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DOSSIÊ ESPECIAL

THE POLITICS OF SIGHT AND BEARING WITNESS TO ANIMAL SUFFERING: LESSONS FROM THE SOCIOLOGY OF HUMAN RIGHTS*

LA POLÍTICA DE LA VISIBILIDAD Y EL ACTO DE TESTIMONIAR EL SUFRIMIENTO ANIMAL: LECCIONES DE LA SOCIOLOGÍA DE LOS DERECHOS HUMANOS

A POLÍTICA DA VISIBILIDADE E O TESTEMUNHO DO SOFRIMENTO ANIMAL: LIÇÕES DA SOCIOLOGIA DOS DIREITOS HUMANOS

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* Funding: This work was supported by the *Fonds de recherche – Société et culture (Québec)* and the Ontario Graduate Scholarship, University of Ottawa.
Ethics approval: University of Ottawa, S-12-19-5294.

Submetido em: 12/07/2025
Aceito em: 13/08/2025
Publicado em: 28/10/2025

Como citar: BERNATCHEZ, Annie; LÓPEZ, José Julián. The politics of sight and bearing witness to animal suffering: lessons from the sociology of human rights. *(Des)troços: revista de pensamento radical*, Belo Horizonte, v. 6, n. 2, p. e60286, jul./dez. 2025.

DOI: 10.53981/destrocos.v6i2.60286

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Abstract
Bearing witness is a strategy used by both Human and Animal rights activists. For Animal Justice Citizen Activists (AJCAs), bearing witness is linked to a politics of sight enacted through farm occupation. This article draws on previous analyses of the Canadian context: text media coverage of four farm occupations, two provincial ag-gag laws, and in-depth interviews with AJCAs. Using Kurasawa's critical substantive approach, we conceptualize this politics of sight as a mode of ethico-political practice that draws attention to the tasks and perils of bearing witness. This approach, we argue, reveals challenges otherwise concealed by existing sociological frameworks.

Keywords
Animal rights; bearing witness; critical substantivism; human rights; politics of sight.

Resumen
Ser testigo es una estrategia utilizada tanto por activistas de derechos humanos como por defensores de los derechos animales. Para los Activistas Ciudadanos por la Justicia Animal (AJCAs), ser testigo está vinculado a una política de la visibilidad que se expresa mediante la ocupación de granjas. Este artículo se basa en análisis previos del contexto canadiense: cobertura mediática textual de cuatro ocupaciones de granjas, dos leyes provinciales de mordaza agropecuarias, y entrevistas en profundidad con AJCAs. A partir del enfoque substantivista crítico de Kurasawa, conceptualizamos esta política de la visibilidad como una práctica ético-política que identifica tanto las tareas como los riesgos implicados en este modo de política. Este enfoque, argumentamos, revela desafíos que de otro modo quedan ocultos por los marcos sociológicos existentes.

Palavras clave
Derechos animales; dar testimonio; substantivismo crítico; derechos humanos; política de la visibilidad.

Resumo
Dar testemunho é uma estratégia utilizada tanto por ativistas dos direitos humanos quanto por defensores dos direitos dos animais. Para os Ativistas Cidadãos pela Justiça Animal (AJCAs), o testemunho está relacionado a uma política da visibilidade, colocada em prática por meio da ocupação de fazendas. A análise baseia-se em estudos anteriores sobre o contexto canadense: cobertura da mídia escrita sobre quatro ocupações de fazendas, duas leis provinciais do tipo ag-gag e entrevistas em profundidade com os AJCAs. Com base na abordagem substantivista crítica de Kurasawa, conceituamos essa política do olhar como uma forma de prática ético-política que destaca as tarefas e os riscos de dar testemunho. Argumentamos que essa abordagem revela desafios frequentemente invisibilizados pelos modelos sociológicos existentes.

Palavras-chave
Direitos dos animais; dar testemunho; substantivismo crítico; direitos humanos; política da visibilidade.

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Introduction

> [W]e were unashamed we were challenging the fact that this is normalized and the fact that the public doesn't know they're sold all of these lies a mess about the industry and what they're contributing to and they truly do not know the realities of what happens to these farm animals and so we wanted to show them [...] after a few hours I managed to negotiate with the farmers and with the police to let the accredited media who showed up inside the farms that was our goal as we wanted mainstream media to bring their cameras inside the farm and see for themselves they were more likely to publish that then our images.
>
> I think we need to keep up [...] the same activism that we're doing for years and years that you know hasn't really changed a whole lot; I think that we need to reassess those tactics. I do think in the animal liberation movement we do need to be a little bit more critical of our activism and not just do the same things over and over again.

Both of the preceding excerpts are drawn from our interview with Emily, an Animal Justice Citizen Activist (AJCA), who, in the pursuit of animal rights and liberation, is engaged in a new form of activism. As the first excerpt illustrates, it draws on a long tradition of public disobedience and of bearing witness to the suffering of others, most frequently associated with human rights. This emerging form of activism, based on the politics of sight,[1] has attracted the attention of scholars who have provided an account of its underlying philosophy and organizing methods,[2-3] the phenomenological exigencies that bearing witness to the suffering of beings "other than humans" elicits,[4] its dual activation of sense-making and affect,[5] the intersection of emotions, empathy in this developing form of activism,[6] and how law itself might also learn from bearing witness.[7] While the foregoing scholarly works make important contributions to our understanding, and inform part of our analysis of this new form of activism, in this paper, we argue for a different approach, a sociological one.

Drawing on a sociological understanding of bearing witness as a mode of ethico-political practice in the field of human rights,[8] we focus on its patterned nature, identifying its socio-political tasks and perils. Conceptualizing bearing witness to the suffering of "farm animals" in this way draws attention, we argue, to the ethical, political, and social conditions and processes that are necessary for its success. When these are met, bearing witness offers an "opportunity for radically reimagined relationships with those species we identify as food".[9] Such processes however bring visibility in dialectical tension with invisibility, where knowing something or knowing about it may yet lead to misrecognition. Recognition is fragile because it requires not only perception and cognitive awareness but also

[1] Pachirat, *Every twelve seconds*.
[2] Krajnc, *Bearing witness*.
[3] Purdy; Krajnc, *Face us and bear witness!*
[4] Gillespie, *Witnessing animal others*.
[5] Vea, *The ethical sensations of im-mediacy*.
[6] Lockwood, *Body encounter, bearing witness and the engaged activism of the Global Save Movement*.
[7] Deckha, *The save movement and farmed animal suffering*.
[8] Kurasawa, *The work of global justice*.
[9] Lockwood, *Body encounter, bearing witness and the engaged activism of the Global Save Movement*, p. 107.

expressively affirming the other as possessing value.[10] Imagining individual animals in this position underscores how easily recognition can collapse into denial, leaving them socially invisible despite activists' efforts to make them materially visible. Thus, as we argue below, this is an extremely fragile social process; failure is as likely as success.

Elsewhere, we report on the political and media context in which this new form of activism has developed,[11] and on the emotional exigencies confronted by concerned citizen activists engaged in this form of politics of sight.[12] Here, drawing on these analyses, which we outline below, we develop and illustrate the explanatory potential of conceptualizing bearing witness as a sociological mode of practice. In this sense, we wish to contribute to the type of self-reflection that Emily points to in the second excerpt.

We proceed by briefly locating our approach, which we adapt from bearing witness in the field of human rights, in the context of the animal rights debate. We, then, following Kurasawa's sociological framing,[13] argue for the need to go beyond the philosophical normativism, political legal institutionalism, and civil society empiricism that currently frame debates on human and animal rights. Following this, we introduce Kurasawa's conception of bearing witness as an ethico-political mode of practice, and drawing on our reported findings, identify the tasks and perils associated with bearing witness to the suffering of animals in the context of farm occupations and vigils. We conclude by highlighting some of the insights that can be gleaned from conceptualizing AJCAs' bearing witness as a sociological mode of practice, and how it might contribute for the struggle to secure the rights and liberation of animals ensnared in speciesist relations of domination.

1. The Animal Rights Debate

While historically many philosophers have critically reflected on humans' relationships with animals,[14-15] concrete efforts to mobilize public opinion and support around animal welfare date back to the 19th century.[16-17] However, it was in the 1970s when the modern animal rights movement emerged at the intersection of the publication of Peter Singer's seminal *Animal Liberation* and the energy released by the new social movements of the epoch.[18-19] Singer's book triggered a fundamental and contested debate on the nature of, and the philosophical grounds, for animal rights. The utilitarian approach, defended in his pioneering book[20] and in subsequent contributions[21-22], argued that human beings were speciesists insofar as

[10] Honneth, *Visibilité et invisibilité. Sur l'épistémologie de la reconnaissance*.
[11] Bernatchez, *Animal Justice citizen activism in Canada*.
[12] Bernatchez, *Emotional reflexivity in the animal justice politics of sight*.
[13] Kurasawa, *The work of global justice*.
[14] Clark, *Animals in classical and late antique philosophy*.
[15] Garrett, *Animals and ethics in the history of modern philosophy*.
[16] Donaldson; Kymlicka, *Zoopolis*, p. 1.
[17] Guither, *Animal rights*.
[18] Guither, *Animal rights*.
[19] Munro, *The animal rights movement in theory and practice*, p. 141.
[20] Singer, *Animal liberation*.
[21] Singer, *The most good you can do*.
[22] Singer; Mason, *The way to eat*.

they required "the sacrifice of the most important interests of members of other species in order to promote the most trivial interest of our species".[23] In other words, the (trivial) pleasure to be obtained by eating members of other species could not justify the pain and suffering, and the loss of life thus required. In doing so, he redefined speciesism, which had been coined by the Oxford philosopher Richard Ryder earlier in the decade, along utilitarian lines.[24]

Though championed by some, Singer's utilitarian calculus attracted criticism: its perceived pragmaticism, some argued, opened up the possibility of relativizing the suffering and killing of animals,[25] leading to what would later be called the new (legal) animal welfarism.[26] Indeed, in another early and seminal text of the animal rights movement, *The Case for Animal Rights*,[27] the philosopher Tom Regan criticized Singer's utilitarianism, insisting, in densely argued philosophical prose, that many animals satisfy "the subject-of-a-life criterion." Consequently, he claimed, they possess an "inherent value" that is "logically independent of their utility for, and the interests of, others."[28] Subsequently, he would claim that we should think of animals as bearing "'No Trespassing' signs" entailing that "we are never to take the life, invade or injure the body, or limit the freedom of any animal just because we personally or society in general will benefit. If we mean anything by the ascription of rights to animals we mean this".[29]

Seeded by these seminal contributions, the animal rights debate flourished and expanded beyond the contest between utilitarian and deontological approaches to include virtue ethics, and contractarianism, to name but a few.[30-31] Equally, given the substantive focus on "rights," the field, non-surprisingly, attracted legal scholars. The legally trained animal rights activist Steven Wise advocated, in his pioneering book, *Rattling the Cage*,[32] for the extension of basic common law legal – and not merely moral – rights to chimpanzees and bonobos, and perhaps, in the future, to other animals. Taking a different tack, but resonating with Wise's critique of the reduction of animals to "things", the legal theorist Garry Francione has argued that it is because we continue to treat animals as legal property that we are caught in a moral schizophrenia whereby what we say about valuing animals is belied by the way we actually treat them.[33] Moreover, the participation of legal theorists, or scholars drawing on legal rationalities, has also brought to the fore debates regarding the (un)enforceability of rights, the design of animal welfare institutions, and the virtue of the regulation of the human treatment of animals, i.e., new

[23] Singer, *Animal liberation*, p. 9.
[24] McCance, *Critical animal studies*, p. 22.
[25] Munro, *The animal rights movement in theory and practice*, p. 171.
[26] Francione, *Animals, property, and the law*, p. 4.
[27] Regan, *The case for animal rights*.
[28] Regan, *The case for animal rights*, p. 243.
[29] Cohen; Regan, *The animal rights debate*, p. 213.
[30] Beauchamp; Frey, *The Oxford handbook of animal ethics*.
[31] Rowlands, *Animal rights*.
[32] Wise, *Rattling the cage*.
[33] Francione, *Introduction to animal rights*.

welfarism, versus the abolition of all forms of human instrumentalization of animals.[34-35-36-37]

Carol J. Adams introduced a feminist perspective into the discussion of animal in her pathbreaking book, *The Sexual Politics of Meat: A Feminist-Vegetarian Critical Theory*[38] – first published in 1990. Therein she argued, in great historical and cultural detail, that the treatment, and the oppression, of women and "meat animals [sic]" are semiotically and in practice intertwined in intersecting relations of patriarchal power. In patriarchal society, meat eating is highly sexualized, argues Adams, making the consumption of meat semiotically the "consumption" of women, while women themselves are rendered as "slabs" of meat. Women and the flesh of animals exist as "absent referents," she claimed, reinforcing the oppression of both. Other scholars have argued that the rightlessness of animals can be read as a harbinger of,[39] or as morally comparable to sexism, racism, eugenics, classism, etc.[40] that are themselves intertwined with capitalist relations of exploitation.[41] Finally, the sociologist Piers Beirne maintains that the contemporary animal-industrial complex, seen through a nonspeciesist criminological lens, exposes the mass suffering and killing of animals as a chilling theriocide.[42]

In a recent contribution, the political philosophers Sue Donaldson and Will Kymlicka have argued that "the animal advocacy movement [has] increasingly taken root in public consciousness."[43] However, this veneer of success is immediately tarnished by the realization that today violence against animals remains constitutive of contemporary agricultural, industrial, and other modern systems.[44] Said differently, legitimated by the epistemological, i.e., zootechnics,[45] and political power of Animal Exploiters Authorities[46] (AEA), animals overwhelmingly continue to be deemed as comestible and disposable property, lacking moral worth and dignity.[47]

The Italian philosopher, Paola Cavalieri, argues that the fact that today "[b]illions of nonhuman animals are tortured, confined and killed for our benefit"[48] rests on the institutional denial of "fundamental rights to beings that are entitled to them."[49] Such denial, she contends, not only deprives animals of rights to which they are morally entitled, but also represents "a direct attack" on human rights and "the very idea of justice."[50] The link, foregrounded by Cavalieri, between animal and human rights has threaded the animal rights debates since the 1970s. For instance,

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[34] Francione; Garner, *The animal rights debate abolition or regulation?*
[35] Sorenson, *Some strange things happening in our country*.
[36] Sustein; Nussbaum, *Animal rights current debates and new directions*.
[37] Verbora, *The political landscape surrounding anti-cruelty legislation in Canada*.
[38] Adams, *The sexual politics of meat*.
[39] Patterson, *Eternal Treblinka*.
[40] Nocella II *et al.*, *Defining Critical Animal studies*.
[41] Sorenson; Matsuoka, *Political economy of denialism*.
[42] Beirne, *Theriocide*.
[43] Donaldson; Kymlicka, *Zoopolis*, pp. 1-2.
[44] Donaldson; Kymlicka, *Zoopolis*, p. 2.
[45] Dardenne, *Introduction aux études animales*.
[46] This nomenclature subsumes farmers, veterinarians, unions, associations, and lobbyists that are actors in the animal-industrial complex. AEA have the legitimated epistemic power to influence public opinion and governmental decisions as they apply or regulate standards of exploitation (Bernatchez, *Animal Justice citizen activism in Canada*).
[47] Bernatchez, *Animal Justice citizen activism in Canada*.
[48] Cavalieri, *The animal question*, p. 142.
[49] Cavalieri, *The animal question*, p. 143.
[50] Cavalieri, *The animal question*, p. 143.

Singer argued that when human rights are understood as being grounded on "the moral principle of equal consideration of interests [...] it is even more difficult to find some basis for excluding animals from the sphere of equality" inaugurated by human rights.[51] Similarly, Regan, in his preface asserted,

> [t]o be 'for animals' is not to be 'against humanity.' To require others to treat animals justly, as their rights require, is not to ask for anything more nor less in their case than in the case of any human to whom just treatment is due. The animal rights movement is a part of, not opposed to, the human rights movement.[52]

Indeed, the resonance between human rights and animal rights has been constant throughout the development of the animal rights debate,[53] though of course not uncontested.[54-55] In fact, Donaldson and Kymlicka, in their ambitious *Zoopolis*, see the philosophical and political arguments for the extension of human rights to animals, "universal basic rights" in their terms, as already compellingly established,[56] providing a necessary springboard for imagining a new era of positive rights and non-exploitative social and political relations between humans and animals beyond human rights.[57] Elsewhere, Kymlicka actually proposes a conceptual reconstruction of human rights without "human supremacism" to prevent our complicity in the "ongoing and ever-increasing violence against animals."[58]

As noted in our introduction, our goal in this paper is not to parse the merits of the debate briefly summarized in this section. Instead, we want to use the resonance between human and animal rights to explore what the animal rights and/or justice activists might learn from a sociological framing of human rights that focuses not on their conceptual or institutional coherence but on their enactment as forms of ethico-political practice. However, before doing so, we need to briefly explore the penchant within the field of human rights for philosophical and legal normativism, political legal institutionalism, and civil society empiricism, and how a critical sociology might introduce new perspectives.

2. Human Rights Beyond Normativism, Political Legal Institutionalism, and Empiricism

The notion that rights can be extended from members of one category to another, and/or expanded to include new rights, implicit in the animal rights debate – i.e., from humans to animals – is also central to how political sociologists think about the rights of humans. Thus, sociology's canonical text on rights, T.H. Marshall's *Citizenship and Social Class*,[59] identified both types of processes, i.e., extension and

[51] Singer, *Animal liberation*, p. 237.
[52] Regan, *The case for animal rights*, p. xiii.
[53] Pietrzykowski, *Animal rights*, p. 244.
[54] Stein, *Human rights and animal rights*.
[55] Wrenn, *Abolition then and now*.
[56] Donaldson; Kymlicka, *Zoopolis*, p. 23.
[57] Donaldson; Kymlicka, *Zoopolis*, p. 49.
[58] Kymlicka, *Human rights without human supremacism*, p. 780.
[59] Marshall, *Citizenship and social class*.

expansion, in its historical analysis of the development of (citizenship) rights in the English context. Marshall's thinking produced a mould that has shaped much subsequent scholarship. Of course, his work has drawn significant and merited criticism. However, the notion that rights, when facilitated by adequate social, political, and historical conditions, exhibit a normative momentum towards inclusive growth is accepted by many scholars, though not all, who are critical of Marshall's substantive analysis. This, of course, does not exclude the reverse, i.e., the very real retrenchment of rights, but rather points to the fact that the universalism frequently attached to rights almost always falls short, hence the need for social and political struggle to attempt to fulfil, retain, or regain their universalist potential.

The same explanatory trope[60] can also be observed in accounts that understand human rights as the product of the expansion and/or extension of citizenship rights to human rights and the latter's subsequent global spread.[61-62-63-64] Indeed, the notion that human rights are the rights required for a global and cosmopolitan world, at first blush, would seem justified to the extent that, as the political philosopher Michael Ignatieff has argued, human rights have become "the lingua franca of global moral thought,"[65] and the essential syntax of contemporary political and ethical claims.[66-67]

Nevertheless, despite the success of the global extension and expansion of human rights, it is clear that human rights have not put an end to unspeakable human suffering, much like the spread of awareness of animal rights and welfare has not halted their contemporary suffering. In the field of human rights, advocates push for more enforcement and the development of more binding human rights instruments; philosophers attempt to find ever more secure ethical and moral anchors for human rights; and institutions concerned with promoting human rights attempt to extend their scope and reach. Nevertheless, such efforts, fuelled by a "legal naïveté" typically overestimates the social power of (human rights) laws,[68] and the efficacy of the international human rights system.[69] Indeed, among human rights' strongest sociological advocates, it is recognized that human rights fail those who need them the most.[70] Much the same could be said regarding existing animal protection legislation with respect to the animals ensnared in the cruelty of modern industrial and agricultural practices.

The sociologist Fuyuki Kurasawa, has usefully grouped existing approaches to the analysis of the promotion and implementation of human rights, or, in his terms, the work of global justice, as falling under three broad strategies: philosophical normativism, political legal institutionalism, and (global) civil society empiricism.[71] The first focuses on providing human rights with solid ethical or moral

[60] López, *Human rights as political imaginary*, p. 232.
[61] Held, *Cosmopolitanism*.
[62] Shafir; Brysk, *The globalization of rights*.
[63] Soysal, *Limits of citizenship*.
[64] Turner, *Vulnerability and human rights*.
[65] Ignatieff, *Human rights as politics and idolatry*, p. 53.
[66] López, *Human rights as political imaginary*.
[67] Moyn, *The last utopia*.
[68] López, *Human rights as political imaginary*, p. 319.
[69] Hafner-Burton, *Making human rights a reality*.
[70] Turner, *Vulnerability and human rights*, p. 19.
[71] Kurasawa, *The work of global justice*, p. 7.

foundations with the hope that this will facilitate the spread and uptake of human rights values and principles. The second, political legal institutionalism, pays attention to the design and functioning of the legal and institutional structures tasked with the promotion and implementation of human rights to optimize their operation. The first and second strategies can also be used to group the animal rights, or justice, movements, briefly discussed above: Singer and Regan, and Wise and Francione, respectively. The third, civil society empiricism, often associated though not exclusively with social movements and/or ethnographic work, concentrates on providing accounts of human rights or global justice activists, actions, networks, campaigns, resources, tactics, etc. While not discussed here, this genre of rich empirical research can also be found in the animal rights movement literature.[72]

While the three broad explanatory strategies produce valuable insights, there are also important limitations associated with each. As Kurasawa persuasively argues, both philosophical normativism and political legal institutionalism provide top-down perspectives leading to culturally and sociologically thin accounts of the reality of the patterning of ethical and political activities associated with social justice activism.[73] In this sense, his claims resonate with other work that draws attention to the need to develop thick sociological accounts of rights.[74-75-76] While the third strategy, civil society empiricism, does not suffer from the thinness of the first two strategies, its rich focus on the particular ignores patterns and regularities that might be seen across the different localities and circumstances, providing insights on what works, what does not, and why.[77] In response, Kurasawa proposes a "critical substantivist" approach that draws attention to the "ethico-political labor" undertaken by human rights activists, "what needs to be understood," he argues, "are the belief-systems that groups and individuals hold and the cultural and socio-political rituals they perform."[78]

A key conceptual component of his critical substantivism is his model of a "mode of practice," which he defines as "a pattern of materially and symbolically oriented social action that agents undertake within organized political, cultural, and socio-economic fields, and whose main features are recognizable across several temporal and spatial settings."[79] He identifies five modes of practices that are crucial to the work of global justice, namely *Bearing Witness*, *Forgiveness*, *Foresight*, *Aid* and *Solidarity*.[80] We argue that a similar shift towards a conceptual terrain between the formalism of philosophical normativism and political legal institutionalism, and the empiricism of accounts focusing on movement actions in the field of animal rights and justice could be productive. In the remaining sections of this paper, we focus on bearing witness because, as we show below, this is a crucial dimension of how the struggle for animal rights and justice gets enacted in the current moment.

[72] Munro, *The animal rights movement in theory and practice*.
[73] Kurasawa, *The work of global justice*, p. 8.
[74] Alexander, *The civil sphere*.
[75] López, *Human rights as political imaginary*.
[76] Woodiwiss, *Human rights*.
[77] Kurasawa, *The work of global justice*, p. 8.
[78] Kurasawa, *The work of global justice*, p. 8.
[79] Kurasawa, *The work of global justice*, p. 11.
[80] Kurasawa, *The work of global justice*.

Consequently, it constitutes, we believe, a first step towards building a critical substantivist position in the field of animal justice.

3. Bearing Witness

Kurasawa identifies five tasks associated with bearing witness as a mode of practice, arguing that each of these tasks confronts a peril that threatens to undermine it. Consequently, he pairs each of the five tasks with their corresponding threats: "voice against silence," "interpretation against incomprehension," "empathy against indifference," "remembrance against forgetting," "prevention against repetition." However, only the first three are pertinent to our own fieldwork. This is not to say that remembrance and prevention are irrelevant. Indeed, ritual remembrance of violence against animals mobilise not only memory but yearning for prevention in the future.

The first task, voice against silence, involves a victim's ability to speak about the injustice or suffering to which they are subject. Sometimes victims can speak for themselves, at others they cannot because they have been, or are being, silenced. In the latter case, someone must speak on their behalf. Voice may refer to a victim's audible utterances, but it most often refers to highly stylized textual and audio and/or visual representations of their suffering. Such representations, which have developed as a specific genre amongst human rights organizations and activists,[81-82] aim for objectivity to anchor their credibility, and to attract the attention of listeners with the hope that they will be moved to act. They are part of the 'pattern of materially and symbolically oriented social action' that unifies disparate instantiations of the work of global justice.

The perils, however, are considerable: many of the voices of suffering are never heard because of their enforced seclusion; if heard for a moment, they are likely to be immediately extinguished by authorities. Finally, even if the foregoing obstacles are overcome, those who listen might not be driven to action. Kurasawa introduces the metaphor of a message in a bottle to draw out what is at stake in bearing witness.[83] With respect to the question of voice, sending a message in a bottle does not guarantee that anyone will receive the message; nor that, if they do, they will act on it.

The second task and concomitant peril, interpretation against incomprehension, are related to the challenges of representing, the inherently unrepresentable, experience of violence and suffering so that it might be legible to its intended audience. The addressee of the message must be willing to engage in an "interpretive labour that strives to [...] make sense of these injustices, which exist at the thresholds and in the recesses of language, speech, writing and image."[84] Kurasawa identifies a number of gaps that might prevent addressees from arriving at an interpretive understanding. The first one is experiential: the violence that is being represented is too distant from the addressee's horizon of experience preventing them from making sense of it. The second is historical and cultural, the

[81] Moon, *What one sees and how one files seeing*.
[82] Wilson, *Representing human rights violations*.
[83] Kurasawa, *The work of global justice*, p. 29.
[84] Kurasawa, *The work of global justice*, p. 37.

injustice might be perceived as too distant in time, culture, or place to engage the recipient's interpretive understanding of the message. A third involves the overlay of an "authoritative interpretation" that subverts the intended interpretation. Lastly, oversimplification by the media may draw on stereotypical tropes, obviating the need for interpretive understanding. Returning to the figure of the message in the bottle, a message might be received but it might be written in a language or a style that its recipient cannot, or does not, want to understand, or is mediated by someone who discourages understanding.

The third task is empathy, its peril indifference. Kurasawa lists a number of factors that can, and do prevent, an addressee from developing the moral imagination necessary to recognize themselves in the suffering of others. The latter is crucial for the development of empathy,[85] instigating the need to act. These include moral individualism (or moral distancing), self-interest, the fragmentation of social life, and different forms of cognitive, cultural, and institutional denial. To take up the message in the bottle image one last time, it is possible that a message might be received and understood, but nonetheless provoke no response.

The discussion of these three tasks, and their associated perils, of bearing witness highlights the dialogical nature of the ethico-political practice of bearing witness. It is not sufficient for the victim to speak, explain, and seek to elicit a response: addressees must hear, understand, and act. This is a fragile process without guarantees. Bearing witness will only be successful insofar as it can create an ethico-political community[86] capable of listening, comprehending, and acting. Bearing witness, as a mode of rendering hidden phenomena visible, has the potential to counter the moral exclusion sustained by invisibility.[87] By exposing what dominant institutions and patterned social reproduction obscure, AJCAs seek to secure the conditions for recognition by making animal suffering unmistakably visible. From a critical substantivist sociological perspective, questions of the conceptual coherence of moral ethical discourses, legal infrastructure, and campaign framing—while not irrelevant—become secondary. What matters most are the social conditions that make possible the formation of such an ethico-political community. It is this lens that we use to analyze our fieldwork with AJCAs in the next section.

4. Bearing Witness as a Mode of Practice in the Context of AJCA Actions

AJCAs are the modern "radical" branch of the Animal Rights and Liberation movement. They seek justice for animals by enacting a politics of sight: "organized, concerted attempts to make visible what is hidden and to breach, literally or figuratively, zones of confinement in order to bring about social and political transformation."[88] In this context, the politics of sight involves bearing witness at vigils (i.e., documenting the last moments of animals' lives) and farm occupation (i.e., entering a farm, documenting the conditions in which animals live, and

[85] Kurasawa, *The work of global justice*, pp. 43-44.
[86] López, *Human rights as political imaginary*, p. 155.
[87] Honneth, *Visibilité et invisibilité*.
[88] Pachirat, *Every twelve seconds*, p. 236.

requesting that media tour the premises). Undercover investigations also meet the politics of sight criteria, the difference being that AJCAs openly document animal violence and do not conceal their identity while participating in civil disobedience protests.[89-90]

Our analysis draws on the findings from our previous multi-method research examining media representations of four Canadian farm occupations (2019-2020), legislative responses in two provincial assemblies, and fieldwork with animal justice and citizen activists (AJCAs). Data collection involved three key components: a corpus of 48 mainstream local and national newspaper articles published between April 2019 and August 2020 that reported on the occupations and resulting public debates; Hansard transcripts from the Legislative Assemblies of Ontario and Alberta focusing on discussions of Bill 156 (*Security from Trespass and Protecting Food Safety Act 2020*) and Bill 27 (*Trespass Statutes (Protecting Law-Abiding Property Owner) Amendment Act 2019*), respectively; and 15 semi-structured interviews with AJCAs (4 men and 11 women, aged 17 to 60), each lasting between 45 and 120 minutes and conducted either in person or via video calls. All interview participants had witnessed animal violence firsthand, and all but one had participated in a farm occupation. Participants were recruited through activist networks, and pseudonyms were used to preserve confidentiality.

The media and parliamentary corpora were analyzed thematically using Jules Boykoff's media framing typology.[91] The analysis demonstrated that activists' attempts to make animal violence visible through documented evidence and media access during farm occupations were consistently undermined by both mainstream media and government discursive strategies. These included, ignoring or reinterpreting evidence, demonizing activists as economic and security threats, and privileging Animal Exploiter Authority (AEA) voices over activist documentation - creating a "paradox of the politics of sight" where efforts to expose animal suffering were systematically invisibilized through media-state convergence around demonization tactics.[92]

We used a thematic analysis to examine emotional patterns before, during, and after farm occupations. The analysis drew our attention to the emotional difficulty that activists had in witnessing and conveying the suffering of animals during occupations, and the types of reflexivity required to make sense of the "embodied moral shock" they experienced. [93] In the analysis that follows, we put these findings to work to analyze the instantiation of a politics of sight as a mode of bearing witness that has striking similarities with modes of bearing witness in the sphere of human rights. We draw attention to important resemblances, as well as significant differences that must be borne in mind in the process of developing an understanding of animal justice activism as a mode of practice.

The ethico-political work undertaken by HRAs (Human Rights Activists) and AJCAs is anchored in a moral responsibility[94] to bear witness[95] to know what we

[89] Lockwood, *Body encounter, bearing witness and the engaged activism of the Global Save movement*.
[90] Purdy; Krajnc, *Face us and bare witness!*
[91] Boykoff, *Beyond bullet*.
[92] Bernatchez, *Animal Justice citizen activism in Canada*.
[93] Bernatchez, *Emotional reflexivity in the animal justice politics of sight*.
[94] Hill, *Bearing witness, moral responsibility and distant suffering*.
[95] Gillespie, *Witnessing animal others*, p. 577.

would rather not know.[96] This takes the form of documenting violence and suffering via a "truth register": legal, statistical, and testimonial,[97] giving voice to victims. Although worldwide, AJCAs document their claims with statistics (e.g., the contribution of industrial farming to climate change and the mass killing of terrestrial and aquatic animals) and work for the adoption of anti-speciesist legislations, the focus on testimonials, as in the field of human rights, remains crucial. As a privileged mode of truth, testimonials aim to evoke a response, often of moral outrage but, more importantly, of compassion and empathy. As Moon reminds us, the indispensable assumption held by HRAs is that "if only people knew they would act."[98] This knowledge-action nexus is also shared by AJCAs.[99]

Having described these broad similarities between bearing witness in HRAs and AJCAs, there are three important differences worth noting. As we will show below, these have a significant impact on how the tasks and perils of bearing witness in the context of AJCA actions are negotiated. First, it is important to note that the documenting activities undertaken by AJCAs to give voice to animals necessarily involve contravening the law by non-violently, yet illegally, entering farm premises to document and expose animal violence. A second distinction is that while HRAs' testimonials (i.e., visual or written) involve both victims and witnesses of violence; in the testimonials facilitated by AJCAs, animals do not tell their stories. A third, and crucial distinction, arises from the fact that the documentation of the suffering of animals is live-streamed, and even though footage is edited in post-action videos it cannot be reworked to the same extent as human rights reports are.[100] AJCAs, as our analysis of the interview data revealed time and again, can be overwhelmed by their immersion in the sites of animal violence and the simultaneous necessity of reporting what is occurring, i.e., narrating the voices of suffering animals.[101] For instance, Jenny, an informant, recounts, "when I'm hearing myself speak about what I'm seeing to me it's kind of more upsetting"[102] she adds "it's on a whole other level when you've actually had direct experience taking an animal out of misery and looking at animals who are going through terrible experience." Thus, as our fieldwork revealed, unlike most HRAs, AJCAs produce accounts of violence against animals that they experience in situ while having to "figure out how this can be portrayed [perceived] by the general public" (Emily) in real time.

4.1 Voice Against Silence

One of our informants, Anita, spoke to us about the importance of sight in bearing witness, drawing on Tolstoy and Gandhi respectively, "observing other living beings first-hand makes them part of your life as they become a part of your experience," adding, "in life you have a choice you either look or you look away; we

[96] Cohen, *States of denial*.
[97] Moon, *What one sees and how one files seeing*.
[98] Moon, *What one sees and how one files seeing*, p. 877.
[99] Purdy; Krajnc, *Face us and bare witness!*
[100] Moon, *What one sees and how one files seeing*.
[101] Bernatchez, *Emotional reflexivity in the animal justice politics of sight*.
[102] Bernatchez, *Emotional reflexivity in the animal justice politics of sight*, p. 10.

all know it's cowardly, wrong and immoral to look away."[103] Bearing witness, as presented above, has focused on voice instead. However, both "sight" and "voice" should be understood in a synesthetic manner, i.e., within a politics of sight "hearing" is also a mode "seeing," and vice versa in the context of bearing witness. Equally important, both voice and sight are subject to similar dialogical dynamics whereby certain perceptions open up the (im)possibility of understanding and empathy.

Animals, of course, are not voiceless; they do have a voice through which they can express and communicate their pain and suffering. However, animals in industrialized settings cannot be heard, or seen, by the broader public as a result of their legal (as someone's private property) and spatial (on farms, labs, etc.) isolation. At first blush, this would appear to make them very different from human victims. However, it is worth noting that Amnesty International, which developed and institutionalized the contemporary genre of human rights reporting and documentation, pioneered the strategy of "bearing witness [to] the private suffering of nonviolent innocents, to demand [their] release on the sole ground that such suffering was unjust."[104] It sought out "the most marginal of individuals," abject, forgotten, and without voice to create a sense of moral responsibility that any ethical individual, despite their politics, would find difficult to reject.[105] Thus, the voices of the prisoners of conscience, "adopted" by Amnesty International are, not unlike the animals on whom AJCAs focus, silenced via their (il)legal and physical isolation in remote prisons and hidden dungeons, where the flickering light of the Amnesty International candle might shed some light and provide some succor.[106] Moreover, even though human rights organizations have expanded the focus of individuals and groups on whose behalf they advocate, the focus of vulnerability and marginality remains to this day.[107-108-109]

The first task of bearing witness, then, requires AJCAs to enter those spaces where the voices of the suffering animals are sequestered by legal-institutional and spatial design. The perils associated with this first task, in the Canadian context and elsewhere are significant.[110-111-112-113] As our analysis of media and government corpora revealed, they include laws related to private property, trespass, biosecurity – what some scholars have called "ag-gag" laws,[114] and the broader figure of eco/agro-terrorism,[115] that make it difficult, as well as legally and personally costly, for AJCAs to enter the places of animal suffering and disseminate evidence of such. These laws, as shown in some detail elsewhere are the product of the active collaboration of AEA, agricultural lobbies, and provincial governments, i.e., the

[103] Bernatchez, *Emotional reflexivity in the animal justice politics of sight*, p. 6.
[104] Hopgood, *Keepers of the flame*, p. 62.
[105] Hopgood, *Keepers of the flame*, p. 62.
[106] López, *Human rights as political imaginary*, p. 282.
[107] López, *Human rights as political imaginary*, p. 280.
[108] Merry, *Introduction: Conditions of vulnerability*.
[109] Meyers, *Two victim paradigms and the problem of 'impure' victims*.
[110] Del Gandio; Nocella II, *The terrorization of dissent*.
[111] Gelber; O'Sullivan, *Cat got your tongue?*
[112] Lovitz, *Muzzling a movement*.
[113] Shea, *Punishing Animal Rights activists for animal abuse*.
[114] Lazare, *Animal Rights activism and the Constitution*.
[115] Sorenson, *Some strange things happening in our country*.

animal-industrial complex.[116-117] They raise the cost of conveying the voices of animal suffering. What is more, even when activists accept the risks and costs associated with contravening such laws, in the case of the four occupations that we have analyzed in our fieldwork, the mainstream media is reluctant to amplify such voices, limiting the number of addressees to whom the message of suffering and injustice can reach. Or, as we argue in the next section, when they cover AJCA actions they often do so from the perspective of AEA. Indeed, it seems appropriate to speak about an organized "media-state nexus" of suppression.[118]

4.2 Interpretation Against Misunderstanding

In those cases where, despite significant obstacles, AJCAs are able to collect and disseminate evidence of suffering beyond the activist community, they nonetheless have to contend with a number of perils that make it difficult for their potential addressees to interpret and understand the voices of animal suffering. In the context of the four case studies in our fieldwork, these include a variety of interpretive gaps, as well as the epistemic power of experts and AEA quoted in media stories, which frequently subvert the interpretations advanced by AJCAs on behalf of suffering animals. As we noted above, bearing witness cannot be reduced to merely hearing or seeing. What is "heard" and "seen" needs to be understood as triggering a potential dialogic fusion of horizons between the experience that is being represented and the embodied, cultural, and historical experience of the addressee, a relationship of recognition.

Animals are not voiceless; however, the way they communicate their experience is not, as far as we know, structured by the narrative logics that underpin human understanding. This constitutes an experiential gap that is difficult to overcome, as our respondent, Pamela, noted when confronted by her family's inability to react as she had hoped to the suffering of animals portrayed in an AJCA farm occupation in which she participated:

> My first thought was, I take part in this action and my family wouldn't have excuses and tell me that the videos I show them are from the United States or Europe. I wanted to show people I know that the same thing happens here. Unfortunately, the result wasn't what I expected, my parents continue eating animal products.

The extremely limited knowledge that the general population has of the practices of contemporary industrial animal farming,[119] and their physical, psychological, ethical, and temporal separation from these[120] do little to help close the interpretive gap. What is seen occurs in a distant "then and there," eschewing the possibility of interpreting the experience of injustice and suffering as occurring "here and now."[121]

[116] Bernatchez, *Animal Justice citizen activism in Canada*.
[117] Noske, *Humans and other animals*.
[118] Boykoff, *Beyond bullets*.
[119] Sorenson; Matsuoka, *Political economy of denialism*.
[120] Mitchell, *Moral disengagement and support for nonhuman animal farming*.
[121] Hansson; Jacobsson, *Learning to be affected*.

The burden of overcoming these interpretive chasms falls on the filmed cries of pain of animals and on the narrating capacity of the activists witnessing their suffering. AJCAs must, whilst immersed in a multisensorial experience of violence,[122] not only make sense of the experience for themselves in real time, but must simultaneously narrate it as something that can be comprehensible to individuals of conscience. However, efforts to do so, frequently fall short as conveyed by one of our respondents, Emily,

> I think that's why so many people probably don't believe us because even as an animal rights activist even with someone who's seen the suffering, I still cannot believe it, it's so shocking [...] I struggled to put it into words like I just can't describe the feeling the sounds the smells like the whole experience. They often say this to activists that watching the footage isn't enough you don't get the full scope you have to be there.

Indeed, as we report in greater detail elsewhere,[123] the embodied and multisensorial experience of immersion in the actual spaces of violence against animals, produces a phenomenologically overwhelming interlocking sensorial encounter that cannot be fully captured by images, sound or narration.[124-125] As Winnie, another respondent, intimated,

> [the] sheer filth and as you move further into the farm, the facility, there was not a single window and there were no lights on, it was a dungeon. It is so far removed from anything that could be considered, forget Humane, but like even there's no word for it, it's torture, it's absolute torture and you're breathing in ammonia like, so your senses are taking in all of these things but you're also thinning these stories and realization. So, I think the best way to describe it is just sensory overload and these are traumatizing images topped with everything that's coming in through the senses and further behind it is an awareness of the massive machine that exists.[126]

The second type of peril to interpretation in the context of AJCAs' activism is related to the epistemic contest between the testimonials enacted by activists and the institutionally sanctioned knowledges, quoted in the media of AEA, policy makers, and provincial politicians. Our analysis of the media and government corpora[127] revealed that veterinarians, animal welfare officers, and farmers will interpret away violence and suffering, claiming that what is portrayed in the testimonials should not be interpreted as such: it is not reliable because it is ideologically biased; it is caused by the presence of the activists themselves; or it represents situations not typical of the sector. In addition, the broader political context of ag-gag laws, resulting from the close collaboration between the farm lobby and provincial governments in the Canadian context, links AJCAs and their activism to ignorance, rural criminality, biosecurity risks, ideological radicalism, threats to food security, economic disruption, and eco/agro-terrorism.[128] These strategies contribute to the misinterpretations of the voices of suffering animals by

[122] Bernatchez, *Emotional reflexivity in the animal justice politics of sight*.
[123] Bernatchez, *Emotional reflexivity in the animal justice politics of sight*.
[124] Gillespie, *Witnessing animal others*.
[125] Lockwood, *Body encounter, bearing witness and the engaged activism of the Global Save movement*.
[126] Bernatchez, *Emotional reflexivity in the animal justice politics of sight*, p. 7.
[127] Bernatchez, *Animal Justice citizen activism in Canada*.
[128] Bernatchez, *Animal Justice citizen activism in Canada*.

pushing them to the background, while drawing to the foreground the "threats" posed by activists. This, of course, makes it less likely that addressees will empathize with the suffering of animals, thus remaining in a speciesist logic.

4.3 Empathy Against Indifference

Empathy is only possible if one has the capacity and moral imagination to experience the suffering of another being: it involves the psychologically enabled but socially and culturally shaped ability to see oneself in the plight of another. In line with Lutz,[129] emotions like empathy are bound up with relations of power, shaping not only how suffering is recognized but also whose suffering is deemed worthy of recognition and response. Yet the kind of knowing that bearing witness attempts to engender does not merely entail knowing about and understanding the plight of another, but also knowing that such knowing requires one to act if not collectively at least individually. The perils associated with the first two tasks does much to cultivate indifference rather than empathy when individuals are confronted with evidence of animal violence in the form of testimonials. The general invisibility of the treatment of animals in contemporary industrial settings, and the silencing of their voices of pain, makes it difficult for the public to empathize with the suffering of these animals,[130] as does the prevalence of speciesism[131] and carnism.[132] Moreover, the coding of the activism undertaken by AJCAs as cultural, political and economic threats disseminated by the media, and echoing the farm lobby and provincial politicians, encourages audiences to see the farmers, the economy, the food chain, or even themselves as the real victims, as the suffering of the animals recedes from view.[133-134-135]

The situation in which one knows, but does not know that one is obligated to act as a result of what one knows, leads to a variety of forms of denial, which Stanley Cohen identified in his seminal work, *States of Denial*. These include, interpretive denials such as the denial of injury [The animals are not really suffering!] or the denial of the victim – [They are just animals!], or implicatory denials such as the denial of responsibility [I am not doing it!], the condemnation of the condemners [The activists are responsible for panicking the animals or staging inaccurate representations!], or the appeal to higher loyalties [There is no other way of producing affordable food].[136] These forms of denial, of course, are supported by broader cultural frameworks that normalize animal violence,[137] because they are unlike us, and that frame animal bodies as commodities to be treated as things[138-139] rather than sentient beings that suffer and experience pain.

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[129] Lutz, *Engendered emotion*.
[130] Mitchell, *Moral disengagement and support for nonhuman animal farming*.
[131] Horta; Albersmeier, *Defining speciesism*.
[132] Joy, *Why we love dogs, eat pigs, and wear cows*.
[133] Sorenson, *Some strange things happening in our country*.
[134] Sorenson, *Humane hypocrisies*.
[135] Sorenson; Matsuoka, *Political economy of denialism*.
[136] Cohen, *States of denial*, pp. 60-61.
[137] Dhont; Hodson, *Why we love and exploit animals*.
[138] Sorenson, *Humane hypocrisies*.
[139] Sorenson; Matsuoka, *Political economy of denialism*.

In addition, Moon[140] suggests that it is not always indifference, or a lack of empathy, that prevents ordinary humans from acting against injustice or to alleviate the suffering of others. Rather, it is a feeling of helplessness that makes them passive bystanders because they feel that their "contributions will not change anything."[141] The form of bearing witness undertaken by AJCAs projects the possible benefits of their activism, and the responses of their addressees, into an unknowable future, forsaking the possibility of remedying the immediate suffering in the present. In this sense, it is different from much human rights work where the focus was initially, and still largely remains, on stopping the suffering of individuals in the present, and where concrete responses, such as letter writing, dissemination of information, and pressuring specific individuals or state institutions – can lead to the release of a prisoner of conscience. To return to Amnesty International, it offered individuals a form of moral (apolitical) action whose focus was not on the radical social-structural transformations of society, but rather on "saving the world one individual at a time."[142] Framing empathy as an individual moral imperative, as in Amnesty International's case, can depoliticize suffering by detaching it from the structural conditions that produce it.

5. Conclusion

Much of Amnesty International's early success, on which the subsequent achievements of human rights rest,[143] was related to its ability to develop strategies to document suffering that had "the normative power of the factual."[144] This, as the anthropologist Richard Wilson has argued, rested on an "unflinching realism"[145] structured by a genre from which all emotive and political language was purged, and a commitment to an exhaustive verification of facts, and an unshakeable fidelity to radical impartiality.[146-147] These strategies contributed to the development of a novel form of ethico-political practice, oriented towards bearing witness by exposing and documenting wrongs, which no moral individual, whatever their political and ethical commitments, could sanction.[148] Moreover, though until recently rarely acknowledged, but is increasingly becoming clearer, Amnesty International's success, was in no small part due to the fact that faith in the broader transformative political projects of the post-war era – i.e., liberal capitalism, socialism, postcolonialism – faded. This created a space for a new form of minimalist politics, some would say apolitical politics, that Amnesty International, and other human rights organizations, were able to harness though a novel practice of bearing witness to human rights violations.[149-150]

[140] Moon, *What one sees and how one files seeing*, p. 486.
[141] Cohen, *States of denial*, p. 70.
[142] Moyn, *The last utopia*, p. 132.
[143] López, *Human rights as political imaginary*.
[144] Hopgood, *The end times of human rights*, p. 39.
[145] Wilson, *Representing human rights violations*, p. 73.
[146] López, *Human rights as political imaginary*.
[147] Moon, *What one sees and how one files seeing*.
[148] López, *Human rights as political imaginary*, p. 1.
[149] López, *Human rights as political imaginary*.
[150] Moyn, *The last utopia*.

To look at bearing witness in the context of human rights as an ethico-political mode of practice is to realize that "seeing" and "hearing" involve not only visibility and audibility but also understanding, and empathy, a form of recognition that rests not only on knowing but on knowing that one must act. As we have seen, it is an extremely fragile dialogic process, constantly undermined by ongoing perils. Our findings and analysis echoe the claim that recognition depends on visibility: what remains unseen cannot be affirmed as ethically relevant.[151] The politics of sight thus becomes a demand for justice—a challenge to the boundaries of *who* counts and *why*.

This is the case even in the context of human rights that pioneered a form of bearing witness that has subsequently tutored the moral sensibilities of many. Today, those of us who have been raised, or even those who have not, in societies that value human rights know how we should act when confronted with testimonials and reports of human rights violations. It might be linked to some basic human capacity and necessity to mirror the feelings of others, but it is formed and enacted by bearing witness as a socially and historically situated mode of practice.

Looking at the AJCAs' politics of sight as a mode of ethico-political practice for bearing witness draws our attention to the tasks it must set itself and the perils that it must confront. What kinds of practices and beliefs can be nurtured to break the legal and physical isolation of suffering animals in industrial settings? Visibility and audibility of animal suffering are not enough. What forms of bearing witness might close the phenomenological and experiential gap of the experience of pain between animals and humans, and engender recognition? What kinds of representations and narrative logics might make interpretable the animal experience of pain and suffering? How might the evidence of the reality of animal suffering be collected and shaped to contest the epistemic power of AEA? What kinds of actions can those who know they must act be able to undertake to nurture a sense of confidence that the world can be changed, that we can look at animals as full beings?

It is of course not the case that these types of questions have not been posed before, or that there are not already some possible answers to some of them. However, posing them in an organized sociological framework of bearing witness as a form of practice has the potential to stimulate critical reflection on existing practices and strategies, and how they might be transformed to become more socially and politically efficacious. Elsewhere[152] one of us has argued that the great world historical achievement of human rights does not lie in eliminating human rights violations but in convincing us that it is an indisputable ethical obligation to try. Animal justice advocacy has the same potential, but it is not likely to achieve it without critically reflecting on the sociological specificity of the tasks to be achieved and the threats to be thwarted in bearing witness to animal pain and suffering as a mode of practice.

[151] Honneth, *Visibilité et invisibilité*.
[152] López, *Human rights as political imaginary*, p. 414.

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