he is emphasizing inefficiency rather than the individual dignity of the animal, which is so paramount for rights theorists.

Since he opposes many forms of animal exploitation, it seems fair to estimate that he does something to end exploitation. But the vivisection example reveals that he does not oppose exploiting individuals per se, but only when it is not supported by the greatest net utility. For a fuller discussion of Singer on vivisection, please see my blog entry for July 7, 2009, called "Unprotective Anti-Vivisection Theories," which also shows that animal rights theorists often champion theoretical frameworks that could permit medical vivisection, however unwittingly.

Does he do anything to end speciesism? Sure, by degrees. He is eloquent on speciesism and has swayed many people to be more abolitionist than he is. In "The Rights of Animal Persons" I argue that his stating that animals can be vivisected because they are mentally inferior is speciesist because, in short, his views derogate animals for a species-characteristic, namely, inferior intelligence. True, he would say some humans might be vivisected on this reasoning too.

But in the case of the animals, this is an alleged species-characteristic. In the case of humans, inferior intelligence is not supposed to be a species-characteristic. This form of discrimination appears to be arbitrary. As I point out in my article in *Ethics and the Environment* (Spring 2006): 97-132, just because a being is different in some characteristic does not give us a license to harm that being. Well, this alleged species-characteristic or lack of it that Singer is emphasizing does not give us a license to harm these animals either, even though when he inconsistently sometimes appears to approve of medically vivisecting animals (see again that blog entry July 7, 2009) he does seek a license to harm these animals. For harmed they are. In grotesque, extreme, and hellish ways!

So while he does a lot to end speciesism and exploitation, he does a lot to perpetuate it as well. One could argue that his approach to animal law also is threatening, since Francione cites Singer in *Rain without Thunder* as maintaining that he supports any measure on behalf of animals, which is a low standard. I argue we should get the most we can for animals legislatively by contrast.

I guess Singer might think the position of animals is so very abysmal that anything would help, and any measure that might be passed is probably the most that can be gotten for that political locality? I don't know exactly what he thinks, and I am reluctant to rely on Francione's take on Singer, since I have unequivocally proved (and Singer personally thanked me for this) that Francione has majorly misrepresented Singer on the right to life before, and

related topics. See my blog entry for January 27, 201, "Francione Totally Misinterprets Singer." I have not closely studied Singer on this legislative question nor have I asked him.

**Carolyn Bailey:**

Thank you for you kind words, David. Roger Yates would like to ask the next question. When you're ready, Rog.

**Roger Yates:**

Normative sociology. <http://szybel.tripod.com/normsoc1.pdf> As an initial aside, may I add to your impressive list of those involved in some senses in normative sociology the names of C. Wright Mills, Steven Seidman, and Zygmunt Bauman, unless you object to all or any. In a neat phrase about sociology you say, "There are plenty of sightings of society, but there is precious little vision." You suggest that a part of the remedy for the lack of vision is found in a blend of effective and affective cognition, the latter of which requires the inclusion of "emotional cognition" and "desiring cognition." Can you please explain that for ARZone members?

**David Szybel:**

Thank you for the question, and for helping to run the AR Zone here. I actually cite C. Wright Mills in Part II of my papers on normative sociology: there are two of his books cited there. Thank you very much for the additional references.

I argue that sociological vision includes moral vision, to use a term that forms the title of a book by David McNaughton. Controversially, I maintain that perhaps ethics can be a science, or involve hypotheses that are supported by evidence, as I try to make out in the paper. Effective cognition is being aware of matters of cause and effect, or relatedly, what conduces towards or influences something else, perhaps along with other factors. Affective cognition is more daring though since people have held that affect (feelings and desires) are noncognitive. I dispute this since we are aware of our feelings and desires, but not through the five sense emphasized by science: taste, touch, sight, sound, smell. So we must be aware of them SOMEHOW, I guess through feeling or desiring themselves. Hence I say we can have affective cognition.

In the normative sociology paper, I made a note in the paper that I misused the term 'emotional cognition' in my above-cited paper, "The Rights of Animal Persons" since it (unlike 'feeling cognitiion' which I use in the sociology paper) does not encompass feelings enough. A painful blow is felt, but pain is not usually considered an emotion, as one example.

I occasionally catch myself making mistakes, and I am revising a substantial part of my moral theory now, although I cannot give details here or now. I don't think that undermines ethics as science, though, since as I said I make mistakes. If there were no right or wrong in ethics, mistakes would not be possible.

Anyway, to get on with my long-winded paragraph, I think that affective cognition can establish the reality of good and bad for sentient beings. Pain feels bad, as opposed to good or indifferent. This is unmistakable, and I try to show in the paper that this is even true of masochists. They want to feel bad or pain for certain reasons, so there is no instability in the feeling cognition of bad there. This is important, I think, since one of the key jobs of ethics is to establish that some things are really good or bad for sentient beings, better or worse, and perhaps even best. If we can elaborate an ethic in scientific terms, this would revolutionize sociology. I think we might be able to do it, but I cannot see how to without affective cognition. As you no doubted saw, I oppose basing ethics on intuitions, or unjustified beliefs, although I admire many peoples' intuitions, and respect people taking an intuitive stand in ethics or politics rather than no stand at all, or perhaps a worse stance in realistic terms. I hope I have added some clarity as opposed to confusion, but I refer readers to "The Rights of Animal Persons" and my two-part papers which can be found on my site.

<http://sztybel.tripod.com/Articles.html> items 3. and 4

**Jason Ward:**

Thanks David - Brandon Becker has the next question - when ever you are Brandon, please go ahead.

**Brandon Becker:**

In your essay "Is It Speciesist to Use the Term 'Animal'?"

(<http://davidsztybel.blogspot.com/2008/08/is-it-speciesist-to-use-term-animal.html>), you argue that referring to animals other than humans as "nonhuman animals" implicitly reinforces anthropocentrism. Sociologist David Nibert prefers the term "other animals" but, as author Joan Dunayer points out, that isn't always as clear as "nonhuman animals." Personally, I use both "nonhuman animals" and "other animals" leaving "animals" for specific contexts. Can you expand on your views on this issue?

**David Sztybel:**

Thanks to ALL who are facilitating, you too, Jason.

Hey Brandon. Through correspondence I have learned that you are amazingly cyber-literate, with a wealth of references to offer. And I'm sure that's just scratching the surface. Anyhow, I think it is noble to use the term "nonhuman animal" because it clearly implies that humans are animals too. I say it is anthropocentric because using the term always makes a reference to human beings, even when it is nonhuman beings who are being referred to. However, I think it is important to add that this anthropocentrism is not so noxious as speciesism, by far, by FAR. It is merely making a descriptive reference to humans, rather than declaring human superiority, or humans' rights to harm animals, or any such thing.

So I am not so worked up about the anthropocentrism that I have identified in the phrase "nonhuman animal." I used to use this phrase all the time, including in a book manuscript, and Grace Prince, my much-loved mother-in-



law, pointed out how tedious it was for me to use this phrase over, and over and over again. I was struck by that comment. I went on to realize that we speak of animal rights, not nonhuman animal rights usually, or nonhuman animal liberation. Dunayer actually goes so far as to suggest that we use the term nonhuman rights, but as I point out in the blog entry in question, that logically implies rights for nonhumans, which includes rocks and grass.

Dunayer might say it is implicit that we are really referring to nonhuman sentient rights, or something like that, but it is not so obvious. Some animal rightists value beings just for being alive, such as Jains, or people who follow Albert Schweitzer's ethics of reverence for life. (Here we have a distinction between ethical sentientism and ethical vitalism, by the way.)

Part of the point of "nonhuman animal" is to teach that humans are animals too. But honestly, how many times do you have to teach that lesson? I am inclined to think, "Gee, I get it, already!" It really becomes pedantic to teach a lesson such a maximal number of times. It is also tedious just to use that long phrase as Grace said. It is less aesthetically pleasing. In the blog entry you refer to I also discuss philosopher Tom Regan's abbreviation, NHA, for nonhuman animal in short. I argue that "animal" in certain contexts as "animal rights" does not worsen speciesism in anyone's minds or practices, and does not imply that humans are not animals (that would be a case of illogically jumping to a conclusion that goes against most people's understandings of language and science). Dunayer would call me a "new speciesist" I am sure for other reasons too, but I do not think I am worsening injustice to animals by my use of the term "animal." I sometimes use the term "other animals" as you say Nibert does (his work is important, I think), but as a tool for emphasis, not because I feel obliged to use that phrase in every single case. Sometimes I also use "nonhuman animals" when it is rhetorically apt to do so, such as when contrasting or comparing treatments of human and nonhuman animals.

I suppose it is also meant to be not-distortive to say "nonhuman animal" or "nha" for short as Regan would have it. But to hear "human...human...human..." every time you think or read about animals, even if couched in a phrase complete with the "non-" is just almost overbearing in its ad nauseum qualities.

Let me see if I can get across what I mean a little unconventionally. In fact, let us do a visualization exercise, combining pictures and words here. I think some of you might enjoy this as I do. First, imagine a blackboard or a whiteboard as you prefer. Somebody draws a vertical line going up and down the middle of the board. Next, on the left, she writes "Human Animal," and on the right side, "Nonhuman Animal." A dichotomy. Does "human" occur in some form on one side or both? Both. Does the word human dominate the scene? Definitely. It takes up fully 50% of this little mind-map, and even intrudes on the other side too. Now imagine something completely different. Imagine an enormous canvas in which "Animals" is written in the middle, in graceful calligraphy, inside a circle or an oval. Now imagine all of the different kinds of animals or their families radiating outward with flowing lines from the centre. Humans form one tiny part of that radiance, only at the fringe or the

end of one bit in fact. Nonhuman animals dominate in this picture. Does the word "human" occur virtually everywhere as in the previous picture? It occurs just once, really tiny. That is how I prefer to think of the animal kingdom.

So even though the anthropocentrism I noted in my blog entry is far from synonymous with speciesism, it is still representationally suspect and perhaps even obnoxious. Words are important, and help shape how we think, but I have not seen the term "animal rights" shape people into speciesists; if anything it has helped worked some magic in the other direction, if I may. It is great when people at least take animal rights seriously. That is often a great start in confronting the speciesism in people's minds.

**Brandon Becker:**

Can I ask a follow-up question?

**David Sztybel:**

Sure, Brandon.

**Brandon Becker:**

First, I want to point out that we can speak correctly of "animal rights" rather than "nonhuman animal rights" because the philosophy and movement for legal rights includes rights for human animals.

**David Sztybel:**

Makes sense, very well thought out if I may add.

**Brandon Becker:**

It is an extension of rights from humans to other animals rather than just rights for other animals. But back to the core language issue: For those who don't like "other animals" or "nonhuman animals," I think the least we can do is when we use "human" in the same sentence as "animal" to refer exclusively to animals other than humans, we should modify "animal" appropriately. For example, use "human and nonhuman animals" or, my preferred choice, "humans and other animals" rather than saying "humans and animals" which removes humans from animalkind. What do you think?

**David Sztybel:**

That sounds like a wise stylistic suggestion. I don't pretend to have thought of all the ins and outs. As I said in my answer up there, I like to use "nonhuman animals" or some other suitable locution when we are comparing or contrasting human and nonhuman animals, or in other cases in which the two types of beings are neighbouring or contiguous.

**Brandon Becker:**

Thanks for sharing your views!

**David Sztybel:**

Thanks for sharing yours, too and for your very intriguing question!

**Carolyn Bailey:**

Thanks, David. Eduardo Terrer would like to ask the next question, but has been called out on an emergency, so Jason will ask for him. Thanks, Jay!

**Jason Ward:**

Thanks Carolyn- you ROCK!!!

**David Szybel:**

She does, now, doesn't she.

**Jason Ward:**

Hello: According to one of your texts, you consider that we have to work long term and short term. More or less, that in the short term would be for welfare, and in the long term for abolition. This seems as if the long-term and short-term work is different, and that there's enough time to do both.

But the question is, if there is limited effort to achieve whatever objective. Welfare laws don't come free. They require work, effort, political lobbying, campaigning etc, for the purpose of achieving some reforms. Here in Spain animal welfare appears to be a State tool to curb the movement for the rights of animals.

A large part of the website of the Ministry is devoted to animal welfare. I sincerely believe that animal welfare is the currency of change with which the operators sector will attempt to negotiate. It will attempt to divert attention to welfare reforms. I don't think it necessary to fight for them.

I propose this. If instead of devoting much effort to animal welfare, it is dedicated to veganism and seriously trying to improve the means of delivery to be increasingly effective and efficient. Isn't it better to abolish and avoid the situation where non-humans end their lives in slaughterhouses?

Don't you think that the abolitionist message could more efficiently and effectively contribute to the same welfare reforms but without devoting effort to that, and avoiding also the potential negative effects of promoting animal welfare?

If we raise the strategy according to a model of limited effectiveness we will be ignoring the possibility of changing the model and making it very effective. I think it is an ethical duty, and is a strategic requirement, to fight for the abolition of non-human exploitation and to fight for this effectively. link to the text in question

<http://pensamientovegano.files.wordpress.com/2008/07/derechos-animales2.pdf>

There is an assumption that the abolitionist movement is ineffective. I think welfare reforms are actually, side effects of a movement that attempts to abolish animal exploitation. Many resources are needed to achieve welfare reforms. But if efforts are dedicated to develop a movement of pro- veganism efficiently and effectively, the same exploiters propose animal welfare.

In fact, when we speak to a speciesists about veganism, the first reaction is often rejection. Then, if we set a "productive" conversation, often they raise that what seems bad is the way they mistreat them, but not using them. It is the speciesist who, in his refusal, raises welfare issues as a means of avoiding the abolition.

**David Sztybel:**

Thanks for helping Eduardo, Jason.

**Jason Ward:**

My pleasure

**David Sztybel:**

Well, a question that is a mini-essay in itself. Long-winded just like my stuff. I like it! OK, let's take this seriously. I will need to refer back to my abolitionist framework that I justified and compared to Francionist abolitionism in the reply to the first question in this chat. You refer to both ethical duty and also to what is most effective and my answer to question 1 addresses both of those at some length. I do not always find your questions to be clear, but I will do the best that I can. You can follow up with me at david.sztybel@gmail.com if I do not address your concerns. Or on AR Zone, although I cannot promise that I will have time to check the chat box here.

I will contrast the Francionist and Sztybelian, if you will, approaches to abolition. Yes, I assume there is time to address both the long-term and short-term, especially with a movement that already has people doing so. Yes, the state is interested in animal welfare and I have argued that that is better for animals than if they entrenched more speciesist disregard of animal suffering. As far as I am concerned, Francionists who show lack of concern with animal suffering are acting in typical speciesist lack of caring fashion too. Yes there is limited time, but as I showed, laws have huge payoffs for billions of beings potentially, leave others free to do other work, and the suffering of animals in commerce can be addressed effectively IN NO OTHER WAY.

Good enough for me. Yes, let's promote veganism. Yes it is better to abolish animal exploitation, but that is what I argue, and that my approach conduces towards that more effectively. No, abolitionist messages do not result in "welfare" reform; that takes focused and dedicated WORK. No I do not assume that the abolitionist movement is ineffective. Francionists have some good effects, as in vegan converts, and I ALSO am an abolitionist. I don't let people tell me otherwise.

No welfarist reforms are not actually side-effects of Francionism, but require the kind of work that he opposes. Yes, veganism creates more supporters of "welfarist" laws, but that would not be if they are FRANCIONIST abolitionists—that's not allowed! Yes, speciesists raise welfare issues to avoid abolition, and that can be put to good use, but yes, it would be better if we could convince them to do the right thing by animals.

I hope I have addressed your questions or concerns, Eduardo. Please excuse my brevity. It is to compensate for my long-winded lesson on "Sztobelian abolitionism." Har har.

**Tim Gier:**

On behalf of Eduardo, thanks David. Carolyn Bailey has the next question for you....go ahead when you're ready Carolyn!

**Dominique:**

Enjoyed this Excellent intellectual chat. Thank you David!

**Carolyn Bailey:**

Thanks, Tim. You've been critical of traditional animal rights theories and theorists, for example Professor Tom Regan and others. Could you explain how the best-caring theory of animal rights differs from more traditional theories, and why you feel it will lead us closer to attaining rights for other animals?

**David Sztybel:**

Thanks kindly, Dominique and Tim. Well, I HOPE my theory will help. What can I say? I'm sure it is not perfect and I find things wrong with it, and continually I think I find insights to improve it. I hope that it will provide a more effective condemnation of vivisection, a sounder system of justification that tries anyway to avoid intuitionism, better refutations of competing views, a more coherent approach to equality and inequality as in dilemma theory, a theory that offers all of the advantages of the competing theories without their disadvantages, refuting the strongest case for anthropocentrism, a new theory of nonhuman personhood, a reconciliation with deep ecology, an attempt to engage with moral skepticism, a better analysis of speciesism, fresh ideas on getting religionists on board, a showing up of animal "welfare" as really animal "illfare", and more.

**Jason Ward:**

Up next with the next question is Tim Gier- when you are all set Tim -go for it :-)

**Tim Gier:**

Prof. Robert Garner believes that the argument from marginal cases fails to compel people to accept the moral value of other animals because, in his words, it "plays better in the philosophy classroom than it does in the general public." In your essay "A Living Will Clause for Supporters of Animal Experimentation" you lay out a special form of the argument from marginal cases. Would you briefly explain that argument, and why you think it should resonate, for our members?

**David Sztybel:**

'kay. I'm not so sure about Garner's assessment. On the supply-teacher beat, I sometimes mention in the staff rooms to ordinary teachers, and I make it clear that animal rights are next of kin to disability rights. I am sure it gave them pause and got their interest.

Also, the number one justification of anti-animal-rights, if one looks at the literature as I did, is citing that they are cognitively inferior in many respects, so we need to address this "concern" in a variety of ways. The living will argument can be explored in brief too.

[see [http://szybel.tripod.com/living\\_will\\_short\\_essay.html](http://szybel.tripod.com/living_will_short_essay.html)]

Vivisection is the thorniest practical issue, perhaps, to address. Usually it is defended by pointing to its benefits. I just make the point that it would be MORE beneficial if humans signed a living will so THEY will be used for medical vivisection if they have an accident or whatever so their cognitive capabilities are roughly equivalent to, say, a laboratory rat. Or let's take a leaf from Dunayer and say "rat in a lab." That "equivalence" is no mean thing. Rats have memories, anticipations, feelings, preferences, beliefs, etc. I am not literally advocating the living will, only pointing out that utilitarian-like defenders ... of medical vivisection might have no excuse for resisting it. Since they would reject their own position's implications, they should reject their own position on this issue altogether. Or else they are speciesist hypocrites.

**Carolyn Bailey:**

Thanks again, David!

**David Szybel:**

Well, thanks all around!:-)

**Carolyn Bailey:**

Barbara DeGrande would like to ask another question next, thanks, Barb.

**Barbara DeGrande:**

What led to the development of your cognitive restructuring tool for animal activists?

**David Szybel:**

I'm not sure what you mean. My theories? I always had an interest in theory, say, in history class in high school, and jotted down pseudo-philosophy long before I was formally introduced to the discipline.

When I had intro. moral philosophy in 1988-9 I misread the calendar and thought we each had to come up with our own theory of ethics. So I wrote a book, AFTER I read animal liberation, so it was animal rightist. (No of course Singer's no ARist.) And so it evolved from those crude beginnings.

I want to help animals, but I also want to do the right thing, and keep questioning my own ideas to test them for adequacy. I change far more by doing that than by people pointing out mistakes in my work, and I guess I'm somewhat proud of that. I hope I can continue to grow.

You never "lose" a debate so long as you learn something.

**Barbara DeGrande:**

Thank you, David

**David Sztybel:**

And you, Barbara.

**Carolyn Bailey:**

Thanks gain, David

**David Sztybel:**

OK, we're getting along here. This is fun, although I'm a bit tired! Maybe some of you too!

**Tim Gier:**

Prof. Yates has the next question, please Dr. Yates!

**Roger Yates:**

You have complained that Marx and Engels' description of philosophers as "blockheads" is an "outright insult," a contemptuous pronouncement, and "a flimsy, quasi-anti-intellectual opinion." In contrast, you say you engage in "relevant and critical analysis." Do you, therefore, characterise the insults you have frequently used, like "loser," and "do-nothingism," and the term you consider ~not~ to be an insult, "futilitarian," examples of this critical analysis - rather than in contradiction of the meaning of critical assessment?

**David Sztybel:**

I think that you are seriously misrepresenting my work here, and I thank you for giving me the opportunity to address this matter. I was refuting Marxism, showing his critiques did not seem to put a dent in best caring, adding that his insults did not help either. Let me address your allegations in order:

1. loser" In my essay on motivation to study for students, Feb. 1, 2008, I compassionately encourage them to avoid generalizations about themselves, including that they are "losers". It should be obvious what I think about this term, especially since I often object to insults, including what I was subjected to by pretty much every single Francionist I dialogued with on ARCO. I thought there was one exception, and then this person pronounced there is nothing of interest in my chapter on the strongest version of anthropocentrism, which I think is insulting.

blog January 16, 2008 "On the Futilitarian Front We Are Winning, But Have Not Won Enough!" I wrote: "The futilitarians cannot simply be dismissed as "losers" but need to be taken seriously..." Here I am obviously advocating AGAINST calling Francionists as losers. I then go on in the same paragraph to cite Lesli Bisgould, who says "We're going to lose, and lose, and lose again. And then we are going to win." Obviously I am like she is talking about winning the animal rights controversy.

blog June 10, 2008, "Great Apes Activism: Fending Off Futlitarian Animal Rightists" I concluded: "Let us be winner rather than losers of winnable battles on behalf of animal rights—for the animals' sake." This is not insultingly calling anyone a "loser." It is saying we should win the animal rights debate. In every debate there are winners and losers. You are unfairly reading connotations into a term that is obviously used here mainly technically, if you are referring to this. You are way out of line to say I "frequently" insult people and put them down as "losers." You will not find any other references than these.

2. Do-nothingismblog entry July 22, 2008, "Do-NothingismTriumphant?" I sometimes refer to it after this date. I said he advocates doing nothing legislatively, which is just fact. I argued his proto-rights lead to nothing legislatively too (see my above discussion). I stand by my assertion that his approach leads to a big nothing on the legislative front. That is not an insult, but a simple allegation of fact. In the blog entry I say what crude readings might overlook, that he seems "to advocate doing nothing on the legislative front..." rather than in all respects. I use this qualification whenever I talk about doing nothing, and refer to his vegan education efforts, quite consistently, in the next paragraph. You interpret inaccurately and out of context.

3. Futlitarian. I have a blog entry called "Is 'Futlitarianism' an Insult?" Dec. 16, 2007. I say his approach amounts to futility, a very serious concern, and not an ad hominem against him as I say. I call it satire. Do you propose banning satire? To not point out the 8 respects in which Francionism is mired in futility (see blog entry in which I enumerate these from Dec. 13, 2007) is missing something important.

By contrast, Francionist in Animal Rights Community On-line called me "ignorant," "a fool," demonstrating a "depressively low level of intellect" or showing "sheer intellectual deficiency," "paranoid," Satire on one site lyingly declares that my case for anthropocentrism has NOT been praised as leading by experts in their field Evelyn Pluhar, Wayne Sumner, and M. A. Fox. Oh, sorry, let me continue with the artists on ARCO who called me also: "nefarious," "hypocritical," "arrogant," and "creepy," none of which I deserved. They are literally terms of abuse.

As for you, Professor Yates, I have not forgotten that you called me "Gary Francione's stalker, Dr. Szybel," with a reference to my blog. It was/is in your 5 July 2008 entry. [see [http://human-nonhuman.blogspot.com/2008\\_07\\_01\\_archive.html](http://human-nonhuman.blogspot.com/2008_07_01_archive.html)]

Now a stalker is someone who can be a criminal. Usually he intrudes on others' privacy, following others around in a hunting sort of fashion, or lies in hiding, etc. I have done none of these things. Another person would sue you outright for this insult and slander. I will not bother, just as I considered it unworthy of direct discussion in my blog.

But since you bring up the issue of insults, and, implicitly, hypocrisy, well, I'm sure we can all learn something from what you have to say. You inspired my



blog entry, by the way, "Am I Obsessed with Gary Francione? No." June 14, 2008.

I do credit to his work that I take it so rigorously and seriously, and praise in my blog entry July 23, 2008 the good things he does and says, a list with 7 creditable items. It is commonplace for scholars to follow all of the work of other scholars or activists of interest, and to try to discuss them rationally and thoroughly, and it is praiseworthy when this is on matters of importance. By contrast, your slur is beneath your dignity as a scholar.

**Roger Yates:**

Thank you David, Can I be permitted a follow-up, please.

**David Sztybel:**

Yes, of course.

**Roger Yates:**

David. First, I'm not sure that I remember labelling you as a Francione stalker in as stark a sense as you say. Second, it was my idea to invite you to be a guest on ARZone. However, while you write a blog entry, "Am I obsessed with Gary Francione, no," you then mention Gary Francione about 80 times in your first answer (which runs to about 20 A4 pages). I was rather hoping you would take this opportunity to advance your vision of animal advocacy, whereas you seem to have been more concerned with bashing Francione at every opportunity. I wonder if you realise how much you have screwed up your opportunity.

**David Sztybel:**

Thanks for your assessment. You did say it. I recognize other abolitionists such as Dunayer. It is a pity you missed how my approach satisfies criteria for ethics and effectiveness, but that is your call. Francione is worthy of much discussion here. Perhaps you disagree.

**Roger Yates:**

I agree with that

**David Sztybel:**

And thank you for permitting me to address this unpleasant matter.

**Carolyn Bailey:**

Thanks, David. Jason will ask another question now on behalf of Eduardo Terror, thanks Jay.

**Jason Ward:**

Thanks again Carolyn

**Jason Ward:**

Hi again David. If we are concerned about the interests of the individuals now. Why, instead of promoting welfare reforms (with all the resources required) do we not strive to create hundreds of sanctuaries, and a creative financing

medium to make it feasible that there can be thousands of sanctuaries, and so, really, help as many non-human, as we can?

Welfare reforms can hardly be an aid to the non-humans. But remove them from a farm or a slaughterhouse and bring them to a sanctuary. If we really consider it imperative to help animals today, right now. Is it not the obvious conclusion that we create sanctuaries and forget about welfare reforms?

**David Sztybel:**

Thank you, J. I aim to help animals on all fronts, that is why my wife and I look after an animal sanctuary farm for a week every August. Your dismissals of welfarism are contradicted, and I think refuted, by my arguments above.

**Carolyn Bailey:**

Thanks again, David. I'd like to ask another question now.

**David Sztybel:**

Okay, thank you.

**Carolyn Bailey:**

David, you link, as one of your favorite links, to Sea Shepherd on your web site. SS are an anti-poaching organisation, not ethical vegans and some would argue, elevate a small number of species above all others. Could you please explain why you support SSCS?

**David Sztybel:**

Well, I think they try to defend ocean life. They are not perfect. I think we need to focus to accomplish anything and that is what they are doing. Do you know that 95% of ocean life has been decimated by human activity? Or so I have read. I put much more stock in their activism than critics' negativism. Here is a bit of philosophy about evaluating activism:

1. I am not perfect and others are not either
2. My overall assessment reflects what is positive and what is negative
3. I do not ascend to a "higher" level of criticism that is totally negative, since that does not correspond to reality, and does not encourage the good and discourage the bad appropriately.

By contrast, there is plenty of negativism in Francionism. (see blog July 23, 2008-)

**Carolyn Bailey:**

If SS were not doing what they're doing now, do you think they'd be taking part in vegan education, or completely lost as animal protectionists?

**David Sztybel:**

I am unsure. It is a difficult hypothetical question.

**Carolyn Bailey:**

Thanks, David

**David Sztybel:**

And thank you, Carolyn.

**Carolyn Bailey:**

Jason will ask another question on behalf of Jamie Rivet next, thanks again, Jay. YOU rock!

**Jason Ward:**

Thanks again Carolyn... Where is the move to establish rights for nonhumans (as opposed to supporting their slaughter by advocating certain killing methods or attempting to mitigate the most extreme forms of cruelty, when neither are in the best interest of animals) in ... our so called AR movement, and do we deserve that self applied description?

**David Sztybel:**

I see lots of people advocating rights for nonhumans, including me. My analysis above justifies a different conclusion than the one you seem to suggest, that curbing cruelty is not in the best interests of the victims of cruelty, even in the larger picture. We deserve to be called animal rightists if we promote animal rights, and if our "welfarist" activities can be defended... using a proper moral principle that can also be used to justify animal rights, such as the best caring principle perhaps. I have a feeling I am possibly misreading Jamie's comment. I did not find it 100% clear, sorry.

**Carolyn Bailey:**

Thanks again, David. Barbara DeGrande has one more for you. Thanks again, Barb!

**Barbara DeGrande:**

You mentioned on your blog that you were disavowed as an abolitionist by some followers of Gary Francione; what is the source of that disavowal?

**David Sztybel:**

Okay, thanks. I think the complaints are that I do not effectively advocate abolition, and that abolition is about animal rights, and I somehow contradict animal rights by supporting some reformist measures. Well, above I argue that such Francionists are less effective, and that they contradict doing what is best for sentient beings, an even more basic principle than animal rights. I also show how they fall further short of proper animal rights by not giving animals the right to be spared unnecessary suffering whenever possible, and maintain that they do not optimally conduce towards animal rights law in the long-term. But all this I argue above and in more detail in my published works, thank you.

**Barbara DeGrande:**

Thank you David.

**David Sztybel:**

And you, Barbara.

**Tim Gier:**

Thanks again David, Tammy McLeod has the next question. But she's unable to ask it, so I will in her stead.

You suggest that PETA is an organisation "dear to your heart." You say there are things to criticise them for - perhaps you have in mind their sexist and juvenile campaigning - but, generally speaking, they are praise worthy. Why?

**David Sztybel:**

Hi Tammy. Fair enough. I did say that PETA (People for the Ethical Treatment of Animals) along with the Great Ape Project and the Oxford Centre for Animal Ethics are dear to my heart in my blog entry for June 14, 2008.

PETA must be watched closely for sexism. I don't see any problem with nudity per se, and it is not necessarily sexist to want to celebrate the naked human body. But if it is done disproportionately to show off female nudes, or worse, women with a particular kind of body, then we get into trouble. Bruce Friedrich expanded on this in his chat on ARZone. But Carolyn Bailey said she still feels uncomfortable with it. My wife, Cassandra points out that this discomfort alone is really significant, and I agree.

PETA is also known for killing animals which to me clearly contravenes the right to life.

What are some points to praise in PETA? They promote veganism, require it of their employees, and say that animals are not ours to eat, wear, experiment on, or exploit for entertainment, advocate suffering-reduction laws and policies, offer AR 101, free literature often to grassroots groups, media exposure for animal rights, university outreach, and so much more. Research and Investigations exposures. A list of accomplishments in animal advocacy that I offer in "Animal Action," the longest such list I have seen, mainly consists of PETA's achievements.

[see <http://sztybel.tripod.com/animalaction.html>, towards the end of it]

As in response to the SSCS, I evaluate on a good-bad basis. I do not paint people all bad. What if teachers took that attitude? They would expel students with a 70% average I suppose.

**Jason Ward:**

Presenting the final question of the pre-registered questions will be Roger Yates- go ahead Rog

**Roger Yates:**

You write that, "No complete definition [of animal rights] can be given in simple terms. However, one thing common to animal rights generally is the abolition of animal exploitation. This oversimplifies whether only abolitionist laws may be best in the short-term for animal rightists to advocate, but still serves as a model of animal rights. Exploitation is, in large part, harming animals in the ways in which we use them, for ex killing animals for food, harming them for medical research, maintaining sheep in impoverished

settings to shear their wool, fur farms, trapping, hunting, and punishing animals to force them to perform tricks for human amusement in circuses, while offstage they languish in squalid living conditions.” This seems to be close to the sort of thing a recent ARZone guest, Prof. Robert Garner, states. However, if one is to take an abolitionist approach to animal rights, one is surely not focused on law, at first at least, but on convincing individuals to withdraw from their own exploitation and consumption of animal products. At this point, surely no-one needs to be concerned about law when a growth in the number of vegans is necessary at this early stage?

**David Sztybel:**

Actually, I think this is close to what many state. Sapontzis, Pluhar, Bernstein, Regan, Rollin, Franklin, Rowlands, and so forth are ALL critical of animal exploitation. Oh, and let's not forget Joan Dunayer and Gary L. Francione!

This is a highly generic characterization of animal rights. You say an abolitionist is SURELY not focused on law, but my longish argument above tends against such a conclusion. You are right, I am sure, Professor Yates, let us be very vigorous indeed in our promotion of veganism. I am aghast that some people actually critique that Francione is promoting veganism. Embarrassed, actually, although I do not do that myself. I wish we could all simply agree on what is positive in being pro-sentient beings!

**Carolyn Bailey:**

Thanks so much, David, for your comprehensive responses to some excellent questions in today's formal session. I'd like now to open the chat up for a brief open session in which all members are invited to engage David on any topics which may have been raised today, or elsewhere.

I'd like to start with a question from Pablo Fernandez Berri, who is unable to be here.

**David Sztybel:**

I really appreciate all the great qs OK

**Carolyn Bailey:**

How can welfare reform (reform on the way animals are used) give the public the message animal use is immoral per se? How can we reform something we, as abolitionists consider intrinsically immoral?

**David Sztybel:**

An excellent question. I admit that there are concerns about mixed messaging. However, I think that education is the key.

Anyway, I shy away from statements about intrinsic immorality since that sounds to me like intuitionism. I use the best caring principle to try to assess immorality or lack of it, and I hope it is rationally justifiable as I find. I think the public gets that PETA for example says they think animals are not to be exploited, we should be vegan, and so on, but we should make conditions better for animals now, as we can, even though every Joe or Josephine will

tell you that animal rights laws are now impossible. I give the public some credit here, but where they lack insight, maybe education is the key.

Oppression can be lifted by degrees, and animals' interests can be honoured by increments as well, although they are hard to define precisely. Oppression literally derives from "pressing down." As I said, we should press down less on those chickens at slaughter, although yes, the Francionists don't seem to care about that.

**Tim Gier:**

Thanks David, Brandon Becker has a question for you, Brandon?

**Brandon Becker:**

Thanks, Tim. Regarding the 19th century anti-human slavery movement in the U.S., "abolitionists" were those who rejected regulation and demanded emancipation now while those who pushed for regulationist measures were called "gradualists." I think the movement against today's enslavement of other animals should accept the same terms. What do you think?

**David Sztybel:**

Well, as I express in one of my writings, I am concerned that "gradualism" implies a fixed set of stages of lifting speciesism that we all must go through. But I think we should skip possible phases as we can and get to AR ASAP.

I think I wrote something like that in AR Law. For instance, some countries will be quicker with animal reform than others, and they can pave the way for other countries to perhaps skip logically possible stages. Actually a term used in counterpoint to gradualism is "immediatism," I think Regan says somewhere in his collection of essays, DEFENDING AR. You can call for AR immediately, and in a way I do that symbolically or rhetorically, and earnestly appeal to individuals to adopt it immediately. But where does shouting "AR Now!" get you? To some real passion at protests with that as a chant.

**Carolyn Bailey:**

Thanks, David. Jason would like to ask a question on behalf of Kate GO VEGAN, who is transcribing this chat, all yours, Jay.

**Jason Ward:**

Thanks again Carolyn

**David Sztybel:**

Thanks for transcribing this, Kate. It's so cool you changed your last name to GO VEGAN!

**Jason Ward:**

given that plants are insentient, but animals e.g. insects are sentient, do you think it would be a good thing to kill carnivorous plants?

**David Sztybel:**

Great question, thanks, Jay for Kate.

**Kate Go Vegan:**

thanks! :-D

**David Sztybel:**

I think this question pushes up against the boundaries of my ability to provide pat answers. Insects are very sentient. Some say plants are too. I have no quick answer for you since I have not long thought on this great question, although it has occurred to me too.

**Carolyn Bailey:**

Thanks David Tim Marshall would also like to address you, thanks, Tim.

**David Sztybel:**

You're welcome, sorry it could not be very useful as a response.

**Tim Marshall:**

I missed a couple of minutes of the chat due to computer issue so if this has been covered please disregard could you expand on the idea of creating a kinder culture in order to make abolition possible - I feel this is a key concept in grappling with reform vs francionian prescriptions of abolition , it seems to counter the notion that reforms in the short term make animal use more palatable and achieve little.

**David Sztybel:**

I think it is important too, although I confess my thinking has not been very deep in this area. There are so many ways we can create a kinder culture. Hitler, monster that he was, was right to go after kids with his message. Teaching kindness in the schools is so invaluable. That is one reason why I love the humane ed. outreach of Zoe Weil and Rae Sikora, amongst others. Even places where courtesy is routinely trampled I think callous themselves against suffering, and I suppose it all connects to speciesism. I think we need also to completely revise our concepts of kind and cruel. Any disregarding of animal interests is cruel.

As many have pointed out, slaughtering innocent, healthy animals for a passing pleasure of taste is hardly kind. Media messages to adults will hopefully help too, but I think legal changes matter too. In Austria, Martin Balluch and his comrades brought about sea changes in AW law, and now they have state functionaries looking into AW as a matter of their job. I think they are building up more potential to AR. As I said, such culture makes AR seem plausible, interesting, having a point, relevant, and so forth.

I thought a little bit more about Tim Marshall's question regarding building up 'kindness culture'. Thinking further, we can posit that winning AW laws builds up cultural kindness both INTRINSICALLY, because people look directly to the law, and EXTRINSICALLY, in that if humane education lessons or messages are provided, having anti-cruelty effectively in the law makes the humane (or at least humaner) message seem: (1) far more authoritative; (2) as though cruelty is not just a matter of whimsy or subjective response ;

(3) more important; (4) less optional; (5) more part of society as a whole' (6) such that anyone who disagrees with it will seem anti-social; (7) a real basis for all kinds of criticism of behaviour in society, both academic and informal; (8) backed up by penalties and real-world consequences, with all of the emotions, attitudes and behaviours such punishments engender. In other words the collective message of the law reinforces reaching out to individuals, not just industry, to try to respect anti-cruelty in some way, shape, or form.

**Carolyn Bailey:**

Thanks again, David.

**David Sztybel:**

And thanks to you, Carolyn. I have a lot to thank you for.

**Carolyn Bailey:**

You are very welcome, David!

I'd like to sincerely thank David for his time today, in responding extensively to some excellent questions.

**David Sztybel:**

Well, thanks to all and to all a good night.

**Carolyn Bailey:**

It's been a pleasure, David, and you have been very kind with your time today!

**David Sztybel:**

Your kindness and that of many others has not gone unnoticed or unappreciated either.

**Tim Gier:**

Yes, me too, thanks David, you've given us a lot to think about. I know that I will be reading the transcript closely.

**Jason Ward:**

Thank you David for a great chat event

**Brooke Cameron:**

Thanks, David. You rock!

**Barbara DeGrande:**

Good night David, thanks for you time!

**David Sztybel:**

My gratitude extends to you all once again.

**Mangus O'Shales:**

another good chat, thanks to all

**Brandon Becker:**



Thanks for taking the time to thoughtfully answer the many tough questions, David. Critical debate and discussion is necessary to ensure we are doing our best for other animals. .

**David Sztybel:**

I cannot agree more with you last thought, Brandon. Criticism helps us THINK, eh? Thanks for all your diligences with the transcripts too. They are a gift to the world.

**Brandon Becker:**

Definitely, we should always welcome criticism.

**Tim Gier:**

I agree with you both about criticism, 100%.

**Sadia**

Indeed an insightful and educative chat, With gratitude, Thanks Dr. Sztybel.

**David Sztybel:**

Hey thanks, Sadia.

**Kate Go Vegan:**

Thank you David, for being here and for sharing your interesting perspective and detailed answers. :-D

**Sky:**

who will join my new fb page, "David Sizeball is a bit weird"?

**Sadia:**

An absolute delight :-)

**David Sztybel:**

Hey Sky, a guy in Junior High went around telling everyone I was weird. You're not alone.

**Roger Yates:**

I might

**Tim Gier:**

great to have you on here David

**David Sztybel:**

Thanks, Tim.

**Tim Marshall:**

I'd like to offer a link for your perusal RE my question

<http://www.smh.com.au/environment/exterminate-bunnies-kill-whales-big-questions-for-ethical-children-20091206-kcyl.html>

**Tim Gier:**

We're all weird, we're individuals, after all.

**Brooke Cameron:**

I'll be too busy joining the FB page "We were banned and labeled violent by Gary Francione", sorry!

**Adam weissman:**

David -- can i shoot one more question at you?

**David Sztybel:**

Thanks for the link, TM, I'll check it out.

**Tim Marshall:**

australian government trialling ethics classes for kids (young kids!)

**David Sztybel:**

Go for it Adam.

**Adam weissman:**

I was just rereading the text and noticed something that caught my eye in what you said.

**Roger Yates:**

Go Adam

**Adam weissman:**

Because if insects are sentient then their defense should probably be the central concern of the animal rights movement, insce they represent about 99% of all animals on the planet.

**David Sztybel:**

Adam You commented that "insects are very sentient." I've always believed this, personally, but this does not at all seem to be a point of consensus with the animal liberation movement (In fact, i overall find that animal researchers give this question more serious consideration than most animal activists). I've read a variety of papers on this topic and different ones draw radically different conclusions. I'm wondering what you base your view on this topic on.

Well you know, animal minds is not my area of expertise. But I'll tell you something.

**David Sztybel:**

I was blown away reading Joan Dunayer, SPECIESISM, on the question of sentience in invertebrates, mollusks, worms, etc. It is a great work in that respect. Brandon Becker, on this list, really appreciates her work and might want to chime in. He also stood up to defend Dunayer when she was literally attacked and persecuted by Francionists.

The rest is personal experience. At the cottage, we unmistakably saw a drama on the dock. There was this dock spider. Big guy or gal. Missing a leg or two due to the rigours of his/her existence. Anyway, there was this damsel fly. Graceful insect, relative I suppose to the dragonfly. She was teasing the spider! She would inch near, and the hungry spider would cautiously come forward. Then came the expected pounce, the fly merrily zoomed off, and the spider went off the dock into the drink. It was precious. We'll never forget it.

This is another frontier for liberation. Buddhists and Jains have been respecting them for millenia. I think we need to get there, have neighbourhood sanctuaries for "bugs" in winter for example. Blowers so they don't get plastered on our windshields, as much as we can.

**Brandon Becker:**

Yes, I think Dunayer makes a compelling case for insect sentience in her book Speciesism.

It's unfortunate that many have been discouraged from reading and considering her animal rights theory due to the unwarranted charges of misrepresentation and appropriation of Francione's views in Jeff Perz's "review" of her book.

I recommend everyone read her reply to Jeff Perz, which can be easily accessed on Dunayer's entry on Wikipedia

[http://www.abolitionist-online.com/07r\\_dunayer.shtml](http://www.abolitionist-online.com/07r_dunayer.shtml)

**Carolyn Bailey:**

Thanks for responding to that last question, David.

**David Sztybel:**

Sure. It was interesting.

**Adam weissman:**

I'd be interested in throwing some follow-ups at you, but i know the hour is late and you may be tired.

**David Sztybel:**

I think I'm pretty well done in general, although I appreciate the additional, wonderful query, truly I do.

**David Sztybel:**

A wrap? DONE

**Carolyn Bailey:**

Done, David, and thanks again. You've been great!

**Adam weissman:**

Thanks! Mind if I email you my follow-ups to answer at your leisure?

**Jason Ward:**

You rocked David- thanks for your time

**David Sztybel:**

So've you, Carolyn. Go for that Adam. What a worthwhile line of questioning.

**Brandon Becker:**

I'd like to offer two links worth reading on the topic of insect sentience, both from a scientific standpoint and an advocacy standpoint.

**Adam weissman:**

thanks, David!

**David Sztybel:**

Thanks Jay, I see rock and roll happening in your life for sure.

**Brandon Becker:**

<http://www.utilitarian-essays.com/insect-pain.html> and  
<http://www.veganoutreach.org/guide/qa.html#insects>

**Brandon Becker:**

Thanks again, David, and to ARZone for continuing to host engaging chats!

**David Sztybel:**

G'nite, folks. I think AR Zone is really amazing too. I was leery of having another attack session by Francionists, and this was really great by all my expectations or hopes Gandhi was asked what he thought about Western civilization. He replied, "I think it would be a good idea." Well you are so civilized here!

*ARZone exists to promote rational discussion about our relations with other animals and about issues within the animal advocacy movement. Please continue the debate after chats by starting a forum discussion or making a point under a transcript.*

Tim

David, thanks again for all your input, if I have additional questions for you, may I contact you via email?

David

Yeah, sure, anytime.

CB You may also add questions to the transcript, once posted too.

Tim Excellent. I will take the time to reread all your answers and probably have to do it then!

David Good to know.

Tim M David I would also encourage having an account/profile on the main site so you can post items/communicate with members easily, something to consider as your ideas are an excellent resource .

David I mean good to know about transcript.

Tim M thanks for coming

David Thanks TM, I'm next of kin to a cyber-idiot, well almost, but I'd appreciate any ideas.

Mangus goodnight everyone, thanks Dr. S.

Jason night folks

David TU, GN!

CB Thanks, bye

Brooke Thanks again, David. All the best!

David So long, farewell...

David All the best to you too, Brooke!

Signing off. All best, David