



„Among the foremost functions of a lawyer is to represent her clients – to speak on their behalf and to act in their stead.“

- Matthew Liebman - first sentence of his article 'Representing Animals'



Matthew Lieberman

Representing Animals

an overview of chapters I to III

Matthew G. Liebman

- Professor of law at USF School of Law (San Francisco) with an endowed chair for Justice for Animals
- Internationally recognized expert in animal law
- Before he became a professor, he practiced law for 12 years and litigated a wide variety of animal protection issues.

(not [displayed](#) for copyright reasons)



Presentation Roadmap

Chapter I

The Challenges of Representation

- The problem of other minds
- The problem of speaking for others
- The challenges of legal representation

Chapter II

The Necessity of Representation

- The ethical necessity and the unavoidability in legal practice

Chapter III

Representing others well

- Methods to overcome the problems of representation

Conclusion

- Liebman's Key Points
- My opinion on representing animals in legal practice



What does ‘representation of others’ mean?

Representation means

„the action of standing for, or in the place of, a person group, or thing“.

- Representing others often entails risks, particularly of an epistemological, ethical and political nature.
- These risks are exacerbated when representing animals, because human language and animal experience are not one and the same.

3

central problems:

1. Other minds
2. Speaking for others
3. Legal representation



Problem 1: Other minds

GENERAL

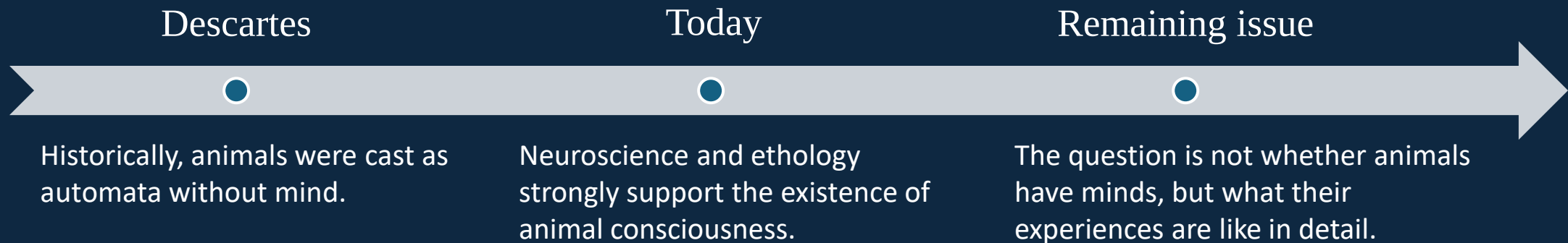
How do we know what others think?

Representation requires that the representative can identify the others wishes, preferences, and interests. Even in human relations, interior mental life is only approximately accessible.

APPLIED TO ANIMALS

Why is it harder with animals?

Animals inhabit different perceptual worlds and in some cases rely on different sensory modalities.





Problem 2 + 3: Speaking for others – legal representation



Speaking for others

Who speaks for others risks epistemic distortion and political paternalism. A representative's position is never neutral but is always influenced by subjectivity.



Animal others

The rhetoric of “voiceless animals” can portray animals as passive and humans as all-powerful representatives.



Legal representation

In law, the problem sharpens: lawyers translate interests into procedural strategies, narratives, and institutional categories.



Especially in public-interest lawyering, tension arise between individual interest, movement politics, and lawyers' interpretive power. In animal cases, this culminates in the question whether representation articulates genuine interests or merely reproduces human projections.



Why representation is still necessary

unavoidable

Culturally, politically, and legally, there is no outside position beyond representation.

- People always act within networks of mutual references; complete silence would not solve the problem, but abandon responsibility
- Especially under conditions of oppression, representation can mobilize, create visibility and open access to institutions.
- This applies particularly to animals, as their interests would otherwise remain structurally excluded from legal and political arenas.



Three functions of representation



Cultural

Counter-narratives can challenge degrading images of animals and other marginalized groups.



Political

Large-scale democracy necessarily depends on both formal and informal representation.



Legal

Without legal translation by advocates, claims often fail at the procedural stage.
Representation is a gateway to justice.

Danger of representation

Necessity of representation



What good representation should look like

Encountering other minds

Liebman rejects resigned scepticism. Complete certainty is impossible, but approximate understanding is possible through language, body language, observation and scientific knowledge.

Speaking for others

The alternative to problematic „speaking for“ is not silence, but responsible, reflexive, and criticism-sensitive speech.



Inquiry

observe carefully



Knowledge

draw on scientific knowlede



Humility

restrain one's projections



Responsibility

examine the effects of speech



Tools of good representation in animal cases



Behavioural observation

Interests become visible in flight, approach, play, pain behaviour, choices, and social interaction.



Ethology & neuroscience

Species-specific and sensory knowledge reduces the risk of anthropomorphic mistranslation.



Speaking with, not only for

Animals communicate through vocalizations, gestures, and reactions.
Lawyers should make those perspectives audible.



The guiding idea is: Good representation balances knowledge claims with humility.



Four guiding questions for a good representation

1. Why do I want to speak?

- The speaker's motivation to speak must be examined for domination, self-display, and control.

2. From what position do I speak?

- Social position, species memberships, and intuitional location shape every act of representation.

3. To whom am I accountable?

- Even if animals cannot correct us linguistically, duties of self-discipline, expertise, and openness to criticism remain.

4. What does my speech do?

- The key question is whether representation stabilizes domination or works in an emancipatory direction.



Conclusion

Animal representation is both dangerous and necessary:
dangerous because it can reproduce projection and power, necessary because without
it animal interests would remain invisible in law, politics, and public discourse.

Chapter I

Problem

Representation is epistemically and
ethically precarious.

Chapter II

Necessity

In practice, representation cannot be
dispensed with.

Chapter III

Path forward

Good representation requires
knowledge, openness, humility, and
responsibility.

My opinion on representing animals in legal practice

