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Obedient Civil Disobedience – Imprisonment as the Opposite of Animal Liberation

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Introduction

Freedom from imprisonment can naturally be considered a fundamental part of animal liberation since imprisonment, in a very concrete sense, is the opposite of liberation. If imprisonment and liberation are seen as processes, they appear to work in opposite directions. It, therefore, seems that anyone – nonhuman or not – interested in animal liberation has strong reasons to do what they can to resist imprisonment. Nevertheless, there are animal advocates who instead engage in such a process; who report themselves to the police, willingly get arrested, wish to have trials and willfully get incarcerated after carrying out direct actions. An example from a Swedish context is the group “Tomma Burar” (eng. “Empty Cages”) (Tomma Burar, 2016). By voluntarily submitting to state repression, these activists help to reinforce widespread beliefs that imprisonment can be genuinely voluntary and submission something to embrace. These beliefs strengthen the legitimacy of imprisoning nonhuman animals, as the assumption of their submission is also reinforced.

The purpose of this text is to discuss the following question: What effects does the strategy of civil disobedience promoting cooperation with the criminal justice system have on imprisoned nonhumans? I will focus on a particular problem: When human beings willingly submit to a process of imprisonment for the explicit purpose of furthering animal liberation. I will argue that this is inconsistent as

an idea as well as counterproductive on the level of the material reality and concrete relations of power; a reality and a system of relations that include all animals.

Prison and the criminal justice system have been opposed by the prison abolition movement, as well as fought by anarchists who argue that these institutions need to be destroyed rather than abolished (ASBO, 2022; Bonanno 2008).¹ The claim that the animal liberation movement needs to oppose the criminal justice system has already been made by critical scholars. For instance, Nocella (2015) argues from an intersectional point of view, focusing on the racist and ableist basis of this system. The relation between prison and nonhuman animal exploitation has been discussed by many. Several important perspectives on imprisonment have been presented by CAS-scholars: from Foucauldian discourses of disciplinary power to comparisons between the Prison Industrial Complex and the Animal Industrial Complex (Colling 2021; Montford, 2016; Nibert 2011; Thierman, 2010; Twine, 2012). In this text, I take inspiration from these perspectives but focus on how human submission towards the criminal justice system structures the power relations between humans and other animals. For this purpose, I will use the analysis of *the logic of submission*, introduced in a series of essays by anarchist Wolfi Landstreicher (2005). This analysis aims to illuminate how submission structures the lives of humans under the current social order by having us constantly adapt to the path of ‘least resistance,’ and by considering this as the normal and healthy thing to do. I will argue that this mentality also plays a significant role in how relations between humans and other animals are currently structured.

Many have claimed that the animal advocacy movement’s aims are many and often competing, and that it is more accurate to speak about several movements rather than one (Garmendia da Trindade & Woodhall, 2016). Hence, I wish to make it clear that the purpose of this paper is to discuss voluntary human imprisonment in the context of animal liberation.²

¹ This discussion could obviously be compared to that of abolition within animal rights/-liberation contexts.

² The questions discussed here could also be discussed in the context of animal rights advocacy, because it could be argued that the right to be free from imprisonment can be considered a basic right. That discussion would require that the relation between animal rights and -liberation would be properly understood, but that is outside the scope of this paper.

The material reality of imprisonment

When the *Journal for Critical Animal Studies* published an entire issue on the theme *Prison and Animals*, the Animal Industrial Complex was compared to the Prison Industrial Complex in the following words: “Both institutions serve as transformative spaces that encourage physical displacement, limit mobility and create exiled individuals. Both institutions forge identities, shape relationships and take lives” (Thomas & Shields, 2012:4). Although the material conditions of imprisonment are often different for human and nonhuman animals, as well as between animals of different species, there are similar logics at play. For instance, Guenther (2012) discusses human solitary confinement and reports that many nonhuman animals, for example in zoos, share the psychological effects of prolonged solitude. Noske (1997) describes how chemicals keep animals in the Animal Industrial Complex productive and submissive despite confinement and reactions of stress, aggression and fear. A recent study of prevalence and appropriateness of psychotropic medication in prisons in the UK – a country that has the highest prison population in western Europe (ASBO, 2022) – showed that 47,9% of female prisoners receive some type of psychotropic medication and that it is prescribed based on a wider range of indications than what is currently recommended (Hassan et al., 2016).

The tools, weapons and technologies used to imprison and control animals of all species are often similar. Colling (2021) describes how the technological development since the invention of barbed wire has led to increased opportunities for control over imprisoned nonhumans. Drones, thermal cameras and tasers are used to chase and capture nonhuman fugitives. Staff employed within the British and Irish Association of Zoos and Aquariums are required to participate in regular firearm training. In addition, radio-tracking of non-domesticated nonhumans is a widespread practice.

We recognise all of these technologies and practices from the repressive control of humans, and it is easy to see that technological inventions in general affect all living beings. In addition, I argue that the development of new technology and practices depend on the influx of new prisoners, the ‘raw material’ of the Prison Industrial Complex. Further, I argue that this development becomes more efficient the more diverse the prison population is since the control of the whole population requires the subjugation of the most unpredictable members, whose strategies of

resistance there is not yet any technologies and practices against. Concerning this point, anarchist and animal liberation prisoner Marius Mason (2012:139) has stated that the overarching aim of both human and nonhuman institutions of confinement is always “better control of the incarcerated population.”³

These facts already indicate that there are many ways in which the struggles of different animals held captive seem closely affiliated. Hribal (2007:105) writes that “the resistance of animals has influenced other members of human society – some of whom saw commonalities in their mutual struggles against such forms of exploitation.” Resistance against imprisonment has taken various forms, but considering the massive actions taken by the ownership class to prevent escape, this particular strategy seems to be of great importance. Hedges, fencing and walls have been restrained to prevent other animals from moving freely and thereby disappear beyond the reach of control. Much of this is rooted in the fact that animals are considered human property. Escaping continues to be an important tactic for nonhumans in their struggles against imprisonment, as it is shown, for example, by the many escapes from animal transports, slaughterhouses and zoos (Colling, 2021). The struggles for liberation and against nonhuman animals as property are closely linked (Torres, 2007). Nocella (2015:50) writes: “Just as nonhuman animals are cheap labor and are often property of the state, so too are human prisoners.” The struggle against living beings as property, is, hence, a struggle against imprisonment.

If different forms of resistance by exploited nonhumans have influenced humans historically, then it is reasonable to ask what an interspecies influence and inspiration could look like today. Would civil disobedience activists recommend nonhumans to use tactics similar to theirs? “Civil disobedience differs from other illegal acts because it is engaged in by people who commit the action knowing and accepting the penalties and consequences of breaking the law” (Tindall et al., 2008:2239). Civil disobedience activists typically argue that it is responsible to cooperate with the criminal justice system, and to accept one’s punishment. The background idea is that facing the consequences of one’s actions is to act responsible, however, this, I claim, is a rather narrow way of understanding consequences. The larger consequences of cooperating with the criminal justice system, and

³ It is also noteworthy that the similarities between human and nonhuman imprisonment are discussed in many anarchist and total liberation contexts, see for example Semilla de Liberación (2014/2016).

the messages it sends, are not taken into consideration. That civil disobedience activists have privileges that nonhumans lack is obvious, but why employ tactics reproducing the idea that humans are so special that they should be treated completely different from other animals? As Guenther (2012:57) puts it: “It is as *animals* that we are damaged or even destroyed by the supermax or SHU, just as our fellow animals are damaged or destroyed by confinement in cages at zoos, factory farms, and scientific laboratories.” Animal liberation cannot occur in a world where some animals, such as humans, are imprisoned. Instead of employing anthropocentric tactics, I believe anti-speciesists should take inspiration from powerful nonhuman tactics of escape, and resist all stages of imprisonment – arrest, interrogation, trial, incarceration and so on.

The strategy of humans voluntarily subjecting themselves to the criminal justice system can, on the concrete material level, be counterproductive for everyone locked up. But the implications of voluntary imprisonment are wider as it extends far beyond the prison walls, serving as the basis for a whole ideology. Beneath this ideology lies a logic of submission.

Submission as strategy

Essential features of human domination over other animals are expectations, fantasies and demands of other animals’ submission. These expressions of speciesism can be compared to patriarchal expectations of and fantasies about women being submissive, and without these expectations, a lot of oppression would appear as clearly illegitimate. Cudworth (2008) describes an interview she conducted with a farmer in a so-called livestock show:

“Erika: What’s special about this breed? Why should farmers prefer them?

Paul: Oh, they’re easy to handle, docile really, they don’t get the hump and decide to do their own thing. They also look nice, quite a nice shape, well proportioned. The colour’s attractive too.

E: What do you have to do while you’re here?

P: Make sure they look alright really. Clear up after ‘em, wash’n brush ‘em. Make sure that one (he pokes ‘Erica’) don’t kick anyone.

E: I thought you said they were docile.

P: They are normally. She's abnormal that one-- really bad tempered.

E: Perhaps she doesn't like the crowds and the lights?

P: She certainly didn't like the lift yesterday.

E: I don't suppose she's had much experience in lifts.

P: Nah, it's not that. She's just a bitch, that one" (Cudworth, 2008:32).

If a nonhuman animal is being described as abnormal simply based on her refusal to obey, then there must be an idea of submission as normal in the first place. Where does this idea come from? One could imagine that refusal to submit to dominance and harmful practices would be considered the expected and *normal* thing to do. However, as shown in the quote above, that is not the case. Hribal (2010) describes a similar tendency amongst zoo personnel, who typically claim that 'their' animals behave well, and that the ones who resist and escape are rare exceptions.

Since most people find animal suffering disturbing (Allen et al., 2002; Plous, 1993), there must be something else at work when humans are legitimising human dominance over other animals. Speciesism is amongst other things defined as "a belief that different species of animals are significantly different from one another in their capacities to feel pleasure and pain and live an autonomous existence, usually involving the idea that one's own species has the right to rule and use others." (Spiegel, 1996:3) If this definition of speciesism is accurate, then it seems essential to emphasise other animals' capacity to live an autonomous existence, in order to fight speciesism. The word autonomy also means freedom. Have speciesist beliefs led humans to assume that nonhuman animals lack autonomy, the capability to be free, and, hence, desire human dominance – in other words, that they by their very nature are submissive?

With this analysis of *the logic of submission* (Landstreicher, 2005), I have so far aimed to explain how submission structures the lives of humans under the current social order. This logic underlies a mentality in which people adapt to the path of 'least resistance,' and consider this as the normal and healthy thing to do, when, in fact, the opposite is often the case. I would like to extend the use of this analysis by saying that it also lies at the heart of human ideas about other species.

The logic of submission is being projected onto other animals through statements such as "one cannot simply let an animal out of a cage," "dogs enjoy doing

tricks” and “cows need to be milked.” Whether it concerns confinement, disciplining with violence or treats, or otherwise subjecting nonhuman animals to power; there is often a human assumption, or fantasy, that these animals prefer things the way they currently are and the social order under which they live.

The logic of submission is also at work when humans see animal transports, and the connection is obvious since it is also at work when they see human prisoners being transported. It is considered a normal thing to happen, and not necessarily that bad and perhaps not even bad at all for those being transported. Prisoners might need to go to prison for a while to get their lives back on track; horses might need to be transported to the racetrack since they need to run; pigs might need to go to the slaughterhouse because their time has come. Seeing these things is not supposed to make us react. The material infrastructure and these practices are being normalised in order to sustain the logic of submission. Therefore, in addition to the way activists contribute to the material existence and development of prison technologies by freely agreeing to be a prisoner, they also reinforce the logic that serves to justify imprisonment in general, as these practices are used against animals of all species.

The purpose of the prison system is not only to lock up individuals but also to normalise relations of dominance and submission. By allowing other humans to lock oneself up, activists reproduce the idea that this is a normal thing to happen and that incarceration is a reasonable thing for human beings to do to others. Speciesism relies on the existence of this normalised submission, and an actual system of practices structured by the expectation of submission, to survive as an ideology.

Criminalising others

”Oppression is systematic; therefore, it affects everyone in society, not just those who are directly targeted by a particular form of oppression.” (Nocella, 2015:42) Similarly, the process of criminalisation affects not only those who are currently and directly targeted by the criminal justice system, but all human and nonhuman beings in society.

Nonhuman animals have agency. They have the ability to long for, plan and take action against oppressors, and they do this. But in the current state of the historiography of animalstudies, animals are not seen as agents; ”They are not

active, as laborers, prisoners, or resisters.” (Hribal, 2007:102) In order to fully recognise the agency of nonhumans, it is necessary to see the risk of them being affected by criminalisation when humans act in ways that establish or reinforce a dichotomy of criminal versus non-criminal.

Escape from imprisonment has historically been central to nonhumans in their struggle for liberation. Still today, nonhuman animals are considered property. When they behave like free individuals, for example, by moving away from situations that are harmful to them, this could be considered a violation of the property rights of the owner. Even though nonhumans are not judged in the criminal justice system nowadays, they break rules when they escape from facilities of imprisonment. Historically, they have been severely punished within criminal justice systems (Hribal, 2010). Today they are subjected to repression in other forms, as is often seen when escapes have taken place. Nonhuman animals in zoos and circuses can, for example, be punished with death if they are caught after escaping. This is what happened to Jonnie, one out of many chimpanzees who have been shot to death by humans. Jonnie and his friend Coco were held at Whipsnade Zoo, England, but managed to escape in October, 2007. The pair had dug a tunnel and reached their freedom one early morning, but Jonnie was gunned down immediately, whereas Coco gave herself up after being surrounded in a nearby field (Ibid.).⁴

Since the nonhuman animals held captive in zoos and circuses are considered valuable property, these killing practices mean that the owners lose money. There must therefore be a point of such punishment. This point is precisely to show everyone, inside and outside the zoo or circus, that the ideology behind the logic of submission is being taken seriously and that everything will be done to prevent animals from going ‘wild’. This is because escape and revolt are the most serious offences regardless of species membership, threatening law and order in a society characterised by submission.

Humans have established a dichotomy between tame versus wild animals (Hribal, 2007). This distinction mirrors other dichotomies affecting both human and nonhuman animals. There is the one between good citizens versus bad outlaws. When one allows oneself to be locked up as a civil disobedience prisoner, there is

⁴ Two weeks after this text was submitted, four chimpanzees were shot dead at the zoo of Furuviiken, Sweden, after they had managed to escape from the house where they were locked up. A fifth chimpanzee was also shot but survived with injuries, including blindness in one eye (Mazhar, 2022; Hamilton, 2023).

the presupposition that one is not a ‘real’ criminal, like other prisoners. One wants to argue that what one has done is, in fact, good and not something that should be considered a crime. But instead of breaking down the categories of good and bad, this dichotomy is being reinforced. Civil disobedience prisoners also make a point out of cooperating peacefully with the criminal justice system by being obedient to the terms of their imprisonment, for example, by not escaping. In this sense, they are ‘exemplary’ prisoners. This tactic reinforces the idea that the good ones are the tame (human) animals, while the bad ones are the wild. On another level, the dichotomy between humans and other animals is also being strengthened by civil disobedience activists. “Proponents of civil disobedience argue that breaking the law is legitimate because they are following a higher moral code” (Tindall et al., 2008:2240). Under the current social order, humans are generally viewed as civilised, rational moral agents, who can be granted some freedom and some rights. Nonhuman animals – beasts – are instead viewed as uncivilised, irrational and incapable of moral behaviour. This prejudice against nonhumans explains, to some degree, why they are being ‘treated like animals’; locked up like prisoners who need to be put under control, even without having committed any crime.

Civil disobedience practices harm imprisoned individuals who want to resist their imprisonment, because their actions will be contrasted with those of the good civil disobedience activists, and thus portrayed as worthy of even more repression.

As I have tried to show, there are both material and ideological consequences of cooperating with the criminal justice system. Instead of cooperating, anti-speciesists need to fully resist this system and act according to interspecies solidarity. This is a solidarity that also includes human individuals and populations particularly affected by criminalisation due to racism, ableism, sexism, cis-sexism and so on. We should use strategies and methods that work in the interest of all, instead of reinforcing the idea that there are criminal others.

Conclusion

The material conditions for imprisoned human and nonhuman animals are sometimes similar. Some similarities include practices and technology used for control and locking, as well as psychological effects of these. The development of technologies and practices of imprisonment depends on the influx of new prisoners and becomes more efficient the more diverse the prison population is. The civil diso-

bedience practice of voluntary imprisonment can, therefore, on the concrete material level, be counterproductive for everyone locked up.

Escape has been central to nonhuman struggles for animal liberation and continues to be so as nonhuman animals are still considered property. The resistance of nonhumans has historically influenced humans, and human anti-speciesist struggles would benefit from taking inspiration from other animals instead of employing anthropocentric civil disobedience tactics. Animal liberation cannot occur in a world where some animals, such as humans, are imprisoned.

Normalisation of relations of dominance and submission comes about through the existence of prisons, and speciesism needs this normalisation to survive as an ideology. Without an actual system of practices structured by the expectation of submission, the imprisonment of nonhumans would appear as clearly illegitimate. Most people find animal suffering disturbing. In order to justify nonhuman animal oppression, the logic of submission is therefore being projected onto nonhuman animals. This creates a belief that nonhumans are naturally submissive, and that they – due to lacking autonomy – actually desire human dominance. Nonhuman animals who do not obey are portrayed as abnormal and sometimes get punished with death, as evident in cases where animals escape from zoos.

When human beings willingly submit to a process of imprisonment, the logic of submission is being strengthened. In addition to the way one contributes to the existence of prison on a material level by freely agreeing to be a prisoner, activists also reinforce the logic that serves to justify practices of imprisonment in general, as these practices are used against animals of all species.

Dichotomies between civilised, lawful, tame individuals and uncivilised, criminal, wild ones exist and are being reinforced by civil disobedience activists who cooperate with the criminal justice system. These dichotomies are negatively affecting insurgent humans and, on different levels, other animals. Nonhumans who resist imprisonment are, for example, at risk of being criminalised as soon as their agency is recognised.

The civil disobedience tactic of submitting to state repression, as part of the struggle for animal liberation, is inconsistent as an idea, counterproductive on the level of concrete relations of power and on the level of material reality. This is a reality that includes animals of all species. Anti-speciesists should therefore take up a position of resistance against all forms of submission and imprisonment.

Only by doing this can we truly challenge speciesism and the social order that upholds it.

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