

Testimony of Wesley J. Smith, JD, Before the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security Hearing: May 23rd, in Support of Strengthening the Law Against “Animal Rights” Terrorism

My name is Wesley J. Smith. I am a lawyer, author, and consumer advocate. I am a senior fellow at the Discovery Institute and a special consultant to the Center for Bioethics and Culture.

For more than ten years I have been deeply engaged internationally in public policy debates about the most important bioethical issues facing our nation and global community. These include researching and writing about the dangers of the radical animal rights/liberation movement. I am in the midst of researching a book that I plan to write on this subject. It will be my 12th published book. My abridged CV is attached to my testimony.

My work in the fields about which I advocate is entirely secular, which I believe is appropriate to the creation of public policy in a nation governed by the rule of law.

I am submitting this written testimony in support of laws that would increase the legal protection for both people who work in animal industries as well as those who work in ancillary businesses that contract or otherwise have business dealings with such companies. The latter category of protection is important because of a tactic now being utilized by animal rights terrorists known as “tertiary targeting.”

Tertiary targeting is a profoundly troubling and brutally effective method of attacking animal using “target” businesses. Knowing that every modern company relies on other businesses for services like banking, insurance, and auditing, perpetrators of

tertiary targeting harass and intimidate the executives, workers (and even their spouses and children) of companies doing business with targets companies

Tertiary targeting has nothing in common with peaceful picketing or even civil disobedience. The most vicious example of tertiary targeting has been the international terrorist campaign directed against an animal testing company called Huntingdon Life Sciences by a loose organization of liberationists called “Stop Huntingdon Animal Cruelty” (SHAC). Here’s roughly how tertiary targeting works: The SHAC WEB site identifies targets to be harassed and provides information for use by harrassers, including home addresses, phone numbers, names and ages of their children and even where they attend school. Activists send anonymous death threats, mail targets video tapes of their family members, and vandalize their property.

As of May 2006, a SHAC WEB site listed scores of companies for targeting, including: Abbott Labs (U.S. based with sites throughout the world), American Pacific Corporation (U.S.-based chemical company), Bristol Myers Squibb (U.S.-based international pharmaceutical corporation), Kumiai Chemical Industry Co. (Japan-based herbicide company), and Merck (U.S.-based pharmaceutical company).

To avoid being victimized or to surrender and be removed from the target list, companies are told on SHAC’s WEB site

<http://www.shac.net/TARGETS/suppliers/suppliers.html>):

TO ALL SUPPLIERS: If you have severed your links with Huntingdon Life Sciences, please let the campaign know. You can send a simple email to info@shac.net stating the following: “.....(name of your company) have severed their links with HLS and terminated their contract, and will not be dealing with them now or in the future, directly or indirectly.” This will enable supporters to be kept up to date with which companies are still involved with Huntingdon Life Sciences.

Failing to do so opens companies to the threat of tertiary targeting.

This is terrorism, pure and simple—and unfortunately, it is working. SHAC and its allies like the Animal Liberation Front (ALF) have scared more than one hundred businesses into cutting off ties with Life Sciences, including the huge auditing firm of Deloitte & Touche, with the increasing numbers of notches on SHAC's gun then posted proudly on its WEB sites. At present, SHAC lists 113 companies on its WEB site that have pledged to comply with SHAC's demands business with Life Sciences including the international corporations Johnson and Johnson, Washington Mutual, UBS Global Capital, Nucrust Pharmaceutical, and Chubb.

In October 2005, the New York Stock Exchange planned to Huntingdon Life Sciences (renamed Life Sciences Research) on the Big Board. This was a very big deal for Life Sciences. It had previously been de-listed by the Exchange because attacks on the company by animal liberationists had undermined its financial stability. But then, on the very day the company was to be eligible for trading, the Exchange rescinded the listing. Executives refused to explain their decision—even to a United States Senate committee—but it was surely more than coincidental that the rescission came immediately after liberationists vandalized an executive's yacht club and threatened to target Exchange employees for attack.

Other violent animal liberationist groups also have contributed to a crescendo of violence and intimidation against lawful businesses in recent years. For example, an instruction manual posted on the ALF WEB site entitled, *Arson-Around With Auntie ALF: Your Guide to Putting Heat on Animal Abusers Everywhere*, teaches readers how to form a self-contained terrorist cell, commit arson, and then claim responsibility for the

crime on behalf of ALF. Since only the perpetrators will know who set the fire, the manual asserts, the chances of being caught or penetrated by law enforcement are close to zero.

To be sure, most liberationists do not personally engage in such threats and violence. But very few leaders (or grass roots activists) condemn these tactics. A few even openly support it. For example, Bruce Friedrich, the second in command at People for the Ethical Treatment of Animals (PETA), told an animal liberation conference in 2001:

Of course, we're going to be as a movement blowing stuff up and smashing windows. For the record, I don't do this stuff, but I do advocate it. I think it is a great way to bring about animal liberation. And considering the level of the atrocity and the level of the suffering, I think it would be a great thing if all of these fast food outlets and slaughter houses and laboratories—and the banks that fund them—exploded tomorrow.”

The Ideology of Animal Liberation

To understand why people could become so committed to the liberationist cause that they would threaten children and even rob the graves of targeted families (as happened recently in the United Kingdom), it must be understood that the ideologues of animal liberation do not believe in the same moral principles as do committee members, and your constituents.

To a true believer in animal rights, human life does not have special value. Rather, what confers moral value on an organism is the ability to feel pain. Thus, animal liberationist Professor Richard Ryder, formerly of Tulane University, wrote that “painience”—his term for the ability to feel pain—“is the only convincing basis for

attributing rights, or indeed, interests to others.” In this view, since most animals can feel pain, “non-humans” belong in “the same moral and legal circle as ourselves,” meaning that humans should not “be able to exploit them as slaves.”

This belief means that to animal liberationists, whatever is done to an animal *is the same as if it were being done with and to a human*. This is not metaphorical or a symbolic assertion: Adherents *believe literally* that cattle ranching is morally equivalent to human slavery and that animal research is torture of the kind experienced by the inmates of the concentration camps. Dr. Steven Best, a University of Texas philosophy professor and international star of the animal rights movement, argues that normal practices of animal husbandry are akin to the attacks on the World Trade Center and Pentagon on September 11, 2001: “The hellish reality of animal existence cannot fundamentally change until we create a seismic cultural shift that replaces the notion of animals as property with a radically alternative concept, such as animals as persons.” To Best, the slaughter of farm animals and the demise of animals in medical testing is akin to terrorism. Hence, “For the animals, every second is a 9/11 attack.” Perhaps not coincidentally, Best was barred from the United Kingdom in 2005 for supporting lawlessness in the name of animal rights.

Animal rights/liberation must be distinguished from “animal welfare.” The former is dedicated to preventing *any* use of animals by humans—whether as food, in research, or even as seeing-eye dogs—regardless of the substantial human harm thereby caused. In contrast, the animal welfare movement acknowledges human uniqueness and recognizes man’s duty to treat animals humanely and not cause them gratuitous pain or

suffering. (Thus PETA is animal liberationist, while the Society for the Prevention of Cruelty to Animals is a notable animal welfare organization.)

The differences between these contrasting approaches to animal protection could not be starker. For example, is the life of a monkey as precious as that of a human being? Animal rights believers say, yes. Welfarists say, no. Is butchering a cow the moral equivalent of lynching a black man during the Jim Crow era? Welfarists would scoff. But PETA's "Animal Liberation Project" stated explicitly that the two are morally equivalent. Are the lives of people more important than the lives of animals? Not according to PETA: "We are all animals," the groups asserted in its Animal Liberation Project, by which it was not stating a biological fact but asserting an explicit human/animal moral equality. Welfarists, on the other hand, cringe at the comparison between Apartheid-style bigotry and proper animal husbandry.

It is the radical and subversive ideology of animal rights/liberation justifies (in some minds) lawlessness and violence—just as many would accept violence to prevent the trains from reaching Auschwitz.

A few liberationists even contemplate the potential of resorting to murder to protect the animals. In December 1998 animal rights terrorists threatened to murder ten identified medical researchers. After Prime Minister Tony Blair refused to create a commission to investigate alleged abuses in animal research, a convicted "animal rights" felon named Barry Horne—in prison for torching a department store because it sold fur coats—began a hunger strike. ALF then issued a deadly threat on behalf of another terrorist group, the Animal Rights Militia (ARM): "The ARM has announced a list of ten vivisectioners who will be assassinated if animal liberation hunger striker Barry Horne dies

through Labour's broken promises.” (Horne subsequently called off his strike and the crisis passed.)

In the United States, militant Jerry Vlasak justified the murder of scientists who research with animals at a 2003 animal rights convention. “I don't think you'd have to kill—assassinate too many [scientists],” he declared. “I think 5 lives, 10 lives, 15 human lives could save a million, 2 million, 10 million non-human lives.” He later told a stunned United States Senate Committee that animals and humans are “morally equal,” asserting that the “murder” of those “who hurt animals and will not stop after being told to stop” is “morally justified.”

The first “animal rights murder” may already have taken place. In the Netherlands, an animal rights extremist assassinated a popular candidate for parliament, perhaps because he defended pig farming in a debate with animal rights activists.

Conclusion

The federal government has an urgent role in protecting the proper and humane use of animals. Understanding why extremists in the animal rights/liberation movement are resorting to terrorist tactics is necessary in order to understand that strong action is urgently needed. It is my hope that this brief overview has been helpful in this regard and I stand ready to assist the Committee in any way that I can.

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Award winning author and lawyer Wesley J. Smith is a senior fellow at the Discovery Institute, an attorney for the International Task Force on Euthanasia and Assisted Suicide, and a special consultant for the Center for Bioethics and Culture. In May 2004, because of his work in bioethics, he was named by the *National Journal* as one of the nation's top expert thinkers in bioengineering.

Smith left the full time practice of law in 1985 to pursue a career in writing and public advocacy. He has authored or co-authored eleven books. He formerly collaborated with Ralph Nader, co-authoring four books with consumer advocate: *Winning the Insurance Game* (1990), *The Frugal Shopper* (1991), *Collision Course: The Truth About Airline Safety* (1993) and *No Contest: Corporate Lawyers and the Perversion of Justice in America* (1996). He also co-authored (with Eric M. Chevlen, MD), *Power Over Pain*, a consumer's guide to obtaining good pain control.

His book *Forced Exit: The Slippery Slope from Assisted Suicide to Legalized Murder* (1997), a broad-based criticism of the assisted suicide/euthanasia movement, has become a classic in anti-euthanasia advocacy. First published in 1997 and in revised paperback in 2003, it was updated again in 2006 and published by Encounter Books under the new title: *Forced Exit: Euthanasia, Assisted Suicide, and the New Duty to Die*.

Smith's *Culture of Death: The Assault on Medical Ethics in America*, a warning about the dangers of the modern bioethics movement, was named one of the Ten Outstanding Books of the Year and Best Health Book of the Year for 2001 (Independent Publisher Book Awards). Smith's *Consumer's Guide to a Brave New World* (2005), explores the morality, science, and business aspects of human cloning, stem cell research, and genetic engineering. He is also conducting research for a planned book about the animal liberation movement.

Smith's writing and opinion columns on assisted suicide, bioethics, the morality of human cloning, the dangers of animal liberation, legal ethics, and public affairs have appeared nationally and internationally, including in *Newsweek*, *New York Times*, *The Wall Street Journal*, *USA Today*, *Forbes*, *The Weekly Standard*, *National Review*, *First Things*, *The Age* (Australia), *Western Journal of Medicine*, and the *American Journal of Bioethics*. He has also been published repeatedly in regional publications including in the *San Francisco Chronicle*, the *Seattle Times*, the *Dallas Morning News*, the *Rocky Mountain News*, the *Detroit News*, the *Orange County Register*, the *New York Post*, and many other newspapers throughout the nation. He is also a frequent source for journalists reporting on issues about which Smith advocates.

Throughout the course of his career in public advocacy, Smith has appeared on thousands of television and radio talk/interview programs, including on such national programs as ABC Nightline, Good Morning America, Larry King Live, CNN Crossfire, CNN World

Report, the CBS Evening News, Coast to Coast, the Dennis Prager syndicated radio show, the Mike Gallagher syndicated radio show, the Tony Snow radio show, Afternoons with Al Kresta, EWTN, CSPAN-Book TV, Fox News, and CNN Talk Back Live. He has also appeared internationally on Voice of America, CNN International, and on programs originating in Great Britain (BBC), Australia (ABC), Canada (CBC), New Zealand, Germany, China, and Mexico.

Smith is an international lecturer and public speaker, appearing frequently at political, university, medical, legal, disability rights, bioethics, religious, and community gatherings across the United States, Europe, Canada, South Africa, Mexico, and Australia.