
Response

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I would like to preface my detailed remarks on Ms. Liszt's paper by stating that, overall, I agree with her conclusion that the liberation of animals is a valid response to the structural violence currently perpetrated on animals. If we take seriously the rights of animals, and if we confront frankly what is done to animals in factory farms, fur farms, and laboratories of the United States and throughout the world, there can be no question but that the injustice is grave and requires redress. The analogies which Liszt makes to the condition of slaves in the U.S. and to the Nazi Holocaust are quite apt. Those who recognize the violence done are called upon to take measures to redress the injustice, and since this injustice is institutionalized and legally sanctioned, we are justified in challenging and in transgressing these unjust laws.

I agree with Liszt on this fundamental point, and I think it is very important that we clearly articulate the notion of structural violence and the moral grounds for responding to it. Those who would challenge the legitimacy of the animal rights movement are only too eager to brand the actions of animal liberators as violent, terrorist acts. It is extremely important that the grounds for the liberation of animals be made clear and that acts of liberation be understood for what they are: responses to structural violence. I think that this is Liszt's aim in her paper and that she has offered some important clarifications. Nevertheless, I disagree with her in many points of detail.

I. Structural Violence

What is structural violence? Liszt develops a notion based upon Johan Galtung. He says that "we are in the presence of violence when we are influenced in a way which causes our actual physical and mental condition to lag behind the potential." Liszt goes on to claim that in structural violence, the act/act/victim relationship is broken: "There is now only act/victim, only action and that which is acted upon." She gives as an example

the starvation of Ethiopians today, and asks as to who is the perpetrator of this hunger. She answers that there is no perpetrator, that it is a "clear case of structural violence."

While I understand that Liszt means to say that there is no *one* perpetrator, it seems to me wrong to deny that in cases of structural violence there are perpetrators. In fact, the very examples she uses to illustrate structural violence belie this claim. To have died of hunger a hundred years ago in Ethiopia, before it was possible to prevent such death, cannot be considered to have been death by structural violence, as Liszt points out. But because today we well-fed Europeans and Americans know what is happening there and why, and because there is enough to eat in the world, today such starvation is structural violence.

Thus, it is precisely the presence of individuals who participate in exploitive economic and political systems, and who can reasonably be expected to know about its exploitive consequences, and to act to prevent them, which make today's starvation a case of structural violence. No one person, but all the individuals involved are responsible, and to varying degrees. What we should say is that in the case of structural violence the perpetrators are often *hidden* from view. Liszt is quite right in saying that the actors in structural violence may intend no harm. As she points out, when looking at structural violence it is not the subjective intention but, rather, the objective consequence which is of primary interest. But the fact that the individuals who promote violence through their participation in exploitive structures do not intend to cause harm is no reason to deny their authorship of and their responsibility for violent deeds.

Why does it matter what we say here? Liszt concludes that "It is clear, then, that the perpetrator of structural violence is not to be sought. The structures, the System... must be changed." I would certainly agree that exploitive systems must be changed, but in letting the individuals who profit from and perpetuate exploitive systems off the hook, she blocks one



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important, perhaps crucial, avenue for structural change. We must call the perpetrators of structural violence to account, demanding that they take responsibility for what they do, whether they intended it or not. As Liszt points out, "Laws which are drawn up to prevent personal or *intended* violence fail when faced with structural or *unintended* violence." The solution, here, is to draw up laws which call individuals to account for their participation in violence, whether they intend it or not. For example, the chief executive officer of Exxon did not intend to cause the Valdez oil spill. But through his actions and his omissions (for example, through his resistance to safeguards) he shares a great deal of responsibility in having caused an environmental disaster. By letting him and his corporation off the hook so easily, we make violent structures profitable. If the corporate assets of Exxon had been seized and used entirely to heal the damage in Prince William Sound, and if the entire Board of Directors of Exxon were now sitting in jail, this would not solve the problem of the structural violence of the petroleum industry. But it certainly would provide a very real incentive for change.

In discussing the killing of a healthy baboon in a laboratory experiment, Liszt says that "The agent which transported the violence is the structure of science itself." But this is only partially right, for without individual willing experimenters no baboons can be killed. Liszt points out that at the Nuremberg trials, individuals were held to account for their participation in the Holocaust, even though that participation was legitimized and even demanded by the Third Reich. In order to hold individuals responsible, they must be identified as the particular agents of structural violence.

I think that even many of the things that Liszt says elsewhere in her paper point toward the need for recognition and accountability for the perpetrators of structural violence, and I would encourage her to develop a modified definition of structural violence. Such a definition must include at least the following elements: (1) Structural violence is violence which is legitimized through social or political or economic institutions and laws. (2) Structural violence is exploitive in that individuals benefit from the institutions at the expense of those who are the recipients of the violence. (3) Structural violence need not be intentional, and those who participate in it need not be aware of their role as exploiters.

II. Defending the Liberation of Animals

In defending animal liberation as a valid response to structural violence, Liszt argues that such actions are valid if they meet three criteria: legitimacy, necessity, and aptness. I will accordingly address her arguments for each of these three claims, as well as considering whether such acts must meet all three criteria in order to be "valid" responses.

But first, I think it is important to clarify somewhat what is meant by the "liberation of animals." It might seem obvious that this simply means the taking of animals from factory farms or laboratories in violation of the law—i.e., the "stealing" of such animals and placing them in safe havens. Liszt does not define liberation, but I assume that this is what she means. However, animal liberation also often includes other sorts of acts, such as the destruction or removal of property—some of it necessary in order to remove the animals (such as the breaking of locks or the dismantling of security systems) and some of it unnecessary to this goal. I think it is important to keep in mind this distinction, for the arguments which support the legitimacy or aptness of removing animals do not, I think, justify destruction and removal of property, and these acts ought to be treated as a separate sort of case. I will have more to say about these acts below.

1. Legitimacy

I am not entirely sure what some of Liszt's terminology means. For example, I am not sure what the word "valid" means in her claim that animal liberation is a valid response. I have a similar problem with "legitimate," which I am reading as "moral" or at least as "not immoral." Under this interpretation, it seems to me that Liszt's argument here is precisely correct. If we assume that the fundamental rights of animals are being violated in institutions such as factory farms or laboratories, and if we assume that moral duty is stronger than legal duty, then we are on strong moral ground in violating the law to rescue these animals. As Liszt points out, the Nuremberg trials provide a clear legal precedent, in holding individuals accountable to the higher moral principle and punishing them for their obedience to immoral laws.

However, there is a possible second reading of Liszt's claim, and that is that animal liberation is in some sense legal. Her use of Nuremberg trials and her

discussion of legal precedent for holding individuals to unwritten laws suggests this. Here I would have to disagree. The reason that the Nazis can be held legally responsible for their crimes has something to do with the fact that they were violating a quite universally held principle against the killing of innocent human beings. Unfortunately, there is not at this point such a universally held principle applying to animals other than *Homo sapiens*.

2. Necessity

While I agree that animal liberation is legitimate in the sense of being moral, I do not find her argument that it is necessary convincing. Liszt uses Thoreau's argument that where a law is immoral we do not necessarily have a duty to devote all of our energy to eliminating it, but we must at least "wash our hands" of it. Thus, if our taxes are used to perpetrate injustice, we are complicit in this injustice, and we must act in order to remove "the burden of complicity."

While I entirely agree that we are obligated to remove ourselves from complicity in unjust acts, and to violate laws which force this complicity, I fail to see how this shows the necessity of animal liberation. Liszt says that the act of liberation removes this burden by removing the *possibility* of injustice. But removing some particular animals from a laboratory does not remove my financial complicity in regard to millions of other laboratory animals. Thus, oddly, it seems not to be enough. Simply refusing to pay a portion, or all, of one's taxes would seem to be a more straightforward way of removing complicity, together with abstention from any other structures which in any way promote animal research, such as purchase of products developed through animal research or tested on animals.

The problem is that there are many particular actions which I might take to rescue individuals from unjust exploitation, none of which in any clear sense cancels my complicity in structural violence, assuming that I still do pay my taxes or in some other way indirectly support structural violence. If I rescue animals who are about to be killed because no one wants them, such as dogs, cats, battery chickens, and old farm animals, and I do this without violating any laws, am I still required to liberate some animals in violation of the law? If, in addition, I work to change the laws through legal means, but I continue to pay my taxes in order to avoid jail, does this somehow cancel

my complicity? I think that it is not at all clear that this is the case.

While I am not convinced by Liszt's argument for the general necessity for animal liberation, I think that in specific cases acts of liberation can be shown to be necessary. Where we find ourselves obligated to specific individuals and where all legal means for help have been exhausted, we may be obligated to liberate an animal rather than standing by while that animal is harmed or killed. If my dog winds up in a research laboratory—even if the lab obtained her by legal means—I have an obligation to rescue her by whatever means I can, for I am her guardian. But I cannot have such obligations to all animals, for the simple reason that ought implies can, and it is not possible for me to rescue them all.

While I do not think that animal liberation can generally be shown to be necessary, I do not think that this is a very telling point. It may be that animal liberation, while not a moral necessity, is supererogatory. It certainly does not detract from acts of heroism, such as rescuing someone from a burning building, that such actions are not morally obligatory. In fact, while I cannot in this context defend the claim, I would suggest that acts of animal liberation may well fall into this category.

3. Aptness

Liszt argues that to determine whether an act is apt, "one must make a judgment about both its efficacy in remedying an injustice, and whether the means are commensurate. To do that we must look at what the liberator is up against." Liszt argues that what we are up against is a massive System consisting of many structures, such as the Department of Education, the Post Office, the Military, and the FDA. All such structures, according to Liszt, have an unusual power to resist change. This is because such structures share a number of characteristics, such as being conservative, autonomous, ponderous and insensitive to external impulse, having no methods of self-reflection, being compartmentalized and multifunctional, and serving as symbolic wish fulfillment. Given all of these characteristics, it becomes evident that such structures are "solid, securely in place, supported by habit, tradition, money, faulty logic and irrational impulses. They will not yield easily or soon to pressure for reform." Liszt concludes from this that "The liberation

of animals can be seen to be the single most effective and least destructive method of preventing injustice to a specific animal at risk of injury or death."

It seems to me that the question of how to address the systems Liszt has described, if we grant for a moment her description of their characteristics, is a vastly complex and difficult one. It in no way follows from the description of these structures that liberating animals will be particularly effective. It was not the underground railroad that ended slavery, after all. It took a civil war to do that. It could easily happen that the individuals who are devoted to defending these structures will use the liberation of animals as a weapon to portray the animal rights movement as a pack of terrorist criminals. In fact, the AMA has currently launched a national smear campaign designed to do just that. It could be that a far more effective tactic against such structures would be open acts of civil disobedience in which massive amounts of people are jailed. After all, those who liberate animals seek to break the law, and they also seek to get away with it, which in the eyes of many makes them more like terrorists than heroic revolutionaries. Animal liberation as a political tactic puts the animal rights movement in a precarious position. We have already seen efforts, such as the Fran Trutt case, to link the movement with violence. Most recently, the shooting of the Dean of a southeastern veterinary school was linked in the news media to animal rights activists. The allegations had no grounds, but a little of this sort of thing can go a long way and do a great deal of damage in the press.

In saying all this I am not trying to claim that animal liberation is ineffective or inappropriate but to point out that this question is much more difficult to answer than Liszt makes it out to be. I also would disagree with her description of the characteristics of the structures. Not all social structures need have the characteristics she describes, and the question is, how to create structures which do not. I particularly object to her characterization of science. Like most scientists, the physicist she quotes, von Weisacker, is no particular authority on the overall nature of science or scientific method, and most philosophers of science, myself included, would take strong exception to what he says, to the extent that it is clear. For example, what is the force of the claim, "The great scientific discoveries are miracles of holistic thinking"? Does this imply that scientists should give up experimentation for holistic thinking? No one would object to the claim that science

is not the absolute truth—no one since Descartes has proposed that it should be.

It seems to me important not to characterize social or political structures such as science as inherently violent and menacing. The real question is how to change such structures so that they are nonviolent and not exploitive.

PRAYER FOR A WHALE CHILD

My newly-born,
we will share the warmth
of the moon at night.
I sing to you
of ocean's fragile beauty.
A dark green heaven,
alive with color and movement.
I pray you live long,
and sing your children
the ancestors' songs.
You will have the strength of a giant;
and the gentleness of a breeze.
It is too soon to tell you
of a creature called man.
A few hear our music;
fewer still understand the song.
In your lifetime,
perhaps man will seek
our brotherhood.

Kathleen Malley