Welcome to another episode of Breakthrough Dialogue, the podcast for pragmatists and problem solvers, brought to you by the Breakthrough Institute. I am Alex Trembath, your host and deputy director at Breakthrough. For this episode, we spoke to Brandon Keim. Brandon is a freelance environmental journalist who recently wrote an essay for the Breakthrough Journal, making the case for the rights of animals.

Alex: Hi Brandon, thanks for joining us.

Brandon: Oh my pleasure to be here, Alex. Thanks for inviting me.

Alex: So in your essay for the Breakthrough Journal, you describe that animals at large might deserve something like citizenship, or political consideration. So just to define some terms for this conversation. What kinds of rights, or protections, or political consideration are you talking about here?

Brandon: Well the great resource on this, and I really recommend it for anybody who's listening and interested in this, is a book called Zoopolis. And it was written by Will Kymlicka and Sue Donaldson, I think back in 2011 or so. And the citizenship that I describe in the article really borrows heavily from the framework that they set up in that book.

Brandon: And just so a little background on them, Will is a political theorist, who is one of Canada's foremost scholars of multicultural political theory. How do you get fair representation in a modern democracy? And then he turned his attention to animals and he and Sue took frameworks from existing citizenship theory for humans and projected them onto the animal world. And kind of the nutshell version of that is that you know one can think about different types of citizenship.

Brandon: So there's full blown citizenship, like a full blown citizenship like you and I enjoy as citizens of the United States. Where we have rights and protections and obligations as well as citizens of this country. And then there's sort of medium tier version of citizenship, which they call denizenship. And so you can think of denizens as like migrant workers, right?

Brandon: Like so, ya know there's some of the rights, and some of the responsibilities that full citizens have, but not all of them. And then lastly, sovereign citizens of other nations like, Swedish citizens comes to the United States and they're not an American citizen, but we respect them while they're here. And conversely, if we go to Sweden then we follow laws there as well.
Brandon: And so what Donaldson and Kymlicka did is say, okay ya know the domestic animals, our pets, and our farmed animals, the creatures who are in this world because we brought them in they should be considered full citizens. And with a full suite of basic rights, there interests will be respected. They're free from arbitrary harm, one can sort of think about how certain rights that we have as humans could apply to pets, and farmed animals, and what have you.

Brandon: Or it's easier to think about with pets, right? Farmed animals would be pretty revolutionary. But, the argument could be made that they can be citizens too. And then there's denizens. Which would be wild animals who are living within the places where we live as well. So I was gonna say, our cities, but part of the message of this is we shouldn't think about our cities per se. But shared communities, where humans and non humans are intermingling.

Brandon: And so squirrels, and pigeons, or here I am at Bangor, Maine. There is a pileated woodpecker who's always pecking at this big tree outside my window. That pileated woodpecker, they are denizens, living in this shared space. And then, if I was to hop in the car and go north a bit, I would really be in a very wildnernessy area.

Brandon: And the animals who live there would be sovereign citizens of a wild nation, of a different nation. So that's sort of the framework, and then of course, those were all very nice words, and ideas. But if it's actually going to be meaningful, then animals need to have some representation in the institutions where decisions about human activities and human societies get made.

Brandon: And that's where the political representation comes in. And of course, although it would be delightful, I'm not thinking about actually having a bear and deer and migratory birds there in congress voting. But, people speaking on their behalf. Although, that would be a dramatic improvement on so much political activity. Just let animals peck at things. But yeah, people speaking on behalf of animals. To give them a meaningful voice in decision making.

Alex: Yeah, I wanna return to the ways that this type of framework would be put into practice, and the different categories you mention there. But I want to zoom out even further. You mention Zoopolis. I wanted to ask you about something I found really interesting in your writing. About the history here. So, my real questions is, why now? Why do you and so many others, really in the last few years make such a strong case for animals, and animal rights, that wasn't made so much as a decade ago? What is the real history of human thought and treatment of animals? And how has that changed in the last 5, 10 years?

Brandon: Well if I could zoom out, to sort of frame the last 5 or 10 years in the context of the last several thousand years without getting too wordy about it. One can think of the last several thousand years in terms of our relationship to other animals as one in which people who denied that animals had any significant conscious and mental life we're talking about.
Brandon: And people who said, no, other animals are thinking, feeling beings whose experiences in the world we can relate to. And so there have been these two poles of human thinking. And the pendulum has swung between them. And up until I would say, certainly the time that you and I were born into this world and socialized, the animals don’t have anything important going on in their head pretty much prevailed as far as official knowledge making went.

Brandon: I mean people in their homes, and their everyday lives would see animals and recognize the intelligence of other animals. But when it came to what was sort of considered scientifically acceptable to talk about, really until the, I would say the 1970's is when a few visionary researchers really started expanding the scope of what is possible to talk scientifically about what other animals having going on upstairs.

Brandon: And then that gained momentum in the 80's and 90's, really in the last 10 or 15 years there's been such, just an efflorescence of insights into the scientific insights into the animal minds. And then it's not the scientists per se, but more people who are coming from the humanities. The political theorists and historians, and anthropologists, and what have you who are saying okay, we got all these great scientific insights into the minds of animals.

Brandon: So what does that mean? What do we do with this? How does this fit into our own ethical conceptions of the way the world should be? And that I think is really why this is happening now. 10 years ago, neither the science nor really the animal studies side of things was so fully developed that we could have the conversations that are occurring now. It's a tremendously exciting time.

Alex: Yeah. I really found that fascinating as someone who's followed it from a distance. But not as closely as you have. So you outlined a couple different categories of how we might think about animal citizens. You mentioned citizens, denizens, wild animals. But we do actually differentiate types of animals. Sort of animals castes already today. We have pets, we have farm animals, we also have suburban populations. We have wild animals out in remote areas. We have lab animals. We have animals that are often, or officially considered game for hunting. We have exotic animals. We have animals that we consider pests.

Alex: So I wanted to ask how we approach our treatment of different categories of animals today. And how that might, or should shift as we try to imbue more political consideration, or rights onto animal populations.

Brandon: I think the big change that a great many people in, a great many animal advocates call for, is just that all of these relationships should be made more fair to the animals in terms of really trying to respect and further their interests. And ya know if all of those categories of animals you described. Really the only one, the only category that really has their interests represented in any meaningful way, are pets.

Brandon: And even pets, existing animal cruelty laws are pretty patchy and not very strongly enforced. And, although people care enormously for their pets, really sort of the
political and social ways of representing them have not yet caught up to the depth of care people feel. But that said, it's still much more advanced than the regard that farmed animals, or research animals, or wild animals have in terms of their actual interests being represented.

Brandon: And by interests, like this isn't a really abstract thing. It's freedom from harm, the ability to have bodily freedom to exercise agency in the world as they see fit. Basically, to be themselves without being owned by, or forced to do things by people.

Brandon: So, I would say that's, that was a long rambling answer. But I think the take away is just that all of our existing relationships, we can take a critical look at, and ask okay, like who's speaking for the animals? Are their interests being represented?

Alex: What does that look like practically? I can really easily grasp the idea of better enforcement of animal cruelty laws. Whether that's for pets or for animals on the farm. But what are some other efforts to enforce or give more rights to animals in the world today? And what specific types of protection can we imagine for an even more radical future?

Brandon: I think there's a lot of changes that would actually be pretty simple. Like the language we use to talk about this. Political representation for animals. It sounds like this radical change. But there's kind of a lot of examples of this that are already out there in the world, and embody these ideals. But we just sort of don't recognize them as such. We don't use the same language to describe them.

Brandon: So for example, on the domestic side of things, there's some towns, and some police departments where there's provision made for the retirement of service animals. So let's say police dogs or something like that. And at the end of their service careers, there's some funding available to ensure that they have a good retirement. Because they've given their lives in service to a human community.

Brandon: So as far as domestic animals go, that would be one example that I think is just, seems pretty straightforward and fair. Talking about wild animals, there are some inklings of this, let's say with endangered species. If you have the good fortune as it were, of being an animal who's designated as endangered in the United States, then all of a sudden your life matters, right?

Brandon: Like you're not game, you're not a resource, your individual well-being is protected from having somebody build a road through your habitat, or shoot you. Or do something else that would cause you harm. But if you're a common animal, or a game species, then you don't have those protections. And your life as an individual doesn't matter anymore.

Brandon: So you could imagine, actually don't have to imagine, you're based in California where there's been an effort to have what are called non-consumptive users. So people who aren't hunters, or fishers, or trappers. But are speaking more for wildlife lovers involved in state wildlife management committees.
Brandon: And so that's just having people who speak for animals in the governmental settings that we have for managing animals. Or bringing it to a neighborhood setting. Like besides the storm water retention pond, where much of my essay is set. There was a really great series of old apartment buildings that had these big brick chimneys, that chimney swifts would use as roosts during migration.

Brandon: So in the spring and fall there were just thousands of birds that would just circle around these chimneys, and then drop down inside. And they're using these chimneys because there's no more big hollow trees on the landscape. Chimneys are kind of what fits their physiological niche.

Brandon: So anyways, at some point somebody is, if they haven't already, is going to propose tearing down those old apartment buildings and putting up some high rises in their place. And in the process the chimneys that those birds rely on will be torn down. So you could imagine, what if there were people in the community whose job it was just to speak on behalf of birds.

Brandon: And so the next time the zoning board is getting together to review real estate proposals, those bird advocates would be there to say hell wait a second, there's a chimney on this site that those birds need. Can we find some way of protecting that? Whether it means halting the development, or keeping the chimney intact, or whatever it is.

Brandon: But that's, I think that would be a very simple thing to do. And it's not all that radical. And in some cases, people already do something like that. It's just not something we do consistently with a sense that this is really the way society ought to run. Because other animals don't just deserve regard based on our whims. It should be hard wired into our political DNA.

Alex: What about when it's not so simple? I wanna ask you in particular about the case of the wolf. Something you mentioned in your essay that I'd like you to spell out for our listeners. So ya know, wolves were reintroduced into the west giving rise to a pretty big cultural conflict. Not obviously just between ranchers and wolves, and the violence enacted on newly reintroduced wolves. But onto our politics as the symbolism of reintroduced wolves has created a new locust retention between urban and rural human citizens.

Alex: So what can we learn from this? From this sort of semi attempt to endow wolves with more rights that didn't work out sort of perfectly in all cases, for either the human societies or the wolf populations.

Brandon: Ya know it's so much simpler when we were just talking about a pretty migratory birds who eat insects that we don't want around anyways. Not large predators. Yeah, the wolf example is such an instructive one. And I think the sort of the great lesson to learn from it, is people, some people might think that giving animals more rights is a great idea. Obviously I'm sympathetic to that.
Brandon: But it's not something that can be forced on other people without consideration for how it impacts them. And I think, in the case of the wolf reintroductions to the west, a great many people who live there felt that they're voices were not heard. And their perspectives were not respected in the process, in the planning process.

Brandon: And I think there's a lot of argument about whether or not those are fair criticisms. But it's certainly how those people feel. And that's legitimate. And there isn't a magic bullet answer at the end of this story. Where if only people had just done one thing differently, then the wolf reintroductions would've gone swell.

Brandon: But there is that lesson that says, alright, this incorporating animals into our politics is something that needs to be done in a way that's fair to people as well. And a way where the political process is respected for humans. And that yeah, but in a way that's also reassuring. Because democracy and democratic deliberation really is the best way that anybody's come up with yet for getting things done with a bunch of people who don't all feel the same way.

Brandon: So I think if people who want more regard for animals sort of respect the democratic process in every way, then good things can come out of it.

Alex: So how do we think about representing animals in our institutions? I'm thinking in particular of things like hunting, and wildlife gaming. Where you have pretty strong constituencies and forces from a couple different directions in favor of things like hunting, whether it's for population control or for game hunting for recreational hunting, or even traditional cultural motivations for hunting. So how do we think about representing animals in a bunch of different capacities? But in particular, when a competing value of an animal is in slaughtering it.

Brandon: Well I think the really big step that needs to be taken is having animal interests represented in the decisions we make about them. So on the governmental wildlife agency committees that make the rules, and that adjudicate these things. There should be people on them speaking for the interests of animals. And there are definitely some practices, just hunting for recreation that are incompatible with respecting animal interests.

Brandon: And there's others, I think especially population control is a very nuanced issue. And the people who identify as compassionate conservationists would say that even population control is one of those things we tend to do because it's the path of least resistance. It's easier to kill over populated deer than to deal with the conditions we've made that give rise to over population. But at any rate, that's a conversation that can be had among people representing the different interests in the conversation.

Brandon: Which is what democracy is all about, right? Like there's tensions, there's going to be arguments. But the best we can do is to have every perspective represented.

Alex: One other thing I wanted to ask you about, is animal agriculture. Which I think is pretty different. A pretty different way of thinking about animal life than what we've been
talking about. We've been talking about birds and critters in our backyards, and we've
been talking charismatic mega fauna in national parks. And often large animals who are
hunted. But what about animals who are bred, and raised, and slaughtered for meat?
That's actually sort of most large animals on the planet by numbers at this point. Can we
think about them differently? Or should we?

Brandon: Yes. I think we absolutely should. And the sort of the ethics of that, and what all that
would entail, is a body of thought that is much more developed than the ethics we have
about wild animals. And so the reason my essay focused on wild animals is just because
I think these issues are something that have been less completely thought through out
on the landscape than on farms.

Brandon: But that being said, I think you can take especially the idea of citizenship. I think about
well what does that mean to apply that to farmed animals? To animals who are in the
world because we bring them in. And it would certainly be a radical change. I think a
really interesting discussion. It may be a really interesting Breakthrough Journal essay in
the future would be, is it possible to use animals in agriculture that is compatible with
the idea of them as people? Of them as citizens.

Brandon: And certainly most of the ways that we use animals now would be incompatible. And
then I think there's animal rights people who would say, no we just should not use
animals at all. That's just wrong. And then there's others who would say, well what
would it actually mean for farmed animals to live a genuinely good life? So not just
trying to avoid some suffering here and there. Or kind of make the best of a bad
business. But what would it actually mean to have farmed animals living in a way that, if
you or I were reincarnated as a chicken or a cow, we'd be happy with that.

Brandon: And actually not long ago, I was on a farm in Illinois with a guy who really tries to treat
his goats as well as possible. So there's still within that system the baby goats are taken
away from their mothers very soon after birth. And most of the goats on his farm don't
live as long as they would in the wild. And so my question to him was, well would it be
possible to keep goat families together? Would it be possible for every goat on the farm
to live as long as they would be expected to in the wild?

Brandon: And I think that type of system, now you're getting to something that ya know, it's still
the sort of citizenship we have for humans. But it's a form of farming that is much more
respectful of the animals interests. And on this farm the guys answer was I would love to
do that, but the economics as such just don't allow for it right now. So I think this is
really ya know, if we can find to make the economics work, then that would be possible.

Alex: Or to find a way to make our institutions represent these animals politically? That's
what I find so fascinating about this word brand, in that it's not in a sense sort of we
should approach this from a ban hunting, or ban animal agriculture perspective, on it's
face at least. It's a we sort of what would the rights of animal citizens look like if we
could actually consider them? And how would be go about determining those and
mediating those? That's what I find so fascinating about this.
Brandon: Yeah, I mean can you imagine what it would actually be like to have somebody who speaks for cows in a real capacity? At the USDA or something. And of course, since agriculture is so incredibly powerful in this country, that's pretty difficult to imagine at this point. But I think with wild animals, it's a lot easier to imagine. Because even if we are a meat eating society, most people still feel really sympathetic to free living animals. And it's certainly respecting their interests would be much less inconvenient for us than respecting the interests of farm animals.

Alex: So you talk about animal populations, some of them as an analogous to primitive indigenous populations. You talk about the extension of the project of civil rights onto animal populations. You talk about granting rights to domestic pets, similar to the rights that are enjoyed today by children, or disabled people. And I can't help but notice the sort of problematic nature of that argumentation. Given the way that the word "animal" has historically been deployed, often by colonizers and oppressors themselves in talking about people that they perceived as lower than them.

Alex: So is that my problem? Is that society's problem? That we just have to get passed? Is that part of this work? In not only granting animals sort of the practice and law, through practice and law more political rights. But also in thinking about them as a little bit at least more equal to humans?

Brandon: So I'd say short answer is yes. A longer answer would be that, so I'd just like to clarify, I wouldn't say primitive indigenous people but indigenous people who have been called primitive because one of the ways that really radically unfair power relations have been maintained in human history is for one group of people to say of another, they just aren't, they're not as sophisticated as we are. They lack the capacities that we have. That enable us to qualify for rights, and citizenship, and fair treatment. But we don't need to extend that to them. Because they're not, they're societies are very basic. They don't have language like we do, and so on.

Brandon: And what I think that this moment is really crystallizing, is a conversation around who gets to be a person? And what it means to be a person. And one answer to that is to say being a person just means being human. You can take a DNA test and it tells you if you're a person or not. And then you have other people who say, no being a person is to be someone who is capable of having interests. Who has emotions, who has social relationships, or the capacity for them. And these qualities, and some sense of self awareness, some self consciousness, and ya know these capacities are certainly possessed by humans. But are not restricted to them.

Brandon: But it's ya know, it's those capacities in which personhood is rooted. And ultimately, there's no right answer to this. There's no universal truth. But the case that I find more persuasive, and I think more really better for us in the long run, is to say that, our personhood is rooted in, our existence as thinking, feeling beings. And as thinking, feeling beings, there are considerations we are due. And those considerations are manifested as personhood, and citizenship. And all of the things that we're lucky enough to have as people in liberal democratic societies.
Brandon: And I think that foundation of personhood is much stronger than just sort of drawing a line somewhere on the tree of life, or having some kind of arbitrary biological quality that is what, that is where our personhood inheres. Because once you start doing that, then it's so much easier to say oh actually, the only people who get to be persons are actually one subset of humans. Ya know are actually the humans who look a certain way, or do a particular thing. And that made tremendous inequality less.

Alex: Yeah. It's super tricky. But I do think most people could be persuaded, or most people would come to this conversation feeling sort of at a baseline that some consideration for at least some subset of non human animals makes sense. Whether it's their pet, whether it's charismatic mega fauna in the African savanna that they've never seen, but like to know exist. Whether it's grizzly bears, or timber wolves, or whatever. That I think that the general cause of animal rights, or animal feeling is recognized. But it gets really tricky, and gets really interesting when you start to talk about the practicalities of protection through practice, or protection through law.

Alex: And there is no sort of as you say, universal or arbitrary categorization that we could lean on to easily describe who is a person, who is not, who deserves what protection, who does not. In your essay you write, quote "Unlike most cases of human representation, animals cannot contest theirs." End quote. Which certainly suggests that there is some remaining big differences between sort of most, or all non-human animals and human animals. So I wanted to come towards the end of this conversation and ask you, how can humans practically be better defenders of animal populations who often, or never, excuse me. Who can rarely, or ever sort of defend or contest their own rights.

Brandon: Well I think to illustrate that, I actually wanna bring up a class of animals we haven't talked too much about about. So in between our pets and wolves out there in wild areas, just talk about the every day animals in our urban environments. And even, house sparrows, pigeons, rats, what have you. One of the really interesting movements in the last few years is the ways that there's more and more wild animal hospitals in cities. And also more humane pest control services. So basically people are saying, okay if you're a wild animal and you get injured, ya know we find you by the side of the road hit by a car, we're gonna find some way to take care of you.

Brandon: Or if you're an animal with whom we're having a conflict, might not want you living in the attic, or under the eaves, but we're not going to kill you as a result of that. And those are just sort of two I wanted very basic but profoundly important changes in the way that people are relating to animals. And in those cases, those interests and the desire to advocate for them are not all that complicated. Not being hurt by us and ya know receiving some degree of care where it's possible.

Brandon: Like those are just really basic things where I don't think you need to be able to speak in the language like system of the snapping turtle to ask whether or not they don't want a road built over a nest site, or they want to be able to get some medical care if somebody hooks one, and then just drops them by a picnic table on shore.

Brandon: These like, it's not too philosophically complicated. And I think the kind of the big difficulties, or the big uncertainties of what it would mean to really represent, and speak
for animals. That gets complicated a very long way from where we are now. And in the shorter distance, low hanging fruit, to mix metaphors, is pretty straight forward.

Alex: Brandon, can I ask you in the reality of animals, or humans, or both, where is an example of progress that you see in the world today?

Brandon: You remember the Minnesota, the NPR raccoon. The one who was climbing the skyscraper in Minneapolis a couple months ago?

Alex: I do. And if our listeners don’t, they should look that up.

Brandon: It was amazing. Tens of millions of people united in paying attention to the well-being of a single raccoon climbing up the side of a building. These moments happen a lot. Certainly the orca who's carrying her dead calf for 17 days off the Pacific Northwest coast, just in these last few weeks, I'm trying to think of other videos I've seen recently. A woman who quote unquote "befriended" a bumble bee in her garden. And then took her bee, that was seen by like 65 million people. And these viral compassion videos, for lack of a better word. They can seem kind of like frivolous and goofy, like my goodness, like did you see this video?

Brandon: And they pop up and all of a sudden 100 million people have seen them. And they become memes. But I think underneath them, their really is this sensibility of care, and just genuine and interest and delight in the non-human world. And I'm not gonna say that's going to be enough to save nature or something like that. But I think like that really gets to the heart of just how much people tend to like animals. And are capable of caring for them. And we live in this moment where everything's all about extinction, and doom and gloom, and extra patients, and these bad things are happening. And those are, I don't wanna be panglossian about it. But that being said, there's also this huge reservoir of care out there. And I think in that reservoir of care, is perhaps an antidote to the other stuff.

Alex: Well with those touching images in mind of animals. Not just in our living rooms, our cats and dogs, but far away animals that we'll never see, and do still care about, I wanna thank you Brandon for joining us today.

Brandon: Oh it was my pleasure, thanks for having me Alex.

Alex: Thanks for tuning into Breakthrough Dialogues. If you like our show, tell your friends. Rate us on iTunes and subscribe on whatever platform you get your podcasts. I want to again thank my guest Brandon and our producers Alyssa Codamon and Tali Perelman. Catch you next time.