



Antoine F. Goetschel

Dr. iur., (born in 1958), is a self-employed attorney in Zurich. He is managing director and founder of the Foundation for the Animal in the Law and vice-president of the ASMS. He has authored a large number of books and expert opinions on the topic of the relationship between humans and animals in the laws of Switzerland and other countries.

Interview

Yvonne-Denise Köchli: The "Tages-Anzeiger" newspaper reported that Antoine F. Goetschel was "overjoyed" when the National Council approved the parliamentary initiative of Dick Marty ("animals are not things") and called you the "father of the reform project begun more than ten years ago". A happy moment for you?

Antoine F. Goetschel: You can definitely call it that. The acceptance was long overdue. Nonetheless, I was very happy about it – and celebrated fittingly with my comrades-in-arms.

You had already taken up the cause of the "dignity of creatures" in your dissertation and helped to have the term included in the Swiss Constitution (1992). Now Parliament is about to specify this term in a law. What do you expect to come of this? In reference to experiments on animals in particular?

If you assume that experiments with animals are still necessary, then I would expect that the interests of humans and animals will be carefully weighed against each other. I think (and hope) that no more Level Three experiments, the most onerous level, will be approved and that planned experiments will be subjected to more rigorous reviews to determine whether they are really relevant to research, or whether the same results could not be achieved by cooperating more closely with other research centres and/or by scrutinizing the literature. Especially when it is a question of research related to AIDS, cancer or Alzheimer's, these experiments are often all too readily given authorised.

Are experiments involving animals still needed at all? Wouldn't you forbid all animal experiments if you could?

No, I would not. Certainly, I am critical of every form of exploiting animals, and do my best to prevent every restriction of the needs of animals. However, there must be a balance between the needs of humans and those of animals. Therefore I would not categorically forbid animal experiments.

That has a very pragmatic ring.

I am a pragmatist, in fact. As such, I only aim at goals which have good chances of changing things for the good of animals within the next five or ten years. This is also motivated to a certain extent by my desire to preserve my own psychological health, otherwise I would in time become very bitter.

Does that mean that you have no truck with radical proponents of animal rights?

I would not put it that way. The demands of radicals are important in sharpening awareness of the problem and in paving the way for changes. In this sense, the youthful zealots play an important role. But I play a different role in that I make suggestions for solutions rather than primarily bringing attention to the problems.

And what is your reaction to the militant campaigns of animal rights activists?

I do not approve of breaking the law. For example, I do not find it acceptable when researchers are terrorised who have a permit to perform their animal experiments.

Are you yourself more interested in protecting animals or in animal rights?

I am interested in protecting animals, and that is why I work towards improving legal protection of animals.

Back to the dignity of creatures. Do all animals have a right to maintain their dignity? That is, pests who devour a farmer's entire harvest? Where do you draw the limits?

I find the way this debate is being conducted today quite pointless. You cannot assert that an animal deserves more respect simply because it is more similar to humans. The birds of summer have just as much right to preserve their dignity as great apes! Nor would I speak of pests, but rather of insects or rodents who are helping themselves to the "wrong" plants – from the point of view of people. It is ethically dubious to let 25 scorpions die of starvation on purpose, or to breed transgenic flies with twelve eyes.

However, there must be a balance between the needs of humans and those of animals. Therefore I would not categorically forbid animal experiments.

But when you put forth this kind of argument, then you are very close to the animal rights radicals who intend to break down the dominance of human beings and maintain that “A rat is a pig is a dog is a boy” (“Weltwoche” newspaper).

That is a wide-ranging subject! Apart from the fact that human dominance is all too often overstated anyway, I think that there are human obligations that go along with human dignity. These call for us to assume full responsibility for the environment and for animals. This does not mean that we have to put human and animal dignity on the same level at every point; after all, there definitely are differences, such as the current majority opinion that considers animals, but not humans, as being fit for human consumption. More radical thinkers take no concern for the opinion of the majority of people in society, however, and not infrequently make demands that take all too long to have any widespread effects. I am not a radical but, as I already said, a pragmatist.

In your paper, you recommend a “whales’ attorney”. Will that not lead to inflation? Will there in the end be a special attorney for every species of animal?

It would be good for there to be so many attorneys for animals. However, things have not yet advanced to that stage. I am merely feeling the ground to see whether the Zurich concept of having an attorney for animals, the only one in the world, is at all capable of being taken up by other countries.

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How did you, an attorney, find your way to animal protection? Have you always felt great empathy towards animals?

I slid into the subject rather by coincidence. When I had finished my studies and was looking for a job to earn a living, I was commissioned to compile all the directives related to animals in a booklet. However, what affected me most was an experience I had in the service. I had to keep from overstraining my vocal cords and was unable to speak for ten days. That was when I learned what it means to be deprived of the means to fulfil a basic need. After this, whenever I heard that an animal had everything it needed to live except, say, room to move about, I found it incredibly cynical.

In your talks and writings, you mention the term “practising humanity”. What does this cover, altogether?

I first used the term in an article I did a long time ago for the legal journal “Schweizerische Zeitschrift für Strafrecht”. In this article, I argued for the animals’ attorney long ago introduced in the canton of Zurich (1991) and at the same time launched an appeal for a children’s attorney, an attorney for underprivileged women or an attorney for exploited

nature. However, practising humanity also has consequences for everyday life. For instance, I stopped eating meat in 1985; and I have not eaten any fish since 1989. Recently, I also began to become more active in promoting the concerns of institutions designed to help families.