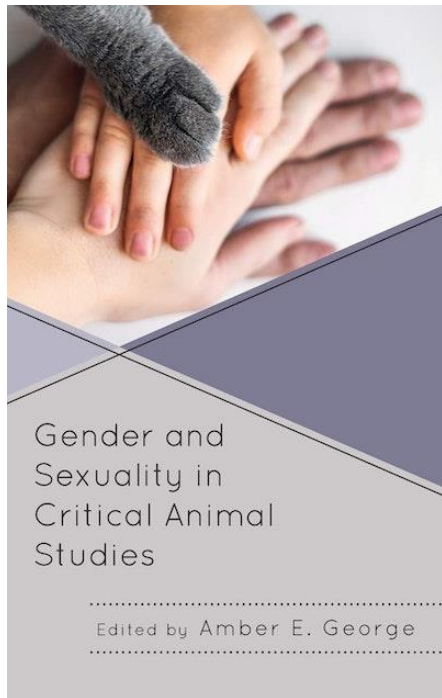


## In a Race to the Bottom, Critical Race Theory Legitimizes Bestiality

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In the last few months, I have devoted a lot of my time writing about the emergence of Critical Race Theory (CRT) in the animal protection movement and the threat it poses to animals. In books and journal articles, CRT advocates have:

- Defended [dogfighters like Michael Vick](#), arguing that they [should not be prosecuted because they are “victims” of “white cis heteropatriarchy” that enables “toxic masculinities”](#);
- [Criticized placing dogs who survived dogfighting in caring, family homes because “they were effectively segregated from Blackness”](#);
- Called for permitting dogs [to be left on chains 24/7, if they live with people of color](#);
- Called for more animals [to be killed in pounds or left on the streets instead of rescued and placed in family homes](#) so as not to promote [“settler-colonial and racist dynamics of land allocation”](#);
- Defended backyard breeding as [“queer affiliations,”](#) even in cases where selling puppies is intended to [supplement drug dealing income](#);
- Argued that the animal protection movement needs to [develop “ethnoracial cultural sensitivity” by not judging people of color who do not feed or get necessary medical care for their animals](#);
- Argued that [shelter workers should lower their standards for black people, even when doing so is “at odds with the humane society’s own core beliefs about how animals should be cared for”](#);
- Criticized the use of technology, like wheelchairs, to allow disabled animals to run again, [claiming it “erases” disabled people and does “violence to nonnormative bodies”](#); and,
- Defended the [harpooning of whales and clubbing of seals](#) because of “native cosmologies.”

Underlying these claims are the racist beliefs that viewing animals as family members, letting them sleep in the house, providing them medical care, and showing them affection are [“middle class,” “white”](#) values, while people of color treat animals [“as resources, whether protective \(as in guarding\)](#)

or financial (as in breeding or possibly fighting).” Although CRT advocates pretend that they are standing up for social justice, their views not only set back civil rights, they propose that we return to a pre-19th century view of animals as having no recognized interests of their own. Animals are viewed as mere property to be used for any purpose, even sex as some CRT/queer theory proponents also advocate for humans having “pansexual” relations with animals — [the rape of dogs, horses, and others](#).

### **Hiding behind labels and euphemisms**

In [LGBTQ...Z?](#) — the “Z” standing for zoophile (a person who is sexually attracted to animals) — Kathy Rudy, a professor of women’s studies at Duke University, argues that,

[T]he widespread social ban on bestiality rests on a solid notion of what sex is, and queer theory persuasively argues we simply don’t have such a thing. The interdict against bestiality can only be maintained if we think we always/already know what sex is. And, according to queer theory, we don’t. She goes on to argue that queer theory’s upending of the “heterosexual-homosexual” binary also upends the “human-animal” one:

Antisex positions rest on the idea that all humans are different from all other animals, and the wall between them can never be breached. Like the ways we used to think of race or gender ‘identity,’ these positions contend that one’s species rests on physical markers that are immutable, that belonging to the categories of ‘animal’ or ‘human’ is grounded in a biological essence untouched by culture. Instead, Rudy argues that,

[A]s human and non-human animals share an intensely bonded life together, we are all becoming something new, something part human, part animal, a part of one another... As the result of our relationships, interpolations occur; my dogs and I have changed each other such that I am no longer only human and they are no longer only canine.

She’s not alone. Carment Dell’Aversano, a professor at the University of Pisa, also argues in [The Love Whose Name Cannot be Spoken: Queering the Human-Animal Bond](#) that “species identity” — like gender — is not biological, but a social construct. The work of these and other CRT/queer theory advocates is the basis for two essays in [Gender and Sexuality in Critical Animal Studies](#), published this year.

In those essays, Anastasiya Andrianova, a professor at North Dakota State University, and Jess Ison, a Ph.D. candidate focused on “how queers and animals have been historically linked and whether this has been obfuscated in the service of homonormative agendas,” outline the arguments made by Rudy and others who defend bestiality.

In her essay, [Can the Animal Consent? Zoophilia and the Limits of Logocentrism](#), Andrianova claims that the term “bestiality” is “derogatory” and should be referred to by “the more neutral term ‘zoophilia,’” the first step in shifting the [Overton Window](#). Zoophilia means “preferential sexual attraction to animals” while bestiality denotes “the deliberate use of animals for human sexual purposes,” but Andrianova wants to use the former for both.

Citing the self-serving statements of the perpetrators themselves, she also refers to the animal victims of sexual assault as sexual “partners” by claiming that those who engage in bestiality often “show their concern for the emotional lives and subjective experiences of their animal partners.”

### **Six wrongs don’t make a right**

In addition to trying to normalize bestiality by controlling the language we use to discuss it, Andrianova, like Rudy before her, is trying to coopt the social movement for marriage equality, even though the latter represents a difference of kind, not degree. Andrianova and Rudy, as well as Ison, conflate criticism of bestiality with homophobia and patriarchy, with Ison claiming in [The Zoo Closet: On Whether Bestiality is a Queer Liberation Ethic](#), that “fears about bestiality arose from controlling both women’s sex and same-sex relations” and Andrianova complaining that laws against bestiality were passed at the same time and for the same reasons as those proscribing “[non-procreative sex](#)” between consenting adult humans. Given that “the vast majority of discussions around bestiality existed [historically] in the twinned realms of moral theology and juridical practices” that had their roots in “the book of Leviticus,” Rudy further [wonders why](#),

Humans can kill animals, force them to breed with each other, eat them... hunt them, nail them down and cut them open for science, and for the most part, the humans who perform those acts can be thought of as normal, functioning members of society. Yet having sex with animals remains an almost unspeakable anathema.

The answer, of course, is that embracing Rudy’s viewpoint, “[we would simply permit all manner of animal cruelty, on the theory that there is no principled distinction between what we currently permit and what we currently prohibit](#),” whereas societal change, both normative and legal, almost always requires tackling evils one at a time. Not only would progress for animals be impossible, we’d have to undo the progress (such as prohibiting bestiality) we’ve already made. Moreover, *when* laws against sexual assault of animals were passed and *what* may have motivated some of the legislators in passing them doesn’t render them unnecessary to protect vulnerable populations. Other important laws, like the prohibition against murder, also have old testament, biblical antecedents.

Disputing the accepted legal norm that animals, by definition, cannot consent to sex with humans, Andrianova goes on to sympathetically discuss, though not necessarily endorse, the claim by proponents of bestiality that while animals cannot *verbally* consent to sex, they can do so *physically* by not resisting “with their claws, hooves, and teeth.” These proponents also state that “while not the same as explicit consent,” it does convey the “presence or absence of animal desire.” They further state that animals “do not seem to have the same ‘hang-ups or psychological reactions’” to sex so that as long as the encounter “is conducted with kindness, and the animals do not visibly object, no trauma should be expected.”

Since an animal will not initiate such a sexual encounter with a human, however, this view unfairly puts the burden to resist with the animal being assaulted. And as even Andrianova acknowledges, the encounter almost always involves domesticated animals where the “animal is not free to leave or has been trained into submission.” There is, moreover, the obvious hypocrisy: women can also object to sex with their hands, feet, and teeth, but the absence of these is not definitive evidence of consent.

But there are even more fundamental reasons why these arguments in favor of bestiality are untenable:

- The very notion of “[animal desire](#)” to have sex with humans lacks a biological basis (especially involving animals who only go into heat at a specific time for purposes of procreation);
- Humans have a duty to protect animals from sexual exploitation, in the same way we protect children or intellectually disabled people (dogs, for example, “[have a level of sentience comparable to that of a human child](#)”); and,
- The arguments made in defense of bestiality also apply to sexual assault of children.

In short, humans having sex with animals, like sexual abuse of children, is rape. Like children, they suffer trauma, with chickens and other small animals often killed in the process. With or without physical

trauma, it is a line that should never be crossed and never be treated as anything other than what it already is in most states: *a crime*.

But offering countervailing arguments about when and why animals go into heat or their level of sentience does not feel commensurate with what is being advocated. It puts me at a loss. Responding with incredulity and denouncing the claims without the restraint of civility seems more appropriate, but doing so runs the risk of embracing a logical fallacy, such as an appeal to force or *ad hominem*. Responding dispassionately and measuredly, however, risks reducing the rape of animals to an academic exercise that (falsely) suggests reasonable people can differ. They cannot and it pains me that anyone would need to be convinced of this.

Quite simply, there is no atrocity against animals that CRT/queer theory professors will not defend. And not only do they embrace abuse, they do so by disparaging gay people and people of color, turning the fight for equality into the promotion of disparity and the struggle for the right to live with dignity into an appeal to depravity.

While some adherents of CRT, like Ison, ultimately object to bestiality, others leave the door open. Andrianova, for example, writes that, “[human-animal intimacies should not be indiscriminately dismissed as ‘bestiality.’](#)” Still others are ambiguous.

In a discussion about public sex in a Berkeley, CA, park, Harlan Weaver, a professor of gender studies at Kansas State University, laments in his book, “[Bad Dog](#),” that while *Lawrence v. Texas* ruled laws proscribing consensual homosexual sex unconstitutional, it did so “only in the privacy of a home.” He then describes his relationship with a dog “as a nonheterosexual intimacy undertaken in the public space of a park” and that it “was some kind of queer.”

Weaver goes on to discuss what he calls “[dog butt cultures](#)”; relations that “must be felt or smelled or tasted.” Weaver describes the “dog butt cultures” between dogs and people as,

A different butt culture from that historically associated with the casual cruisings of gay masculinities, these contacts in their facelessness, are queer nonetheless. The momentary, fleeting contacts centered in touches, tastes, movements, and shared rhythms, in their strays from the norms of family and home that imbue rescue and shelter work, reveal promising queer affiliations.

While it is not clear what is being advocated here, given that none of the contact described with dogs relates explicitly to sex, it also leaves one feeling somewhat uneasy about *what precisely* is being proposed. This is especially true as other parts of the same sections of the book do relate explicitly to sex; CRT advocates, like Andrianova and even Weaver himself, use “intimacy” as a euphemism for sexual conduct; and, other CRT advocates, like Rudy, embrace bestiality.

### **A defense of classical liberalism**

In response to [my past rebuttals](#) to professors who want to create a privileged class of animal abuser — like [Weaver in his call to kill more dogs, seals, and whales](#); [Kevin Morris from the University of Denver who advocates leaving the dogs of people of color on chains](#); [Andrew Rowan, professor-emeritus from Tufts University, who legitimizes animal protection officers ignoring dogfighting](#); and, [Katja Guenther, a gender studies professor from the University of California at Riverside, who defends cruel and sadistic treatment of animals at the hands of people of color](#) — I have been accused by critics of misrepresenting CRT. I have little doubt that I will also be accused of misrepresenting CRT as it relates to my condemnation of animal rape, but that claim, like those before, is also untenable.

Not only because almost all of these professors self-identify as CRT advocates, but also because most are published by peer-reviewed academic presses and journals as CRT and I quote all of them verbatim. More importantly, the conclusions drawn by these authors are *consistent* with the central tenets of CRT that:

- Falsely deny physical attributes, like species, are rooted in biology;
- Ascribe immutable characteristics based on (wrongly perceived) group dynamics; and/or,
- Seek to “[accomplish the political and metaphysical task of permanent and neverending subversion](#)” of “[accepted ways of thinking on any issue,](#)” irrespective of real-world consequences.

When those trying to distance themselves from these conclusions argue that CRT simply means that racism and discrimination exist and must be remediated, they are confusing CRT with classical liberalism. Unlike CRT, classical liberalism looks at race, gender, sexual orientation, and disability as morally meaningless distinctions. This is how civil rights pioneers like David Walker, William Lloyd Garrison, and Dr. Martin Luther King, Jr., viewed race, how Sojourner Truth, Susan B. Anthony, and Alice Paul viewed gender, how Harvey Milk viewed sexual orientation, and how Justin Whitlock Dart, Jr., viewed disability.

It was also the backbone of the movements they helped lead and responsible for the successes they achieved, including “[the 13th, 14th, 15th, and 19th Amendments to the U.S. Constitution, legislation such as the Ku Klux Klan Act, Fair Labor Standards Act, Civil Rights Act, Voting Rights Act, Americans with Disabilities Act, \[Title IX of the Education Amendments Act,\] and court rulings such as \*Loving v. Virginia\*, \*Brown v. Board of Education\*, and \*Obergefell v. Hodges\*.](#)”

By exposing the hypocrisy that one group’s rights to life, liberty, and the pursuit of happiness were regarded as “self-evident,” while others were not acknowledged at all, abolitionists, suffragists, civil rights activists, and disabled rights advocates have all invoked these principles in their quest to realize its promises and help us form a more perfect union. It is the approach I support and — when advocating for the expansion of rights to non-humans — embrace, believing it to be an essential and tested formula by which we can likewise win greater protections for animals.

That this system is under threat by anti-intellectual, anti-democratic, anti-scientific, and mob rule currents on both the left and the right, is undeniable. But instead of calling for a recommitment to classical liberalism, CRT proponents are not only embracing racial disparity, infantilizing people of color, and pathologizing homosexuality, they are defending dog abusers, advocating for the killing of whales and seals, and promoting the sexual assault of animals.

It leaves those of us who still believe in facts, science, democracy, the rule of law, dignity, privacy, Enlightenment values, and animal rights not only without a political home, but wondering whether one of the most successful multicultural democracies in the world and one of the greatest societal experiments in human and companion animal flourishing will continue to progress.

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