

Book Review

David Favre

Respecting animals. A balanced Approach to Our Relationship with Pets, Food, and Wildlife

Prometheus Books (New York 2018) 272 p.

ISBN 9781633884250

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Received: September 2018

Accepted: September 2018

**Recommended citation.** FAVRE D., Respecting Animals, A balanced Approach to Our Relationship with Pets, Food, and Wildlife, rev. LE BOT O., dA. Derecho Animal (Forum of Animal Law Studies) 9/4 (2018) – <https://doi.org/10.5565/rev/da.368>

Abstract

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Due to Professor David Favre's worldwide influence on Animal Law, the publication of a new book is always a milestone. The aim of this book is not to put an end to the "exploitation" of animals but to offer a third option between the current situation and the abolitionist perspective.

Keywords: ethics, welfare, interests, rights.

Resumen

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La influencia del Profesor David Favre en el Derecho Animal es reconocida a nivel mundial, por eso la publicación de un nuevo libro suyo constituye un hito. El objetivo de este libro, no es analizar cómo poner fin a la "explotación de los animales", sino ofrecer una tercera opción entre la situación actual y la perspectiva abolicionista.

Palabras clave: ética, bienestar, intereses, derechos.

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Due to Professor David Favre's worldwide influence on Animal Law, the publication of a new book is always a milestone. In his last book, released three months ago, the core substance is contained into the title, written in block letters: "Respecting Animals". It is completed by an explicit subtitle: "A balanced Approach to Our Relationship with Pets, Food, and Wildlife".

His overall approach is condensed in these few words. The aim of this book is not to put an end to the "exploitation" of animals but to offer a third option between the current situation and the abolitionist perspective. Even if David Favre is professor of law and has written renowned books on animal law, this one is not a legal book (the legal aspects are only present in some parts of it). It is more a book on animal ethics. It is therefore dedicated to a large audience, and not only specifically or principally to lawyers. The main question, as expressed by the author, is "to determine whether there are any circumstances in which it is acceptable for humans to use animals" (p. 37-38).

### **Experience**

Personal experience has played an important role in the writing of this book, in two different ways. Firstly, the experience of having thought and discussed with others for many years to what an appropriate relationship with animals should be. The vision expressed in his book comes from "a lifetime peeling back the layers of the animal/human issues" (p. 19), and the "experience of a thousand conversations over the decades (p. 35). Secondly, the experience of having a farm: "Dealing with the sheep on our land has shaped my vision of the human-animal future", says David Favre (p. 66). For that reason, he takes time to present to the reader his farm: its size, its history, its main characteristics and residents (horses, sheep, cows...). And to explain how taking care of these animals and – maybe more importantly – live with them day after day has influenced how he conceives and apprehends the relationship between humanity and animality.

### **Method**

To express his ideas, or more precisely his vision, David Favre opts for an original approach. This one is primarily based on a logical argument. But, to address the left hemisphere of the reader's brain (the hemisphere of the feelings and emotions) it is completed by photos, novels and poems. "Acknowledging that the human mind has two different methods of processing information is why fictional stories and poems are part of the book, helping the reader see issues from more than one perspective", says the author (p. 251).

For the reader, the result is quite unusual but very pleasant: rigorous logical demonstrations interspersed with several poems, most often to illustrate an idea in a more artistic form.

### **Neither exploitation, nor abolition**

David Favre firmly rejects the abolitionist approach, that he finds too simplistic and not really operational for a short-term change. He says: "While some argue that any animal, or any human, is due the same ethical treatment in all circumstances, I reject this simplistic approach both for humans and for animals. As my ethical duties toward my son or daughter are different from my ethical duties toward strangers around the world, so my ethical duty to my companion animal is different from that to an animal at the local zoo" (p. 23).

He states that "A use is not inherently an abuse" (p. 41). Therefore, for example, having a companion animal can be ethically positive and can absolutely not be compared to slavery. Thus, "Respecting animals" is not a radical approach of the relationship between men and animals.

Does it mean that this is just another welfarist book? Absolutely not. David Favre opposes to this qualification, that is too broad and undefined to fit exactly into his vision. He says: the ideas found under the conceptual heading of animal welfare “are not rich or complex enough to capture my perspective” (p. 36). His perspective is resumed in two words: “respectful use”.

### **“Respectful use”**

We are here at the heart of the book, the core of his approach. David Favre gives a definition of these two key words. Use: “to put into service (help, benefit or welfare), especially to attain an end” (p. 38). Respect: “an individual’s judgement or state of mind that produces a belief that my result in actions or inactions in regard to another individual” (p. 44). He points out that “Respect is not an on/off, black-or-white option. Rather, respectfulness can be projected on a continuum, moving from slightly respectful to highly respectful” (p. 44).

That way, the alternative is not between using the animal or not (in this vision, using will necessarily be bad, and not using will be necessarily good) but using it in a respectful way (that is admissible, and can be implemented within a scale of respect going from slightly respectful to highly respectful) or in a disrespectful way (that is not admissible).

How to evaluate which uses are respectable (and therefore acceptable) and which ones are not? The answer to this question is given through the notion of communities.

### **Communities**

The notion of communities is central to the David Favre’s central reasoning.

We do not treat all human beings equally: “our ethical duties to humans are not equal but are context dependent” (p. 71). We have more duties towards the members of our family (“with its strong degree of genetic relationship and emotional bonds of love”) than toward strangers, simple members of humanity. Following the same logic, we do not have to treat all animals equally: “While some humans seek to differentiate animal species based upon biological characteristics, it is more useful to adjust legal treatment according to the nature of the animals’ relationship with humans, that is, which community they share with humans” (p. 82-83).

On this point, several communities are identified: the communities of companion animals, farm animals, wild animals, laboratory animals, circus and zoo animals. The duties of humans toward animals are not the same depending on which community the animal belongs too or, in other words, on which kind of relationship the animal entertains with human beings.

In all cases, the needs or interests of animals have to be considered, but from different ways, and different levels of intensity, depending on their belonging to a given community.

David Favre mentions different concrete situations, or use of animals, to appreciate whether or not this use is respectful: animal in a zoo, in a laboratory, in a farm, in an industry, in nature... Is it admissible to kill a dog that has bitten the face of a child? Finally, he evokes “the most difficult” question (p. 200): is it admissible to eat an animal? Can “the death of animals for purposes of human consumption be considered respectful?”. For the author, the answer is “yes”, “but it is justified only in limited circumstances” (in short, after a good life for the animal, a respectful death and a reduced ecological impact).

### **Discussion**

“As each person develops his or her own frame of reference, it is often useful to see how others are making their animal decisions”, says David Favre (p. 116). Entering the gate that the author offers for a discussion, it is possible to respectfully (without playing on words)

exchange with the author on some points.

Undoubtedly, we cannot contest the existence of different communities or categories of animals. Some animals are closer from us than others.

However, this categorization is deeply anthropocentric, and relative. A given animal does not inherently belong to one category or another. As the product of cultural contingencies, the linkage to a community is mainly arbitrary. For example, a cow is considered as a farm animal in most countries and a sacred animal in India; a dog is a companion animal in western countries, a wild animal in others and even an animal that can be eaten in some Asian countries. An animal does not *naturally* belong to one particular community.

The question is even more difficult with species that are part of several communities. For example, a rabbit can belong to the community of companion animals, farm animals, wild animals or laboratory animals (p. 67). As a result, a given animal can belong to different communities and, therefore, be treated differently depending the community he is linked to.

One could disagree that a respectful use of an animal depends on its intended purpose more than on its proper characteristics, especially his sensitivity.

Furthermore, the “respectful” standard is lower than the “necessary” standard. With an approach based on respect, it is, for example, admissible to grow and kill an animal in order to consume it. With an approach based on necessity, it is not admissible to eat an animal because alternatives currently exist to have a balanced diet.

### **An ambitious goal**

Certainly, this book will not convince an advocate of abolitionism. But it is not the goal. David Favre address his book to the 90 % of the world population (or even more) who use animals and find natural to use animals.

His goal is ambitious as he wishes to evolve from the current situation to a respectful use of animals: “I seek to build an ethical world in which humans limit their use of animals to respectful circumstances” (p. 115). It will be a long road: “The destination is an indeterminable distance and time away, but it is a place and time where humans will use animals only in the context of respectful use. While it is a simple phrase, it provides a powerful limitation on action when interwoven into the minds of human beings” (p. 20).

Regardless of whether the respectful use is an objective in itself, or the first step toward the end of the exploitation, this doctrine represents a powerful paradigm to gradually – and no less certainly – improve the situation of animals, both in individual conducts and in the field of law.