

<b>Institution:</b> University of Leicester
<b>Unit of Assessment:</b> UoA21 Politics
<b>Title of case study:</b> Animal Protection: Ethics and Politics
<p><b>1. Summary of the impact</b></p> <p>The use and treatment of animals in the provision of our food, clothing and other raw materials, as well as in the areas of medical research, sport and entertainment, polarises public opinion and provokes extreme views. Research by Professor Robert Garner on the ethics and politics of animal protection has provided a springboard for political debate and decision making both in the UK and internationally. In particular, Garner's work has impacted upon the debate within the animal protection movement, and has helped to shape aspects of government policy on animal welfare issues in general, most notably on the UK Government's approach to the issue of whaling, and DEFRA's approach to the ethics of using wild animals in circuses.</p>
<p><b>2. Underpinning research</b></p> <p>The debate about the human treatment of animals contains a bewildering array of normative, strategic, and scientific claims. The starting point for Garner's research is, as one reviewer put it, to 'lead the way through this labyrinth of moral mazes, political inconsistencies and economic sticking points clearly and analytically'.</p> <p>This research has been undertaken by Garner primarily since 1995 when he joined the University of Leicester, first as a Lecturer and subsequently in the role of Reader and latterly Professor.</p> <p>In particular, two strands underpin the impact of Garner's research on the nature of animal protection as a political issue, and the ethics of our use of animals:</p> <p>(i) The development of a typology of positions in the animal ethics debate and the advocacy of a particular, rights-based, ethic.</p> <p>(ii) The advocacy of a particular strategic position known as New Welfarism or Animal Protectionism</p> <p>In terms of (i) Garner has sought to delineate and explore the consequence, for the treatment of animals, of the adoption of different positions within the animal ethics debate (<b>1, 2</b>). Of particular importance has been the distinction made between animal welfare as a scientific endeavour and as an ethic (<b>4</b>, chapter 5). This expertise was utilised, for instance, by the DEFRA/WSPA workshop on Animal Welfare and Whaling and by other bodies (see below) who have proffered invites to talk at conferences and meetings.</p> <p>In terms of (ii) Garner is the leading advocate of a strategic position (New Welfarism or Animal Protectionism) which combines a consideration of ethics and political possibility (<b>1, 3, 4</b>). It seeks to challenge, both strategically and philosophically, the claims of the so-called animal rights absolutists who advocate the abolition of particular uses of animals on the grounds that to use them, irrespective of what is done to them whilst they are being used, is illegitimate morally. Animal protectionism, by contrast, argues, strategically, for incremental change in pursuit of non-human animal interests. It is a position that agrees (with abolitionists) that the animal welfare model of animal protection—whereby animals may be used as food, clothing, entertainment and in experiments so long as there is no unnecessary suffering—is flawed ethically. However, it also suggests that the incremental approach stressing the need to eradicate unnecessary suffering may still have some political mileage.</p> <p>Garner argues that the pursuit of better treatment of animals through incremental change is consistent with holding an abolitionist ideology, and rejects the critics (notably Professor Gary</p>

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Francione, an American legal scholar) who argue that reforms that improve the treatment of animals persuade the public that the animals they use are being treated kindly, and that continued use is therefore justifiable (3).

Ethically, Garner argues that both the animal welfare and the abolitionist animal rights position are flawed. Rather, an approach that is based on the right of animals not to suffer is closer to the correct normative position, and this could, possibly, be consistent with the continued use of animals as a source of food and as subjects of scientific experiments.

**3. References to the research**

1. Garner, R., *Animals, Politics and Morality* (Manchester University Press, second edition, 2004, 296 pp.).
2. Garner, R., *Animal Ethics* (Polity Press, 2005, 224 pp.)
3. Garner, R., *The Animal Rights Debate: Abolition or Regulation?* (Co-authored with Gary Francione, Columbia University Press: 2010, 288 pp. 50% contribution)
4. Garner, R., *A Theory of Justice for Animals*, Oxford: Oxford University Press, 2013
5. Garner, R., 'In Defence of Sentiency: A Response to Cochrane's Liberty Thesis' *Political Studies*, 59, 1, 2011, pp. 175-87.
6. Garner, R., 'Animal Welfare, Ethics and the Work of the International Whaling Commission', *Journal Of Global Ethics*, 7, 3, 2011, pp. 279-90.

**Grants (Garner as the PI)**

Award of a research grant totalling £7,673.78 from the RSPCA (1994-5) for a project on the politics of animal welfare in Britain and the United States. This was the first time the RSPCA had ever funded social science research.

Leverhulme Research Fellowship, £33,336. 'A Theory of Justice for Animals', awarded May 2009.

**4. Details of the impact**

Professor Garner's work has facilitated debate which has effected change in key areas of animal welfare, including the controversial uses of wild animals in travelling circuses in the UK, and the hunting of whales (A, B, C). As a result, Garner has made an influential contribution to campaigns for social, economic, political and legal change.

His arguments – made from both political and ethical standpoints – have been employed by DEFRA in presenting to Parliament its case for an outright ban on the use of wild animals in travelling circuses. The proposed Wild Animals Circuses Bill, which was published in April 2013 by DEFRA, outlaws the use of species not normally domesticated in the UK from appearing in travelling circuses after December 2015. DEFRA has also introduced a stringent new licensing scheme which is designed to ensure the welfare of wild animals in circuses as the bill works its way through Parliament.

DEFRA consulted Garner on the contents of the bill – in particular the question of why it is unacceptable for wild animals to perform in travelling circuses but acceptable for them to appear in other entertainment spheres such as TV, film and theatre. Upon the Bill's publication, DEFRA wrote to Garner to thank him for his contribution to some of the work underpinning the justifications for its proposal. (H).

Based on Garner's study, DEFRA outlined its case to Parliament, saying: 'The Government does

not believe it is appropriate to continue to use wild animals in travelling circuses because:

- People can still experience the circus without wild animals being part of the act.
- Wild animals are just that. They are not naturally suited to travelling circuses and may suffer as a result of not being able to follow their natural behavioural instincts.
- We should feel duty bound to recognise that wild animals have intrinsic value. Therefore we should respect their inherent wildness and its implications for their treatment.
- The practice adds nothing to our understanding and conservation of wild animals or the natural environment' (I).

Elsewhere in the field of animal protection, Garner's work has impacted upon the way in which the global welfare of whales is approached. His input contributed to the outcome that the International Whaling Commission (IWC) has for the first time recognised that animal welfare is an important and relevant consideration to be taken into account in the killing of whales, both directly through hunting and indirectly, and inadvertently, through other activities such as shipping and fishing. This changed conservation policy has led to the improved design of an important regulatory machinery for protecting the natural environment.

Garner was invited to prepare a briefing document on the Ethical Case against Whaling which was presented at a two-day workshop convened by the WSPA (World Society for the Protection of Animals) and DEFRA (D). The workshop's aim was to produce recommendations on the future role of animal welfare in the IWC's decision-making structure, with the resulting report submitted by the UK delegation to the IWC in 2011. Garner's contribution was to provide expert advice on the ethical dimension of whaling in general, and a clarification of the meaning of animal welfare in particular (E, G).

At the IWC's 2011 meeting, the UK formed an Intersessional Working Group which concluded that animal welfare is relevant across all the IWC's work. Drawing on the contents of the Workshop's report, the group reached consensus on a series of recommendations, including proposals for two animal welfare-focused workshops. At the IWC's meeting in 2012, the UK tabled the Intersessional Working Groups' report and recommendations, which were subsequently endorsed by consensus by the IWC (F).

In more general terms, Garner's work has shaped the debate within the animal rights movement which has historically coalesced around the abolition versus regulation question. Garner's work is cited within the movement as the principal academic justification for the latter position, thereby challenging established norms, and modes of thought and practice within the abolitionist strand of the animal rights movement (a strand which has been traditionally dominant). His research has impacted on stakeholders at all levels, with his work disseminated in a variety of forums including radio interviews, podcasts and newspaper articles. He has also given many talks and lectures throughout the world attended by both activists and academics. These have included recent keynote lectures to an animal rights gathering in Austria (in December 2011), to the International Animal Rights Conference in Luxembourg (in September 2012) and to a conference organised by the Australian RSPCA in Sydney (October 2012).

In addition, Garner has also played an essential role in the creation and development of the Centre for Animals and Social Justice (CASJ) – a third sector think tank which was launched in 2011 to focus on academic research and advocacy in animal protection public policy. (<http://www.casj.org.uk/about/who-we-are/>). The CASJ was formed following a number of meetings between academics and activists. These included Dan Lyons and Angela Roberts from the anti-vivisection group Uncaged, Kim Stallwood, former CEO of the American animal rights group PETA, and Alistair Currie, Campaigns Coordinator at PETA in the UK. Lyons and Roberts now act as the paid organisers of the CASJ and Garner acts as the Chair of the Research Committee.

The CASJ seeks to build bridges between academia, advocates and policy makers. Through Garner, it has funded a series of seminars on animals and public policy at the University of Leicester (attended by academics, activists and public policy makers) as well as part-funding a

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PhD student in this research area under Garner's supervision (Anne Marie Matarrese who began her studies in October 2012). Garner has also contributed to a CASJ policy submission to British political parties, and to an RSPCA working group on 'Animal Welfare in Government'.

Professor Garner's influence and impact on the CASJ's role is attested to by Dan Lyons, its CEO (J). He reports that Garner's research 'has had a major impact on the debate within the animal protection movement at all levels, in particular stimulating a growing recognition of the need to move beyond ideal ethical demands towards proposals that take account of constraining power structures'.

**5. Sources to corroborate the impact**

- (A) Garner's work discussed in animal rights internet forums, podcasts and blogs.
- (B) Newspaper articles and radio interviews.
- (C) Citations by animal protection organisations, and evidence of impact on individuals within the animal rights movement.
- (D) Details of the origins of Whale Welfare and Ethics Workshop: Mandated by the 62<sup>nd</sup> annual meeting of the International Whaling Commission, Morocco, 21-25 June 2010.
- (E) Final Report of the Whale Welfare and Ethics workshop, submitted to the IWC meeting in Jersey in 2011.
- (F) Account of the progress of the Whale Welfare and Ethics workshop report (from the World Society for the Protection of Animals).
- (G) Confirmation of Garner's contribution in an e-mail from the World Society for the Protection of Animals.
- (H) e-mail communication from Department for Environment, Food and Rural Affairs, Circus Animal Legislation Team) 23/4/2013.
- (I) Wild Animals in Circuses, April 2013. Presented to Parliament by the Secretary of State for Environment, Food and Rural Affairs by Command of Her Majesty.
- (J) Letter from CEO, the Centre for Animals and Social Justice (formerly Uncaged).