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
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
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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.
Liszts 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

Liszts argues that to determine whether an act is apt,
“one must make a judgment about both its efficacy in
remedy ing 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

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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.

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**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