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Libertarian Or ... ? [Review Essay] Wayne Gabardi.
The Next Social Contract: Animals, The
Anthropocene, and Biopolitics

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Abstract

It would be difficult to be optimistic in the face of the political challenges that confront us. Globally, we have seen stark intensifications of economic inequalities and social stratifications, coupled with the rise of new nationalist and proto-fascist political movements. The environmental challenges are daunting: we now face a future where anthropogenic climate change will inescapably and deeply impact the earth's systems. As I write, armed conflict continues to shape human affairs, generating continued misery and displacement; and instabilities have posed the possibility of new global conflicts, including a renewed threat of nuclear war. For non-human animals globally, the picture is also grim. On one hand, we are in the midst of an unprecedented global wave of destruction impacting the animals we share the planet with: 'our global society has started to destroy species of other organisms at an accelerating rate, initiating a mass extinction episode unparalleled for 65 million years' (Ceballos et al. 4). On the other hand, and despite growing awareness of the moral status of animals, humans continue to expand utilisation of animals for food, textiles and experimentation. As I have previously argued, our mainstay relationship with animals continues to be characterised by outright hostility, aggression; in other words, 'war' (see Wadiwel, *The War*).

Animal Utopia: Liberal, Communitarian, Libertarian Or...?

[Review Essay] Wayne Gabardi. *The Next Social Contract: Animals, The Anthropocene, and Biopolitics*. Philadelphia: Temple University Press, 2017, 242 pp.

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It would be difficult to be optimistic in the face of the political challenges that confront us. Globally, we have seen stark intensifications of economic inequalities and social stratifications, coupled with the rise of new nationalist and proto-fascist political movements. The environmental challenges are daunting: we now face a future where anthropogenic climate change will inescapably and deeply impact the earth's systems. As I write, armed conflict continues to shape human affairs, generating continued misery and displacement; and instabilities have posed the possibility of new global conflicts, including a renewed threat of nuclear war.

For non-human animals globally, the picture is also grim. On one hand, we are in the midst of an unprecedented global wave of destruction impacting the animals we share the planet with: 'our global society has started to destroy species of other organisms at an accelerating rate, initiating a mass extinction episode unparalleled for 65 million years' (Ceballos et al. 4). On the other hand, and despite growing awareness of the moral status of animals, humans continue to expand utilisation of animals for food, textiles and experimentation. As I have previously argued, our mainstay relationship with animals continues to be characterised by outright hostility, aggression; in other words, 'war' (see Wadiwel, *The War*).

Despite these sobering realities that push in upon us, we yet encounter strong affirmative, optimistic and even 'utopian' elements within contemporary theorising on the non-human. Here, the emerging fields of animal studies, critical animal studies and posthumanism,

while taking note of the violence of our relations with non human animals, also reflect fascinating dreams for new societies and new ways of being with animals. Consider for example Sue Donaldson and Will Kymlicka's highly influential book, *Zoopolis: A Political Theory of Animal Rights* (see also 'Make it So'). I would argue that this important work of liberal political theory is almost unreservedly utopian in character; seeking to imagine just institutions in an almost unimaginable future world where mass utilisation and exploitation of animals has ceased. And like classic utopians such as Charles Fourier or Robert Owen, Donaldson and Kymlicka lay out detailed plans for this future society, which extends to radical proposals for new modalities of decision making, work, urban design and sociality. Beyond the confines of animal rights theory, it is also curious how much work within posthumanism gestures towards futures that have a distinctly utopian character, at least insofar as these works suggest the recognition of ontologies and ethical relations that point to completely new ways of organising material and political systems, agency and responsibility. The posthuman field seems peppered with texts that feature calls for a radical new ethics that will generate completely new structures and political relations. Rosi Braidotti, for example, proclaims that: 'A prophetic or visionary dimension is necessary in order to secure an affirmative hold over the present, as the launching pad for sustainable becoming or qualitative transformations of the negativity and the injustices of the present' (Braidotti 192).

While I think it is curious that so much work concerned with the non-human should reflect a distinctly utopian character; this need not be considered surprising. If we assume that an overt and hierarchical anthropocentrism has by and large structured thought and political action in the Western tradition, then why would it be surprising that any attempt to undo this legacy should appear idealistic, even utopian? Indeed, any imagining of a world beyond this sort of anthropocentrism would entail an utterly radical proposal for material reorganization of global social and political relations.

Wayne Gabardi's *The Next Social Contract: Animals, The Anthropocene, and Biopolitics* might count as a work with a utopian trajectory, at least in so far as the book proposes a total and uncompromising re-imagination of social organisation. Where Donaldson and Kymlicka's *Zoopolis* responds to a tradition of political liberalism, Gabardi instead identifies with the

communitarian tradition; although in this instance, Gabardi presents a case for a ‘posthumanist communitarianism’ (174). As I shall discuss, there are indeed pronounced resonances between Gabardi’s perspective and the communitarian tradition (I take ‘communitarianism’ here as broadly emphasising the political role of community contexts in shaping individual values and practices, against an emphasis on universal rights, individualism and autonomy, which characterises many ‘liberal’ approaches). However, Gabardi’s text is differentiated from classic communitarian accounts such as that advanced by Michael Walzer and Charles Talyor, at least insofar as non-human animals are imagined as integral members of communities; in this respect Gabardi’s approach is original.

Gabardi’s book also distinguishes itself from other work within the so called ‘political turn’ in animal ethics (see Boyer et al; Garner and O’Sullivan) by seeking to address not only the political challenge of human relationships with animals, but also the interconnected problem of the ‘Anthropocene’: that is, the geological time period marked by human intervention into the planet’s systems, a geological time period that includes mass extinctions, anthropogenic climate change, and human exploitation of a significant part of the earth’s surface (see Crutzen). Here, Gabardi assumes that we have moved beyond a ‘tipping point’ in the range of destructive processes which are converging on us and that we should ‘lack confidence in the ability of late-modern civilization to effectively mitigate or reverse current trends’ (24). This may appear as a pessimistic reading; however, Gabardi furnishes a great deal of evidence to support this sober assessment. The first two chapters of *The Next Social Contract* are devoted to a careful analysis of the growing empirical evidence for the crisis that faces us in the context of the Anthropocene, and the crisis that faces us with respect to human utilisations of animals. In Chapter 1 (‘The Anthropocene Hypothesis’), Gabardi reviews the manifold impacts of humans upon the planet: ranging from urbanization, human population growth, fossil fuel use and global warming (11-23). On this basis, he reflects: ‘I endorse the Anthropocene hypothesis and regard our current civilization being on the wrong track with no signs of serious course correction. I believe it is reasonable and prudent to think and act as though we have gone beyond a critical tipping point’ (28).

Chapter 2 ('The Plight of Animals in the Twenty-First Century') provides a similarly somber assessment of the empirical evidence relating to human treatment of non-human animals. Gabardi provides a summary of the devastating reality of contemporary mass species extinction, tied with historical information on early human impact on other animals (30-8). He also reviews the evidence of human impacts on the planet's oceans, as well as the frank realities of human treatment of animals within industrialised agriculture, and potentially violent interactions between human communities and wild animals, particularly in geographic areas where there is conflict over resources and land, such as urban fringes (38-63).

Gabardi deploys a narrative technique throughout these chapters of offering an outline of empirical and theoretical perspectives, and then providing a critical comment, which reveals the stance of the author. We certainly gain strong glimpses of Gabardi's own political framework in these early chapters. For example, he takes time to strongly distance the perspective offered in *The Next Social Contract* from an animal rights agenda:

I part company with universal animal rights vegan abolitionists with regard to the view that we need to completely abolish all animal agriculture and domesticated animals. Domestic and farm animals are integral parts of human society and my idea of posthumanist communitarianism. Domestication is as much a natural coevolutionary adaptive strategy evident in many animals as it is a biopolitics of controlled artificial breeding and domination. The challenge of postmodern agriculture is to distinguish coevolutionary communitarian domestication and non exploitative labor from the modern biopolitics of sequestered industrial animal production. (52)¹

As we shall see, this distancing from at least one vision of animal rights philosophy, and an endorsement of a 'good' form of domestication, is crucial for the formulation Gabardi will later offer in terms of a posthumanist communitarian society.

It is in the third Chapter ('Posthumanist Ethics') that we start to get a stronger picture of the ethical approach that underpins Gabardi's political vision. I should note that early in the book, we already get a sense that he positions posthumanism as effecting a wide ranging and fundamental questioning of

radical anthropocentrism, corporate controlled, high-consumption culture; and the treatment of animals as inferior objects of propertied use ... the logic of modern-growth economics, the nation-state, and transnational corporation as sovereign containers and delivery systems of high-end modernity and of technology as an end rather than a means. (29)

Here, posthumanist ethics is posited as not merely philosophical in scope, but demanding radical social and political transformation. Gabardi's own version of posthumanism is described as an 'evolutionary ethic' that appears to unite biological adaptation with ethical norms. Note that this bringing together of scientific perspectives with normative and philosophical frameworks is in line with more recent trends in posthumanist and new materialist literature (see for example Barad and Kirby). In this context, Gabardi does not only resort to moral philosophy to support the ethical frame that is advanced, but turns to scientific literature on the role of morality and ethics within evolutionary processes for animals (67-74). The aim here appears to be to establish animals as moral subjects, and not to establish the universality of moral principles:

can we derive a prescriptive ethic, a set of moral rules and substantive norms of right and wrong, from the fact and theory of evolution? The answer is yes and no.

Evolutionary biology can inform, and contribute to a normative ethic. What we cannot do is derive an objective, rationalist, universal ethic from the fact and theory of evolution. (74)

We can see here how Gabardi is establishing the basis for a communitarian conception of posthuman ethics, as far as ethics is imagined as structured to evolve – or 'coevolve' – in context with a surrounding community: 'a person's moral character emerges from the social character of his or her community' (79). It is in this context that Gabardi argues for a conception of 'ethos' rather than 'ethics'; that is, an articulation of ethics that is bound to place and context: 'one cobbles together an ethic out of the ethos of a plurality of places and cultures' (79).

Chapter Four ('The Next Social Contract') lays out a vision for how this 'ethos' would shape an imagination of interspecies community. I must confess I was a little confused by Gabardi's reliance on the concept of a 'social contract' in the book, since this is not a

‘contractarian’ account which assumes some agreement or consent between humans (or between humans and animals) on just institutions or just procedures. Indeed, Gabardi goes to some lengths to reject ‘standard’ social contract theory which, it is argued, only seeks to establish a ‘sovereign social reality that has factored in our consent’ (128). However, in imagining ‘the next social contract,’ Gabardi appears to be seeking agreement on how we might respond to the crisis that the Anthropocene presents, and how we might move beyond ‘the social contract of late modernity’ (128) towards new forms of social and political organisation. In this respect, the social contract Gabardi seeks is not based on universal consent or agreement, but dissidence and competition: ‘resistance to the sovereign order, and the pursuit of exit strategies from the neoliberal Anthropocene’ (128-9; see also 133). Indeed, pluralism in response to the Anthropocene, rather than singular agreement, sits at the centre of Gabardi’s proposal. Gabardi suggests that this pluralism is resonant with the ethics produced by posthumanism:

What does a posthumanist conception of the good look like? In keeping with my idea of a posthumanist communitarianism as inhabiting numerous nodal points and niches in a decentralized archipelago, there is plurality of conceptions of the good. However, one can discern common core values and principles in coevolutionary ethics, biocentrism, animal kinship, environmental sustainability, habitat preservation, species viability and *humanimal* justice. The elevated status and priority of animals in the social contract directly implies the need to rethink prevailing models of cultural and institutional normalcy. (131)

This assumption that posthumanist ethics produces not one conception of the good, but ‘multiple, overlapping contracts’ while ‘all compete for hegemony, and they are all provisionally binding and asymmetrical in terms of power, resources and access’ (133) underpins Gabardi’s communitarian foundation. If, as Gabardi claims, posthumanism both contests universal conceptions of the good and simultaneously proliferates different ways of living in response as an ‘exit’ from this condition, then justice becomes tied to enacting those different conceptions of the good within different community contexts. It is with this

framework in place that Gabardi imagines that experimentation with different forms of community would emerge like an ‘archipelago’ of islands off the coast of a large land mass:

The large mass of our time is late-modern civilization. The posthumanist archipelago is not conceived as a determinate collection of separate territorial islands. It is more decentralized, pluralistic, and network-based, a loose confederation of local and regional actor networks and spaces that serve as the principle mediums of social exchange and change. (154)

Gabardi draws here (and throughout the book) from a diverse and sometimes eclectic range of sources, notably the anarchist thinker Petr Kropotkin’s works such as *Mutual Aid* which put forward an interpretation of Charles Darwin and evolutionary theory to support cooperative forms of social and political organisation (see 157-62; see also Kropotkin). Whether or not an anarchic collection of independent communities is solely a ‘communitarian’ ideal is something we might need to consider further, since the idea of establishing autonomous experimental communities might resonate with other political traditions. I am thinking particularly of libertarian philosopher Robert Nozick, who proposed a somewhat similar framework in the closing pages of *Anarchy, State and Utopia*: ‘utopia will consist of utopias, or many different and divergent communities in which people lead different kinds of lives under different institutions’ (Nozick, 312). As I shall discuss below, there are important differences between Nozick’s proposal and Gabardi’s; however, it is hard not to notice the striking (and perhaps strange) correspondences between the libertarian utopia laid out in *Anarchy, State and Utopia* and the communitarian vision laid out in *The Next Social Contract*.

Is Gabardi’s book utopian? Certainly, at least insofar as there is a proposal here for a very radical reorganization of the world. However, it should be noted that Gabardi is referencing real experimentation that is happening globally, including eco-communities taking ‘themselves off the grid’ to reduce their own carbon footprint, producing their own food, controlling waste and inventing new ways of living with each other. Gabardi also references experimentation led by animal advocates; namely, the animal sanctuary movement which attempts to imagine intentional interspecies community outside of the violence of industrialised animal agriculture (see 168; see also Donaldson and Kymlicka 2015 and Abrell²). Perhaps, in

this respect, Gabardi's suggestion that Kropotkin's theories are of enhanced contemporary interest seems reasonable; indeed, Gabardi states that Kropotkin's 'communitarian ideal is more promising today, as people seek out smaller "green" cities and "town-country" living' (Gabardi 162).

There are many questions to ask about Gabardi's proposed framework; too many in fact to adequately raise here in this review. At least one question for me is how the pluralist vision of communitarianism would actually work for animals, and the kinds of freedoms that animals might have within the proposed archipelago. Gabardi suggests that communities are natural contexts for practices and values, and that there need not be strong binding universal values that underpin these communities (beyond the different posthumanist commitments I quoted above). This combination of commitment to community as the one universal requirement, with a co-commitment to pluralism in how communities live, is arguably central to at least some forms of communitarianism: Walzer, for example, pronounced that 'Men and women come together because they literally cannot live apart. But they can live together in many different ways' (65). The challenge faced by communitarians is the tension around whether values determined within community contexts are subject to external interrogation and intervention. For 'communitarian' thinkers such as Walzer, this produced challenges about how we might respond to values generated by community contexts which restrict liberal freedoms: for example, caste, status and other hierarchies that are justified within particular community contexts, but might offend Western liberal values (see Walzer, 313-315; see also Mulhall and Swift, 139-146). Gabardi potentially faces a similar challenge in relation to the different values underpinning relations with animals in proposed experimental communities. While Gabardi stresses, as above, that the archipelago shares broad posthumanist commitments – biocentrism, animal kinship, environmental sustainability and so on – there is not a strong set of normative principles that guide how animals are to be treated within these communities, meaning that there will potentially be very different utilisations and relations:

Different communities will have different biopolitical norms, relations, and policies under the broader umbrella of posthumanist ethics. Their constituents, human and nonhuman will differ, as will their primary *raison d'être*. Some communities will be built

around companion species, others around sanctuaries, postmodern farming, endangered species, rehabilitation, contact zones, and subirdias. Their human residents will also vary from strict vegans to vegetarians to ethical omnivores. Some communities will adhere to strict 'no kill, no eat' biopolitics, while others will allow killing and be morally and politically challenged to define 'humane killing' in a posthumanist world. (115)

The challenge for any imagining of how we arrange political social organisation in non-anthropocentric ways is how we imagine animals might participate in the governance of those organisations. This means that animals must be part of the 'social contract' in some way; and even if this does not mean that animals vote or deliberate in a formal sense, there would presumably be supports available to enable animals to meaningfully participate and exercise controls over their own living environments (see Donaldson and Kymlicka, 'Heart'). Would such a 'social contract' allow animals to be instrumentalised for human benefit? I find it hard to imagine that this would be the case. One presumes that if some experimental communities are organized around an ethics of either killing animals for food or using animal products (milk, eggs etc), that the animals in these communities would have relatively constrained choices (relative to humans that is). Indeed, unless we cling to the questionable view that animals want to be killed and used for our benefit, then the reality is that these animals will have to be coerced against their will within these communities in order to realise their participation as potential food or as producers of food for human consumption. In a sense, this reveals that the communitarian vision proposed by Gabardi, despite various espoused commitments to moving beyond anthropocentrism, proposes regimes where humans remain firmly in the drivers seat, determining whether animals are to be used, killed and eaten. In this sense, the experiments are not co-experiments *with animals* in different ways of living; but rather human experiments *with other humans* over different ways of living with animals, some of which explicitly maintain a human prerogative to dominate and utilise animals as resources.

With this in mind, I think it is worth pondering Nozick's utopia again. The centre of the libertarian philosophy developed by Nozick is the Lockean property right: 'every Man has a Property in his own Person. This nobody has any Right to but himself. The Labour of his Body,

and the Work of his Hands, we may say, are properly his' (Locke, p287, §27). At least one reading of Locke is that this property right establishes a right to utilize animals as resources (see Francione 33-69; see also Wadiwel 'The Will'). Certainly, Nozick does not directly challenge this view. Although Nozick provides a curious and potentially illuminating discussion around animals in his classic text (see 33-42), he didn't necessarily rise to the occasion of recognising that animals may have a right to property in themselves or may be owed significant recognition, at least within the pages of *Anarchy State and Utopia* (for further discussion of this, see Milburn, 'The Demandingness of Nozick's "Lockean" Proviso' and 'Robert Nozick on Nonhuman Animals'). However, one could easily imagine a non-anthropocentric version of Nozick's utopia, one where both humans and animals had fundamental basic rights to property in themselves, and justice was constrained to fair rules in relation to the acquisition and transfer of these property rights. Such a utopia would, at least *prima facie*, exclude animals from being assumed as available property for humans. Freed from property status, and the domination this implies, animals would presumably have rights to choose the experimental communities they participated in: for animals also, utopia would allow a choice of 'utopias, or many different and divergent communities' where animals too would have opportunities to choose to 'lead different kinds of lives under different institutions' (see Nozick, 312)? And surely, in this non-anthropocentric libertarian utopia, animals would have the right to choose whether they are eaten or used as a resource by their fellow (human) community members? That is, animals would be offered a freedom, which Gabardi's proposal appears to deny.

I certainly do not mean to put forward a worked out proposal for a post-anthropocentric libertarian utopia here, nor am I politically committed to such a vision. Indeed, from my perspective, the central ideological problem with such a utopia is that it would presumably assume the centrality of property rights and the purchase of labour for profit under market conditions; in other words, and against my own political position, it would support unfettered forms of capitalism. But this does raise the question: how exactly would a posthumanist communitarianism respond to the realities of a world that has been completely restructured by capitalism producing manifold inequality, destruction and injustice? I note this question around capitalism, given the reality that at least part of the crisis we face in relation to

the Anthropocene is generated by the emergence of capitalism as a central structuring relation (see Moore). The reconfiguring of relations with animals in modernity is tied to this massive transformation. For example, as Raj Patel and Jason W. Moore have recently observed, the emergence of the intensive poultry industry globally can only be understood with reference to the accumulation strategies of capital which have emphasized the mass production of ‘cheap’ food as a consumption item in the twentieth century and beyond (Patel and Moore 4). In a sense, the story of the factory farm is not merely about anthropocentrism, but about the effects of anthropocentrism joining forces with capitalism to produce a living nightmare for animals. In my view, this means that contemporary political responses to the animal question cannot avoid the problem that capitalism creates for thinking about change. And certainly, thinkers in the field of animal studies and posthumanism have engaged with this reality. Donaldson and Kymlicka, for example, in their own proposals for *Zoopolis*, explicitly suggest that economic systems will require significant state intervention, and drawing from the philosopher John Rawls, perhaps require new forms of economic organisation such as a ‘property owning democracy’ (Donaldson and Kymlicka ‘Make it So’; see also Rawls 135-179). Gabardi also responds to the problem of capitalism as part of a posthumanist communitarian vision. Gabardi makes a proposal for a ‘deceleration,’ which would involve ‘slowing down the fast-paced, mass-consumption way of life of late-modern capitalist technoculture’ (156). While Gabardi explains how such deceleration may work on the level of personal conduct, I find it hard to imagine how such a slowdown of the economy would be achievable without strong State intervention, and Gabardi certainly does not provide a great deal of detail on this problem.³

I raise the question of capitalism to highlight that imagining political change for animals cannot simply be about animals, but necessarily relates to other political projects of transformation: some real and immediate, others perhaps dreamy and utopian. As Gabardi has pointed out, large-scale change for animals will require engagement with the environmental crisis around us, and solutions – imaginings of new futures – will need to confront the questions of how we reduce violence towards animals and how we can evolve human modes of community towards better sustainability. This will require far-reaching and new modalities of community, and force a confrontation with prevailing social and economic relations, including capitalism. It has apparently long gone out of fashion to talk about what a ‘post-capitalist society’ might look

like; and certainly the word 'socialism' today attracts disdain, perhaps justifiably, after the failed and horrific totalitarian experiences of the twentieth century. But, I wonder: at this point when many commentators and scholars, including left economists and green theorists, are thinking actively about the solutions we may need to confront and overcome the devastation wrought by our economic system, might animal advocates be able to offer a unique perspective on how we move forward? Do animal advocates have their own post-capitalist vision? Are our animal utopias also anti-capitalist? And does this vision go beyond liberalism, libertarianism and communitarianism?.

Notes

¹ Gabardi, goes on to claim an alignment here with Karl Marx: ‘the goal of working toward more nonalienated forms of social labor that is so integral for Karl Marx’s vision of human emancipation also needs to become part of the agenda of a posthumanist communitarian ethic and politics in the form of new models and practices of human-animal social cooperative labor’ (52).

² See the special issue on ‘Animal Sanctuaries’: *Animal Studies Journal*, 6.2, 2017.

³ Although, I confess I felt confused about what role the State would play in the vision proposed by Gabardi. On one hand, some of the proposals would require strong domestic and international State cooperation to implement (see 151-2). On the other hand, Gabardi stresses a desire to move away from the State as an instrument, suggesting a framework that ‘does not conform to the paradigm of modern sovereignty’ (135). On occasion, I wondered if Gabardi supports rights for individuals to privately use coercive means to attain justice:

Violence is justified in the defense of one’s life, human and animal. With respect to protecting wild animals from, genocide, poaching, and extinction, violence is justified as a reasonable course of action. Killing humans who are exterminating elephants, rhinos, apes and other seriously endangered species is justified. Civil disobedience against the abuse of factory farmed animals, research animals and other captive animals is justified, depending on context. At a personal level, if you are beating, torturing or abusing an animal on your property in plain view, I will intervene and confront you. (143)

Note, it is not clear why death sentences are advised for humans who kill ‘elephants, rhinos, apes and other seriously endangered species’ but presumably not for humans who kill non-endangered animals for food.

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