"We are here, we are here, we are here, we are here":
Three Approaches to the Animal Subject

by

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ABSTRACT

This paper argues that there are three valid approaches to the problem of human (ab)uses of non-human animals. The rights/equality, ecofeminist and poststructural arguments each problematize the traditional division between human and non-human animals, although at times these approaches criticize and supplement each other. In particular, each perspective addresses the question of animal subjectivity in different and interesting ways. Together they suggest potentially innovative strategies that activists and concerned people alike can use in the effort to address the oppression of animals.

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He was splashing ... enjoying the jungle's great joys…
When Horton the elephant heard a small noise.

Introduction:

The arguments for animal 'rights', animal 'defense', animal 'protection' or animal 'liberation' arise from the conviction that as Steve Sapontsis writes: "Animals are the most extensively and thoroughly exploited group on earth."[1] Of the many animal advocacy arguments, there are three key approaches that together provide the most comprehensive analysis of the problem and hold the most promise for working towards solutions. At times these approaches work together but at other times they diverge and criticize each other. The rights/equality approach has been predominant in the animal rights literature and is valuable for disrupting the human animal divide from a specific context. Ecofeminism argues that there are alternative ways to configure intersubjective relations between animals (human and non). The poststructuralist approach of deconstructing subjectivity is not yet commonly found in animal defense literature but by problematizing the universal claims of a particular form of subjectivity it destabilizes human privilege and problematizes the oppression of animals in interesting ways. In some senses these approaches are only partly related because of their fundamental assumptions. However each emerges from the belief that making animals into conceptual objects is the first step in justifying current practices, and each examines the concept of subjectivity and the construction of the Subject as part of the project to end the pernicious treatment of animals in our society.

In all discussions there must be a set of shared assumptions, which allows for dialogue and debate on the finer points of the issue. These assumptions will necessarily

limit or focus the scope of the discussion. In this paper I am assuming that we (the reader and I) do care about the treatment of non-human animals; correspondingly, evidence of mistreatment is taken to be a cause for concern and a signal of the need for change. This paper enters into a wide-reaching web of different arguments and approaches to the issue of our treatment of animals and its purpose is not to address all of the diverse aspects of the question surrounding animal rights. Instead, it demonstrates how different problems can be identified and different questions can be asked when human/animal relationships are approached from three different but overlapping angles. Separately the approaches of a rights/equality framework, an ecofeminist perspective and a poststructuralist approach provide animal activists with several distinct, yet overlapping, analytic tools, and with a nuanced (though by no means exhaustive) vision of the arguments involved in human/animal relations for the interested reader. They demonstrate how the oppression of non-human animals cannot be separated from concerns about human ethics and human politics.

The starting point for this paper is the subject in its feminist travels because of the insights that have been made by feminist theory about the enfranchisements, advances and exclusions that result from different ways of arguing for 'women's rights'. Consequently the structure of the paper resembles the standard typology of feminisms: liberal, radical and poststructural. Moreover, gender will be a repeated angle of analysis both because of the similar position of animals and women as 'others' but also because of the usefulness of gender as an analytical tool in examining the 'animal question'.

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[1] S. F. Sapontzis, Morals, Reason, and Animals, (Philadelphia: Temple University Press, 1987) 197.

My own skepticism and confusion with the standard definitions of animality, gender and subjectivity started more than fifteen years ago. When I was young, playing 'stuffed animals' with my sister was probably my favorite game. Although we could not articulate this at the time, we played with most of the animals as if they were ungendered because making them 'boy' or 'girl' animals restricted how we could relate to them. Boy-animals would have had to been treated with a measure of suspicion, reverence and disdain, whereas girl-animal would have been confined to narrow girl roles. Since they were not girls or boys but *animals*, we preferred to consider them gender ambivalent. That allowed us to play such exciting games as 'animal democracy', where our animals would vote to see who would lead the stuffed animal community. (Because I was the bossy, older sister, two of my animals named Whaley and Puppy always held the top positions in the animal government. As a condolence, the animal council would always elect one of my sister's animals to be secretary or treasurer.)

Although we did not treat the animals as gendered, we always used male pronouns to refer to them because we had somehow already learned that the gender-neutral, or universal, category is actually masculine, leaving the feminine to refer to the gender-specific, the particular, the marked and the bounded. Unless the toy had marked feminine features (for example, wearing a dress or holding flowers) we treated 'it' as a gender-ambivalent 'he'. Far from being young prodigies of Simone de Beauvoir, I believe that we adopted this grammar after watching Sesame Street where characters like Oscar, Kermit, Cookie Monster, Grover, and Big Bird were all masculine without being 'boys' like Bert and Ernie, for example, were. When we were young there were only a couple female Muppets on Sesame Street and as girls they tended to have limited roles.

This points to two interesting observations about the animal question. First, we *do* think of animals as subjects with personalities, thought and feelings. My sister and I did not personify our stuffed toys as if they were humans-in-animal-bodies; they had their own kind of subjectivity that was different and no less valid. Yet we were clearly projecting our assumptions and observations about the proper organization of humans on to the animal characters so that gender biases (not to mention mundane political institutions) became part of the construction of the animal characters as well. Our understanding of the animals' subjectivity would not have been possible without a set of norms and meanings about human relationships that we garnered from the world around us.

Much of the animal rights literature would not consider the dynamics of stuffed animal games or the paucity of female Muppets[2] relevant to the topic of animal rights. Many authors have stated that concentrating on cultural representations of animals threatens to shift the focus away from the overwhelming amount of suffering and abuse experienced by living animals on a daily basis. If focusing on 'real'-life current events and injustices suffered by animals is the most effective means of moving towards the goal of animal liberation, then looking at figurative representations of animals might be dangerous and diversionary. After all, there are more than enough examples of animal cruelty and (ab)use in our everyday context to justify the claims that seek to reform current practices without dealing with representations and cultural meanings, which can complicate simple moral dictates.

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[2] As neither humans nor animals but unapologetic hybrids, Muppets blur the human animal divide in very interesting ways.

Moreover, the issue of our relationship with animals confronts us every day as an important and often unstated aspect of some of our largest problems and political questions. A quick survey of some of the biggest issues facing us today demonstrates that questions around the proper treatment of animals lie behind many of our current political conundrums. For example, in Canada, the e-coli outbreak in Walkerton, Ontario has raised concern over the safety of drinking water. Seven people died and hundreds were sick because the water was contaminated by local cattle operations. Factory farms and large-scale cattle lots are the most cost effective way of producing mass quantities of meat and animal waste. Consequently, it would be very expensive for the farms if there were tighter legislation to make producers responsible for dealing with the pollution coming from their farms. Instead local governments are left to pay for water treatment facilities and as we have seen with the Walkerton tribunal they end up shouldering the blame when things go wrong. In North America, the government subsidization of factory farms is a multi-billion dollar relationship and animal producers protest, that if made to pay for the cost of cleaning up the pollution, consumers could not afford to buy their product.

As bad as factory farms are in terms of pollution, they are far worse for the animals who live and die in them. Carol Adams describes the life of intensively farmed pigs using the industry's own published information:

> For at least ten months of each year, the pregnant and nursing sow will be restricted in movement, unable to walk around. Though pigs are extremely social beings, sows "are generally kept isolated in individual narrow pens in which they are unable to turn around. … able to stand up or lie down but is unable to do much else." ... Often farmers clip the pig's tails shortly after birth to avoid the "widespread problem of tailbiting." ... "For ease of cleaning, the pens have concrete or slatted metal floors, and no bedding is provided. ... Foot deformities

> and lameness are common in animals raised on hard floors without access to softer bedding areas."
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> Ninety percent of all pigs are now raised in indoor, near dark, windowless confinement sheds, a stressful existence that includes being underfed and living in a sauna-like atmosphere of high humidity (meant to induce lethargy). Porcine stress syndrome - a form of sudden death likened to human heart attacks - and mycoplasmic pneumonia are common. Once they are the appropriate size and weight, pigs are herded into a crowded livestock truck and transported to the slaughterhouses where they are killed.[3]

There are equally horrid stories of chicks who have their beaks seared off, battery hens who live in dark and cramped conditions, and calves who are separated from their mothers soon after birth and live their short, essentially motionless lives in veal crates. It is hard to describe the conditions without being accused of emotional sensationalism or using shock value to make the point that the conditions in factory farms are cruel and inhumane. While activists must be careful not to use examples such as factory farming techniques immoderately and risk desensitizing or overloading people's sensibilities, this information is extremely powerful and speaks to the fact that the tacit acceptance of these practices is maintained primarily through secrecy and ignorance.

Another contemporary angle from which claims about the rights of animals are played out is the problem of endangered species. Humans (primarily) are causing the complete disappearance of distinct kinds of life often to satisfy trivial consumer demands.[4] The notion that animals have individual *rights*, per se, may be hard for many to accept but the claim that distinct species of plants, insects and animals have a right to continued existence, or that humans do not have the right to cause the disappearance of distinct species, enjoys a greater measure of sympathy. While the focus is often on the

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[3] Carol J. Adams, Neither Man Nor Beast: Feminism and the Defense of Animals, (New York: Continuum, 1994) 97-98.

individual in animal rights literature, the problem of endangered species is also an animal rights issue.

The ethics around the problem of endangered species are closely related to questions about genetic manipulation and cloning. People are suspicious that scientists 'playing God' cannot predict the outcome of mixing and matching genetic information. Moreover, studies are beginning to warn that introducing engineered species will threaten the existence of the 'natural' species. Until now one threshold of acceptability has been the manipulation of human genes and human cloning. However, by taking the gene as the building block or basic unit of all life, the borders between humans and all other kinds of DNA based life become irrational. We already breed engineered pigs that contain 'human' organs to be used in xenotransplantation. By participating in DNA discourse people are compelled to concede that it is either wrong to manipulate genes in general (for human and non-human animals) or that it is acceptable for all types of life.

One of the biggest concerns about genetic manipulation is the corporate ownership and patenting of specific DNA code. The fear is that not only can DNA manipulation allow those with the knowledge and resources to 'play God', but that profit and not moral or ethical concerns will drive the decision-making. The results of unholy interspecies mixing haunts the social imagination already with the example of Mad Cow Disease that seems to have emerged because cows ('naturally' herbivores) were fed the brains of sheep with a brain disease. Interestingly enough, the Creutzfeldt-Jakob outbreak in Europe will probably do more to reduce the consumption of meat than the work of

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[4] Although the people threatening the animals are often not the consumers who demand them, such as the demand for black bear gall bladders in Asia or Tibetan mountain goat wool in New York.

activists who have urged people to recognize the injustice of raising animals in 'inhumane' conditions for human appetites.

Animals figure in diverse and even contradictory ways in our daily relationships with them. Animals are friends, food, and family, co-workers and raw materials, all at the same time. More importantly, animals figure as cyphers who make possible (re)presentation of what it is to be (and not be) human; concepts of animality are intertwined with assumptions and beliefs about humanity. The capacity of animals to embody or reflect human values is a crucial aspect to the 'animal question' which explains, in part, why we treat animals without names, animals who look the same, and domesticated animals differently than wild animals, pets and working animals. In addition, the figurative capacity of animals explains why appeals to the rights of animals, which assumes an undifferentiated, abstract category of the 'animal', often fails to capture the diverse meanings animals hold in the human imagination.[5]

Many human/animal relationships do not involve outright oppression. Even the ones that do are generally cloaked in layers of tradition, invisibility and habit which make them difficult and emotional issues to bring up with friends, much less an apathetic or antagonistic audience. Yet the scale and extent to which we (ab)use animals is abhorrent. It is imperative that people are informed about the lived reality of the animals who die or suffer for human appetites and utility and that political attention be given to this issue. Clearly the hegemonic nature of the ideology that animals are objects, possessions or bodies for our use, is the biggest obstacle to the animal liberation movement.

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[5] In light of these points, it is highly problematic to use the noun 'animal', especially in opposition to the noun 'human'. However, I am not aware of a convenient alternative and will ask the reader to see invisible quotation marks around the term when they do not appear already.

The vehemence and emotion of people dismissing animal rights demonstrates how threatening the idea can be; like so many accepted ideas, the evidence that most justifications for using animals are precarious at best, is found in the heated defensiveness that counterclaims invoke. It is an issue that upsets people because it is so personal. For most North Americans, our alleged affection for and sensitivity to animals is part of our self-understanding; people enjoy wildlife documentaries, adore their pets and are upset by evidence of cruel and unnecessary experimentation on animals. Consequently, most people believe that there is a solid rationale behind any apparent contradictions in their relationships with animals and they resent being asked to provide or explain their justifications for eating meat or wearing fur, for example. In reality most of the justifications people will cite for their choices do not stand up to thoughtful examination.[6] As these common justifications show, our (ab)uses of animals are not based on reason but deeply rooted and seldom questioned norms and traditions. Consequently, well-crafted philosophical arguments have not had the revolutionary effect their architects hoped they would have. At the same time, another reason the animal liberation debate is not accepted in the mainstream *is* due to the limitations of the most prominent arguments and the need for a diversity of approaches.

My approach is distinctly political because I believe that the crux of the situation of animals in a human dominated world is a question of relations of power. The traditional relegation of the 'animal question' to the realm of ethics and philosophy conceals the politics behind our current practices. By insisting that this is a political

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[6] Common justifications include: it would be hypocritical to eat plants and not animals because plants have feeling too; I am just an animal like any other and I eat meat just like they do; or I would not condemn an animal for eating me so it is acceptable for me to eat animals.

question as well as a philosophical problem, I am suggesting that we need to examine human/animal relationships in terms of their power dynamics; that these issues need to be brought into political spaces for consideration, debate and discussion; and that activism and public protest are as important now for the project of animal liberation as thoughts and ideas.

Consequently, I contend that the animal question is best examined along three lines of analysis. First, it is important for arguments for animal defense to emphasize that the non-human animals that share our world are individuals with unique personalities that deserve respect because this compels us to take responsibility for the acts committed against other individuals. Next, a viable movement/theory needs to recognize that the just or ethical treatment of animals needs to consider new sorts of relationships between human animals and non-human animals. On one hand, respecting animals is part of a commitment to the health of ecosystems and accountable relationships with other biotic communities. On the other, it is important to recognize that the oppression of animals is part of a logic of domination that justifies not only the commodification of animal bodies, but numerous human oppressions as well. Finally, a comprehensive approach to animal rights needs to think about the ways that human and animal subjects are co-constructed through discourses such as nature, gender, science, and industrialization/urbanization. Each of these discourses reifies a binary divide between animals (human and non-human), while at the same time drawing from across the divide to define the 'self' and the 'other'. Consequently, what is at stake in the liberation of animals is nothing less than the problematization and reconfiguring of our self-imagination.

The animal rights/liberation approaches of Tom Regan and Peter Singer focus on recognizing animals as individuals and present comprehensive arguments for why we must end the oppression of animals, especially in the food industry and in medical testing. Rights/equality approaches begin with the conviction that, as Mary Midgley has said, "[w]e are not only a little like animals, we are animals."[7] Darwin's theory of evolution, the field of sociobiology, primate studies, and gene research, to name just a few, have deeply problematized the traditional division of humans and animals into two distinct categories. Animals, Singer and Regan argue, have interests which deserve consideration and respect. However, by maintaining a narrow account of subjectivity, which divides moral agents from patients (or the norm from the marginal cases) their approaches fall short of accomplishing their goals. Instead, their arguments reinforce a sharp binary divide between the norm and the marginal (agent/patient) which retains the oppressive potential of the human/animal division in spite of their intention to dismantle this divide.

Likewise, ecofeminist approaches are successful at making connections between ecology arguments and animal rights arguments, especially by pointing out problematic gendered assumptions in much of the deep ecology and animal liberation literature. Val Plumwood, Carol Adams and Lynda Birke explain how divisive, binary thinking leads to the domination of those unfortunate enough to fall on the underprivileged side of self/other binaries, such as white/black, male/female, able bodied/disabled, adult/infant and human/animal. Exposing this logic of domination is vital to understanding how the oppression of animals has been rationalized and how it relates to the oppression of other

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[7] Regan extends this idea to suggest that in a Rawlsian 'original position' one would also be blind to one's final species membership. Mary Midgley, cited in Tom Regan, The Case for Animal Rights, (Berkeley: University of California Press, 1984) 173.

groups. Flattening hierarchical structures in favour of web metaphors for human interactions with nature places the focus on the integrity of biotic communities and the importance of living humbly in ecosystems rather than continuing to act as if we have 'dominion over nature'.

At the same time, holistic perspectives, such as deep ecology and ecofeminisms, are often criticized because they are liable to override the integrity of individuals for the good of the whole. Holistic approaches can be skeptical of individualistic and 'progressive' ideas and are inclined to see individual inequalities as less important than the ongoing functioning of an ecosystem. This is highly problematic for animal rights because ending the oppression of animals requires quite radical change, in some areas. Moreover, ecological perspectives are often open to the problem of manipulating appeals to 'nature'. William Cronon and Tim Luke point out that the vision of 'nature' popularized by the romantic movement and conservationists is caught up in ideas of the pristine, the sublime and the untouched. In particular, this characterization of nature is at odds with human presence. Consequently, arguments about what is 'natural' are powerful political devices which, for example, can place the blame for some environmental problems on the population explosion of the third world instead of the overconsumption by the first world. Or, for example, an appeal to nature can justify the subordination of women or the eating of animals because these practices are 'natural'.

A final line of analysis is presently less common in the animal rights literature yet it is extremely useful because it advocates the deconstruction of the animal(object)/human(subject) dichotomy as the way to destabilize 'human' dominance. Steve Baker, Kathy Ferguson, Lynda Birke and Donna Haraway each problematize the

concepts of 'nature', the 'subject' and the 'animal'. Animality is shown to be an idea imbued with deep political implications and motivations. In particular the territories of humanity and animality are constructed through modern discourses of nature and wilderness, the urban/industrial economy, nature and nationalism, and science and biology. In order to carve out ground for new and different articulations of human-animal relationships, we must deconstruct animal subjects, both human and otherwise, and understand how they are inter-related and co-constructed. I believe that after doing this we will not continue to reify a particular model (the rational, masculine, individualist) of subjectivity that sanctions the subordination of animal others.

The co-construction of humanity against animality makes the commodification, oppression and marginalization of animal bodies for human use possible. Once we problematize this process we can begin to think of ourselves as subjects with others in a broader sense. This subjectivity will be humble rather than arrogant but not afraid of progressive changes to the way we live with and relate to animals. Moreover, acknowledging the subjectivity of animals will acknowledge their individual integrity without limiting it to the confines of an abstract rights paradigm. The complexities of difference, inter-dependency and ecosystems can be embraced in renewed human/animal relationships. By deconstructing subjectivity we can move closer to the argument that animal rights proponents have held for over one hundred years, that humans *are* animals. Both humans and animals are created as subjects through discourses of nature *and* culture and both are subject to preexisting and uncontrollable systems of meaning that are yet always somewhat open to manipulation or resistance. As Donna Haraway has written:

> Biology and evolutionary theory over the last two centuries have simultaneously produced modern organisms as objects of knowledge and reduced the line between humans and animals to a faint trace re-etched in ideological struggle or professional disputes between life and social sciences. ... The last beachheads of uniqueness have been polluted if not turned into amusement parks - language, tool use, social behavior, mental events, nothing really convincingly settles the separation of humans and animals. ... Movements for animal rights are not irrational denials of human uniqueness; they are a clear-sighted recognition of connections across the discredited breach of nature and culture.[8]

[8] Donna J. Haraway, Simians, Cyborgs and Women: The Reinvention of Nature, (New York: Routledge, 1991) 152.

"... some poor little person who's shaking with fear
That he'll blow in the pool! He has no way to steer!
I'll just have to save him. Because after all
A person's a person, no matter how small."

Chapter One:
Critique of Equality/Rights Views and the False Promise to Marginality

When it comes to situations of serious oppression, the appeal of the concepts of equality and rights is powerful indeed. In fact, it is hard to think of examples of emancipatory claims that have not been articulated in terms of rights and equality. Consequently, it is unsurprising that proclamations of animals' rights and equal consideration of interests have been the most recognized arguments for a reformed relationship between human and non-human animals. People concerned with the lives of animals are deeply indebted to the work of animal advocates such as Henry Salt, Tom Regan, Stephen R. L. Clark, Peter Singer, and David DeGrazia. These authors have produced many compelling arguments against the mistreatment of animals based on criterion of equality, rights and justice.

In particular, Tom Regan, in The Case for Animal Rights, focuses attention on individuals who are the 'subject of a life'; Peter Singer, in Animal Liberation, emphasizes individuals who are capable of experiencing pain and pleasure. Consequently the rights/equality viewpoints insist that animals must be granted worth on an individual level that precludes treating them as merely objects or property. For Singer's utilitarian formulation, this means that all animals who have a central nervous system are equal in the capacity to experience pain and hence have an equal interest in minimizing suffering. For Regan, this means that all subjects of a life have the same basic right to have their interest in their well being respected.

However, Singer and Regan's arguments face several problems. To begin with, a rights paradigm involves a set of assumptions that are not easily applied to non-human animals. First, a rights discourse assumes a possessive individual as its basic unit, and is consequently ill suited to protect animals who are defined as possess*ions* rather than possess*ive*. Secondly, rights operate best with the principle of free and equal competition in the public realm, which is a poor starting point for the defense of animals. Finally, thinking in terms of rights is part of a commitment to the enlightenment project of moving away from anthropomorphism or the illegitimate attribution of human qualities to non-humans.

In addition, both of Regan and Singer's arguments turn on a problematic appeal from marginal cases. They point out that many animals have similar or greater mental capacities than 'marginal' humans (infants, the senile, and the mentally handicapped, for example) yet we continue to grant 'marginal' humans considerations that we do not think twice about denying to animals; consequently, the special status given to humans is arbitrary and unjust. This 'marginal cases' strategy points out inconsistencies in our moral reasoning, but unfortunately does so by simultaneously affirming the 'normal', individual Subject defined against those at the margins.

In other words, for both Regan and Singer, the standard to which animals are given equal status or equal rights, is the particular, western liberal understanding of subjectivity. The use of an individualistic, utility-maximizing Subject to stand as *the* universal standard has been attacked from various angles because of its false claim to universality. This traditional construction of subjectivity is central to the history of oppression of animals by humans. Furthermore, even Singer and Regan state that the

mental capacities of non-human animals cannot rival the complexity and value of a 'normal' human, which makes their attempt to break down the barrier between humans and animals problematic.

The human animal/non-human animal relationship is once again configured as a dichotomy with human animals most easily occupying the position of dominance. By maintaining the Subject as the standard against which animals will be measured, Regan and Singer do not question the historical and contextual nature of this particular configuration of the subject and end up reifying the Subject as an ahistorical and universal form. By not problematizing a self/other ordering of the world, which has traditionally been an important factor in the oppression of animals, equality/rights positions continue to marginalize sub-normal (animal) subjects and privilege a problematic and traditionally oppressive 'normal' (human) Subject. It is vital to the project of animal defense to insist that animals experience an individual, subjective existence not unlike our own and a rights/equality discourse has been successful in making this point. However, ultimately this approach is incapable of making a deep enough critique of human abuses of non-human animals because it maintains a problematic binary hierarchy between rational, individual Subjects and marginalized animals.[9]

Tom Regan's makes the most thorough presentation of the argument that animals have rights in The Case for Animal Rights. Tom Regan's approach insists on the inherent value of individual 'subjects of a life'. He contends that individual animals have the same right to the principle of respect as individual human animals and argues that there is no reason to grant consideration to human animals only:

> The rights view, I believe, is rationally the most satisfactory moral theory. ... But attempts to limit its scope to humans only can be shown to be rationally defective. Animals, it is true, lack many of the abilities humans posses. They can't read, do higher mathematics, build a bookcase or make *baba ghanoush*. Neither can many human beings, however, and yet we don't (and shouldn't) say that they (these humans) therefore have less inherent value, less of a right to be treated with respect, than do others. It is the similarities between those human beings who most clearly, most non-controversially have such value (the people reading this, for example), not our differences, that matter most. And the really crucial, the basic similarity is simply this: we are each of us the experiencing subject of a life, a conscious creature having an individual welfare that has importance to us whatever our usefulness to others.[10]

Regan rejects the idea that rights are based on the principle of moral agency, or the ability "to act on the basis of an understanding of the duties that moral agents have to each other."[11] Rights imply more than a set of valid duties and obligations; rather, they are a source of protection for those whose freedom is insufficiently provided for by their agency alone. Although there are authors who have argued that some animals are capable of moral agency,[12] Regan instead posits a division between moral agents and moral patients. Moral agents are responsible for all of their actions under normal conditions; therefore, only moral agents can do 'wrong' and it is wrong for an agent to harm a patient (an infant, for example) regardless of the fact that the patient cannot be held reciprocally accountable for his/her actions. Likewise, we (agents) must not commit 'wrongs' against non-human animals (patients) in spite of the fact that they will not be held to the same moral standards.

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[9] Such as privileging the public over the private, reason over emotion, agents over patients, the same over the different, and the centre over the margin.

[10] Tom Regan, "The Case for Animal Rights" in Peter Singer (ed), In Defense of Animals, (New York: Basil Blackwell, 1985) 22.

[11] Angus Taylor, Magpies, Monkeys, and Morals: What Philosophers Say about Animal Liberation, (Peterborough: Broadview Press, 1999) 46.

[12] See Richard Watson, cited in Ibid, 47.

Regan's understanding of 'rights' derives from his belief in the inherent value of those who are the 'experiencing subjects of a life'. Regan's concept of inherent value is similar to Aristotle's notion that all living things have a telos (end or purpose) and that the 'good' for any creature is that which ensures his/her flourishing.[13] In Regan's vocabulary, 'subjects of a life' (SOALs) have interests (most basically an interest in the prospering of their life) and a corresponding right to have those interests respected. Regan's approach combines the principle of inherent value with a Kantian understanding of moral autonomy. Regan believes that SOALs have inherent value and the right not to be used as means to an end because of their ability to act autonomously.[14]

For Immanual Kant, moral autonomy comes from the ability to act using rationally discerned categorical imperatives; consequently, it would be difficult for Regan to argue that animals act with full Kantian autonomy.[15] Instead, he posits that animals act with 'preference autonomy', which involves having preferences and the ability to initiate action with a view to satisfying those preferences.[16] Animals display preference autonomy when they routinely behave in ways that make their preferences clear, or if, when presented with two options, they make a choice.[17] Creatures that have interests and autonomy have rights, regardless of whether they can think in abstract terms or use language to convey their desires and interests.[18] In Regan's thinking, then, animals have preference autonomy, which assumes a cognizant, desiring individual and the right not to be harmed regardless of whether or not they are morally autonomous.

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[13] Aristotle, The Politics and The Constitution of Athens, Stephen Everson (ed), (New York: Cambridge University Press, 1996) 13.
[14] Tom Regan, The Case for Animal Rights, (Berkeley: University of California Press, 1984) 81.
[15] Ibid., 84.
[16] Ibid., 85.

Because non-human animals have rights, humans have an obligation to respect those rights and not do harm to them. However, there are a variety of ways in which 'harm' can be defined. In particular, if you do not believe that an animal has a conscious interest in the continuation of its life then you may not view a painless death as *harm* done to that animal (a dilemma Peter Singer has with animals of low mental capacity). Regan refutes this possibility by defining two types of harm: inflicted harm and deprivations. Inflicted harm is acute physical and psychological suffering that is inflicted on an individual.[19] Deprivations, on the other hand, can cause harm without suffering when benefits are taken from an individual or when circumstances preclude the benefits necessary for an animal to lead a good life.[20] Deprivation harms may involve acute suffering but this is not necessary. Consequently, a hypothetically painless death must be seen as a critical harm to the animal because it deprives the animal of all future satisfactions.[21] This distinction that a painless death is always harmful is perhaps the most crucial difference between rights and utilitarian justifications for granting consideration to animals.

While the question of animal consciousness is relatively uncontentious for many, people wanting to argue that there is a fundamental separation between humans and animals continue to claim that animals do not, or cannot be shown to have beliefs, desires and interests. R. G. Frey argues that because animals do not have the capacity for language, they cannot have beliefs and desires which would give them interests. He

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[17] Ibid., 85.
[18] Angus Taylor, Magpies, Monkeys, and Morals, 48.
[19] Tom Regan, The Case for Animal Rights, 96.
[20] Ibid., 97.
[21] Ibid., 100.

believes that an animal can no more be said to have interests than a machine could be said to have an interest in proper maintenance.[22] Frey believes that the failure of animals to communicate means that we can only speculate whether animals have desires and beliefs and hence interests: consequently, animals cannot possibly have rights.

Frey's position is taken up by Regan. He points out that infants do not yet speak but they learn language or learn to express their beliefs and desires linguistically, consequently pre-linguistic beliefs and desires must exist or language would not develop at all.[23] Similarly, animals that do not demonstrate the use of language (one, at least, that we are able to translate) can correctly be said to have beliefs and desires (i.e. consciousness) because it is consistent with both observed behavior and the biological similarities between all animals with similar nervous systems.[24] Frey and Regan's exchange is striking because it seems to ignore a large body of evidence about animals and language. We know that whales, dolphins, elephants, and even honeybees, to name only a few, display complex systems of communication.[25] In addition, several primates have demonstrated their ability to learn and use American sign language in sophisticated ways.[26] Moreover, the requirement that animals demonstrate language on our terms arrogantly overestimates our limited ability to understand or translate the diverse forms of animal communication.[27] However, Regan's point (that the existence of language is not relevant to the determination of whether an animal deserves respectful treatment) stands regardless of the evidence that many animals communicate through systems of language.

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[22] R. G. Frey, Interests and Rights: The Case Against Animals, (Oxford: Clarendon Press, 1980) 108.
[23] Tom Regan, The Case for Animal Rights, 78-9.
[24] Ibid., 29.
[25] Tim Ingold (ed), What Is an Animal?, (Boston: Unwin Hyman, 1988).
[26] See Kanzi: The Ape on the Brink of Humanity.

Regan builds a solid case around the right to respect owed to the personal interests of animals. He argues that animals clearly have individual identities because they:

> have beliefs and desires; perception, memory, and a sense of the future, including their own future; an emotional life together with feelings of pain and pleasure; preference and welfare interests; the ability to initiate action in pursuit of their desires and goals; a psychophysical identity over time; and an individual welfare.[28]

Although not all sentient creatures will meet the 'subject of a life' criteria, Regan writes that this does not mean that consideration should be limited to those creatures who are SOALs. The SOAL criterion is a "sufficient, but not a necessary, condition for ascribing inherent value and hence moral rights ... [and] it remains an open question whether moral rights may be ascribed to individuals on other grounds as well."[29] Hence, there may well be other reasons for ascribing rights to very simple forms of life or to a being whose life no longer meets the SOAL criterion, such as a person with severe brain damage. This possibility does not detract from the fact that 'subjects of a life' have certain basic rights. While Regan avoids listing the rights animals hold claim to (i.e. does not draft a 'Bill of Animals' Rights'), it is clear that he believes they have a right not to be harmed by moral agents, and in particular, a hypothetically painless death must be considered a serious harm to all animals who are SOALs.

Peter Singer rejects the concept of rights as the foundation for granting animals equal consideration. He does not agree that all subjects of a life have inherent value but insists that the capacity to experience pleasure and pain unites all sentient beings. Some would be wary of classifying the rights approach of Regan and the utilitarian approach of

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[27] Cynthia Moss, Elephant Memories: Thirteen Years in the Life of an Elephant Family, (Chicago: University of Chicago Press, 2000).
[28] Tom Regan, The Case for Animal Rights, 243.

Singer together because this difference. However, their positions share a great deal in common; the primary difference is that Regan situates inherent value in the 'form' (the animal who has inherent value) whereas Singer locates a universal value in the 'content' (the experiences of the animal). In fact Singer himself (as paraphrased by Angus Taylor) makes the point that:

> ... in proposing his subject-of-a-life criterion for inherent value, Regan is saying that having inherent value cannot be separated from the capacity to have certain sorts of experiences - and surely this renders problematic any distinction between assigning inherent value to individuals and assigning inherent value to their experiences.[30]

Consequently, I will argue that Singer's position shares many of the same problems with Regan's rights paradigm.

Singer's utilitarian stance does not suggest that non-human animals have equal 'rights'. Instead it posits the equality of all beings who are capable of suffering. Utilitarians begin with a basic premise that the only thing that is universally good in itself is the experience of happiness or pleasure, with pain and suffering being universally undesirable. Consequently we should always act to bring about an aggregate amount of pleasure and a minimum amount of pain. Although there is a great degree of latitude for individuals to define what brings them happiness, the experience of pain and suffering in animals is, to a large degree, empirically observable. Since all animals with similar central nervous systems can experience pain and pleasure, Singer insists that there is no rationale for limiting utilitarian considerations to human animals only.

However, while the suffering of all animals should be equally considered, as a utilitarian Singer does not argue that every life has a basic equal value as Regan does.

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[29] Taylor, Magpies, Monkeys and Morals, 52.

Instead, it is the quality of that life that confers value upon it. Consequently, a senile octogenarian's life is less valuable than a vibrant young political scientist's life because of the amount of future satisfactions or happiness that each can experience. In fact Singer believes that the quality of someone's life can become low enough that his/her life is no longer worth living. However, there are other differences between sentient beings that are not relevant to the equal consideration of interests.[31] Singer points out that there are many differences between humans in terms of gender, skin color, intelligence, age, and physical ability, but this does not lead to the conclusion that humans are unequal and should be treated as such.

The analogy between sexism/racism and speciesism makes sense to Singer because each of these prejudices arises from failing to recognize the true equality of the groups in question:

> ... we should make it quite clear that the claim to equality does not depend on intelligence, moral capacity, physical strength, or similar matters of fact. Equality is a moral ideal, not a simple assertion of fact. There is no logically compelling reason for assuming that a factual difference in ability between two people justifies any difference in the amount of consideration we give to satisfying their needs and interests. The principle of the equality of human beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat animals.[32]

As anti-racist and feminist theorists have argued, the claim of equality is not a matter of empirical fact but of moral equality; the differences between animals (human and non-human) are irrelevant to the equal basic ability to experience happiness and suffering shared by all sentient animals.

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[30] Taylor, Magpies, Monkeys and Morals, 56.
[31] Peter Singer, Animal Liberation, 6.
[32] Peter Singer, "All Animals are Equal", in Animal Rights and Human Obligations, Tom Regan and Peter Singer (eds.) (New Jersey: Prentice Hall, 1989) 77.

The argument states further that it is arbitrary to deny certain considerations from animals on the basis of their inferior capabilities when we grant full consideration to humans whose self-consciousness, language and reasoning capacities are less than or equal to those of other animals. Singer suggests that we think about the (hypothetical) example of:

> ... those unfortunate enough to have been born with brain damage so severe that they will never be able to reason, or talk or do any of the things that are often said to distinguish us from non-human animals. The fact that we do not use them as means to our ends indicates that we do not really see decisive moral significance in rationality, or autonomy, or language, or a sense of justice, or any of the other criteria said to distinguish us from other animals. ... There is no ethical basis for elevating membership of one particular species into a morally crucial characteristic.[33]

The utilitarian argument for considering the interests of animals points to the biases in moral reasoning that lead to an unjustifiable discrimination between types of sentient beings and concludes with the directive to act in ways that minimize suffering and maximize 'the good' for all animals.

The suggestion that non-human animals do not suffer (both physically and mentally) in essentially the same way human animals do is almost impossible to argue. Even those whose activities require the claim to vast differences between humans and animals often rely on their similarities. For example, Mary Midgley describes how the philosophy of hunting requires the hunter to view his [sic] prey as a worthy adversary in a fair fight and not as a stupid creature who is incapable of performing a clever escape.[34] In addition, as Singer points out, people who use live animals for experimentation "need to

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[33] Peter Singer (ed), In Defense of Animals, (New York: Basil Blackwell, 1985) 6.
[34] Mary Midgley, Animals and Why they Matter: A Journey Around the Species Barrier, (New York: Penguin Books, 1983) 16.

stress the similarities between humans and other animals in order to claim that their experiments may have some relevance for human purposes."[35]

Animal experiments are often used to measure the toxicity of certain chemicals, such as the famous Draize and LD50 tests, which figure prominently in animal liberation publications because these tests cause shocking amounts of suffering for the test patients.[36] These tests of course presume that the bodies of similar animals - rabbits and humans, for example - will react in the same way to toxins. In addition, a large number of animals are used in psychological studies, which assume similar mental structures and capacities between human and non-human animals. For example, since 1955 over seven thousand monkeys and chimpanzees have been used in maternal deprivation studies where severe depression was induced by the separation of infants from their mothers.[37] The primary assumption behind the studies was that inducing depression in primate infants would let researchers learn more about depression in humans.

It is undeniable that Regan and Singer's scholarship has made it harder to justify treating human animals and non-human animals by radically different standards. However, while Regan and Singer suggest dismantling the divide between human subjects and animal objects by insisting on their similarities, they invoke a new divide based on margin and centre where non-human animals are still defined against the subjectivity of the centre. The qualities that define the centre (use of reason, language, autonomy) have not changed. What has changed is that whereas the margins used to be

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[35] Peter Singer, Animal Liberation, 40.
[36] The Draize tests place chemical irritants in the eyes of rabbits and the Lethal Dose 50 tests force feed animals a substance until fifty percent of the test group dies in order to ascertain the levels at which the chemicals are considered toxic for humans.
[37] Peter Singer, Animal Liberation, 35.

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[37] Peter Singer, Animal Liberation, 35.

populated by animals alone in the human/animal divide that Singer and Regan criticize, it is now home to animals and marginal humans in the agent/patient divide espoused by both theorists. Consequently, a rights/equality defense and the argument from marginal cases are inadequate in several respects for the aspiration of ending human privilege and human abuses of non-human animals.

To begin with, it is unclear whether the protection offered by a rights framework outweighs its problems for non-human animals. An animal rights perspective must deal with three basic criticisms of rights paradigms. First of all, 'rights' rest on a valuation of property and ownership; a paradigm that privileges 'owners' raises problems for animals who are generally 'owned'. Next, rights work in the sphere of the public but do not fare so well in the private sphere. Consequently, norms of the public sphere (for example, competition over cooperation) become the universal standard, which is problematic for animals. Finally, a rights discourse commits us to the enlightenment project of disenchanted rationality. Such an anthropocentric standard will have to be stretched in order to grant non-human animals a truly equal status to human animals.

We typically speak of *having* 'rights', although it is also consistent to say that rights can be *acquired* as well. In both cases, 'rights' are a substance, or property, that is owned by the rights-'holder'. This is unsurprising given the context of the historical development of 'rights', where proponents of rights were preoccupied with providing protection for property owners against a tyrannical aristocracy. Ownership then is critical for making a successful rights claim; as Elizabeth Wolgast writes, a right "guarantees a

benefit to the possessor."[38] Consequently, rights are poorly situated to defend 'property' against 'property owners'.[39]

For example, arguing that a certain animal has a right not to be killed by his/her owner would have to counter the property 'rights' of animal owners to be able to 'destroy' rightfully owned property. In The Odyssey, the returning hero kills seven of his slaves; he considers them property, with which he can do as he wished, and therefore does not think twice about ending their lives. The history of the emancipation of slaves in Europe and North America seems to suggest that rights can be valuable tools for an oppressed group who are defined as property. However, the use of rights to argue against slavery posited that a classification error had defined certain people as property when in fact they should have been included in the category of property owners. This classification correction is not so easily applied to animals.

In Canada, as in most legal systems, non-human animals are always given the status of property. In a recent presentation at the University of Victoria, a local animal rights activist stated that his experience with Canadian law demonstrates to him that our society values property over life.[40] He claimed that after being arrested for breaking and entering and the unlawful abduction of cats, who would have been used in spinal cord research at the University of Alberta, he was denied bail because of the risk he presented

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[38] Elizabeth Wolgast, "Wrong Rights," (*Hypatia* vol. 2, Winter 1987) 26.

[39] I was reminded of this point while watching an episode of Star Trek where Captain Picard must prove that Data is not the property of Star Fleet but is in fact a person (a Star Fleet scientist wanted to dismantle Data to learn how to make other complex androids but he was not certain he would be able to rebuild Data). Star Trek generally finds animals trivial and it is very interesting how all the diverse alien species in the universe maintain a sharply delineated human/animal divide (Data's pet cat Spot is one of the only 'animals' on board the Enterprise), however, since almost every episode is about what it means to be human, the animal (alien) question is a running theme.

[40] Presentation by David Barbarash hosted by the Victoria chapter of Citizens for the Ethical Treatment of Animals, December 1, 2000.

to society. He found it ironic that jail mates who were charged with murder and assault (in other words, with the destruction or harm of life rather than property) were often granted bail. He postulated that because he posed a threat to 'property' he was considered too dangerous to be let out on bail.

An added dimension is that for animals in Canada, their status as property does not depend on their being alive. Whether or not an animal's property value changes after death depends on the circumstances. One is often said to 'destroy' animals whose material value will not increase with their death. The use of the verb 'destroy' demonstrates how animals are considered commodities or property not unlike Cadillacs, cameras and clocks. In addition, the way we label pieces of animal bodies also affirms their nature as property that cannot in turn have property of its own. In other words, we talk about 'leg of lamb' and 'chicken wings' instead of a 'lamb's leg' or 'chickens' wings'. The insistence that animals do not even have a valid claim to ownership of pieces of their bodies points to the problems that rights as possessions present for animal liberation.

Finally, unless we reject all 'unnatural' on non-consensual human/animal relationships or contact, which some animal defenders do, it is unclear how we could continue to have positive relationships within a paradigm of rights. In almost all cases where there are close relationships between animals and humans there are guardian or ownership issues involved. Arguments that cannot address ways to oppose the human maltreatment of animals with regard to a wide variety of existing types of relationships (for example, not only 'property and owner' but 'guardian and charge' and 'worker and coworker') are inadequate for dealing with the complexities of the situation. Most

basically, the hope of appropriating a system that places so much importance on being a property owner in order to liberate creatures that are 'property' by definition, is a fairly faint one.

In addition, a discourse of rights commits one to a narrow set of assumptions that make 'rights' reasonable in a limited setting: "One cannot think in terms of rights without tacitly invoking the whole conceptual structure on which such thinking rests, … [which] ... evokes a picture of persons as atomistic, asocial, and primarily egoistic."[41] In particular, rights provide basic protections for equal individuals in a competitive arena. Mary Midgley has made the point that the discourse of rights "has developed within a liberal tradition that emphasizes the pursuit of self- interest."[42] John Hardwig argues that "we need the category of rights to generate an ethics of *impersonal* relationships" but for personal relationships "thinking in terms of rights is both insufficient and dangerous."[43] His point is that the situations in which rights are useful and appropriate concepts are limited to the public sphere. The private sphere, on the other hand, is one where mutualism, caring and cooperation are more appropriate than 'rights'. Iris Marion Young makes a similar point when she writes:

> This 'ethic of rights' corresponds poorly to the social relations typical of family and personal life, whose moral orientation requires not detachments from but engagement in and sympathy with the particular parties in a situation; it requires not principles that apply to all people in the same way, but a nuanced understanding of the particularities of the social context, and the needs particular people have and express within it.[44]

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[41] John Hardwig, "Should Women Think in Terms of Rights?" in Cass R. Sunstein (ed.) Feminism and Political Theory. (Chicago: University of Chicago Press, 1990) 61.
[42] Angus Taylor, Magpies, Monkeys, and Morals, 60.
[43] John Hardwig, "Should Women Think in Terms of Rights?" 67 (italics mine).
[44] Iris Marion Young, Justice and the Politics of Difference, (Princeton: Princeton University Press, 1990) 96.

Certainly Hardwig's point that an atomistic and competitive conceptual framework is not universally applicable is valid; disregarding the odd extreme situation, few people actually interact with other animals on these terms.

Pursuant to this observation, rights are ideally suited to provide protection from negative forces but are ineffective at according positive values or entitlements. In other words, I can argue that I have a right not to be attacked and beaten up but arguing that I have a right to be loved or admired is an empty claim – a rights claim alone cannot deliver this 'good'. Consequently, while rights might protect a dog from being kicked, starved or killed, a strictly rights-based framework would not provide beyond this bare minimum of care. Moreover, rights claims can always be trumped by other claims from more marginalized or imperiled claimants. For some, animals in western society are the ultimate victimized group (especially animals living in factory farms, laboratories or zoos) and hence a claim to 'animal rights' is not threatened by counter claims to the 'right to eat meat' or the 'right to be entertained'. However, consider the problem that some diabetics experience potentially deadly reactions from Humulin (manufactured) insulin and have expressed to the Canadian government that they have *a right* to a supply of pork or beef insulin. If rights are the only criterion for judgements like this then non-human animals are only protected in so far as they can be portrayed as the most victimized group.[45]

Hardwig's discussion raises further problems for relying on rights to make the argument for animal liberation. His thesis maintains the strict separation of public and

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[45] This paragraph is based on some of Michael Ignatiff's observations from his 2000 Massey Lecture entitled "The Rights Revolution", aired on Ideas on CBC Radio, March 26, 2001. The information about

private and assigns clear gendered norms to each sphere. Not only does this ignore the fact that the public/private divide is hardly so clean (after all, the feminist motif 'the personal is the political' has shown us that the 'public' *is* in the 'private' and vice versa) but it also continues the denigration of the private and the relegation of so-called 'feminine' values to the private sphere. Mutualism, caring and cooperation are not truly exalted as worthy values but are trivialized as worthy values only in the marginally important private sphere. As possible guiding principles for our relationship with animals, caring and compassion are positioned by a rights paradigm as inferior to the principle of free competition between equals in the sphere where political decisions are made, namely the public sphere. In other words, while Hardwig points out the limitations of thinking in terms of rights, the alternatives of caring and cooperation are still segregated from public sphere, as if the limitations of a rights paradigm are only a problem if they intrude into the private sphere.

In addition, the public/private divide corresponds with a culture/nature dichotomy, which privileges culture over nature with important implications for the project of recognizing animals' rights.[46] Culture is defined as the transcendence of hu(man) agents over the biologically determined world of nature. Animals are, by traditional definition, assigned to the side of nature because they are presumably unable to transcend their biology.[47] Although rights are often referred to as 'natural rights', nature is not generally

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the reactions of some diabetics to Humulin insulin comes from a Marketplace report, which aired on CBC Television on March 2, 2001.

[46] Carole Pateman, The Disorder of Women, (Cambridge: Polity Press, 1980) 124-5.

[47] Domesticated animals may be brought into the world of culture but they are still determined by their biology, hence the breeding of animals for their specific personalities, abilities and traits (i.e./ sheep dogs, guard dogs, and Abyssinian water cats).

considered to operate on a principle of mutual recognition of the rights of others.[48] It is only when culture is able to transcend the brute realities of 'nature' that we can live with others in a way that accords with respect for certain basic rights.

Consequently, a rights discourse with its privileging of the public, places animals on the margins in two ways. First, as outsiders from culture and the public sphere, animals are deemed tangential to the central values and concerns found in the realm where rights have currency. Secondly, privileging the public implicit in rights thinking forces animals to compete as equal claimants on a competitive 'playing field'. Consequently, the rights paradigm marginalizes other possible ways of relating to animals, especially 'feminine' relational values, and maintains the competitive field-of-equal-rights-claimants view.

A final concern with rights positions, as well as utilitarian ones, in terms of the liberation of animals refers to the uncritical commitment in rights thinking to the program of enlightenment. In order to overcome superstition, myth and disorder, the trajectory of enlightenment has abstracted, classified and rationalized the world around us[49] to, some would argue, the detriment of animals because the "enlightenment has always taken the basic principle of myth to be anthropomorphism, the projection onto nature of the subjective."[50] In other words, enlightenment thinking, primarily through scientific reason, disengages animals from their 'illegitimate' subjectivity (evident in folk wisdom, fairy tales and animistic beliefs) and renders them objects to be understood and controlled.

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[48] For example, Thomas Hobbes proposes that there is only one right in the 'state of nature', which is the right to use any means to protect your life. Only in society (culture) do more valuable rights come into play (such as the right to consent to be governed).

[49] See Val Plumwood, Karen J. Warren and Timothy W. Luke.

According to Max Horkheimer and Theodor Adorno, explanation, whether through myth or scientific reason, is an attempt to organize the unknown and make it less frightening; "man imagines himself free from fear when there is no longer anything unknown."[51] However, "men [sic] pay for the increase of their power with alienation from that over which they exercise power."[52]

This tension between the fear of the unexplainable and the alienation of subject masters from disenchanted objects is important to the question of animal rights. Taking enlightenment thinking to its (il)logical extreme, Descartes saw animals as nothing more than complex objects and Cartesians performed countless vivisections on living animals. For Regan and Singer, this signifies the Dark Ages in terms of cruelty towards animals and they posit that from there we have been progressing toward a more enlightened relationship with animals.[53] However, as Adorno and Horkheimer point out, the promises of enlightenment have corresponding dangers and Regan's rights position also abstracts, classifies and rationalizes animals at the same time as he attempts to re-anthropomorphize them through his concept of the inherent value of SOALs.

The abstraction and detachment (disenchantment), to which both scientific reason and rights philosophy ascribe, are problematic for those that want to argue from an embedded and embodied position. As animals (like women and racialized people) are defined by their bodily deviance from the abstract, detached and disembodied standard, a critique of the process of abstraction, detachment and objectification of the disorderly

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[50] Max Horkheimer and Theodor W. Adorno, Dialectic of Enlightenment (John Cumming translator), (New York: Continuum, 1994) 6.
[51] Ibid., 16.
[52] Ibid., 9.
[53] See Chapter 5, "Man's Dominion" in Peter Singer, Animal Liberation, (New York: Avon Books, 1990).

deviant, is crucial for their 're-enchantment', or the recognition of their subjectivity. Without addressing the tension behind the enlightenment concept of rights, Regan's case for recognizing animals' rights falls victim to the same instrumental logic he tries to employ.

Both Regan and Singer must also deal with the problems that arise from their reliance on the 'argument from marginal cases'. The argument states that since we could not justify treating humans with limited mental and/or physical capacities (babies, the insane, the senile) as resources for the use of 'normal' humans, it is hypocritical to use animals whose capacities are equal to or greater than these 'marginal' humans, in this way. Singer argues that this double standard is the result of an illegitimate prejudice that he labels 'speciesism'. Regan uses the argument from marginal cases to argue for the distinction between moral agents and moral patients.

The argument from marginal cases bespeaks the contradiction that treating human animals in the same way we treat many non-human animals of equal capabilities is inconceivable except perhaps as the plot line for the most disturbing horror movies. Moreover, this argument utilizes the information we have about systems of communication used by many animals, complex social rules that exist in many animal communities, and evidence of altruism or a sense of 'ethics' in some animal communities.[54] Consequently, the argument from marginal cases not only capitalizes on the consideration given to 'marginal' humans but also insists upon giving animals the credit they are due.

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[54] See D. R. Griffen, Animal Thinking and others.

Yet, Singer's view assumes that while all creatures must be treated in ways that limit pain and privilege pleasure, some creatures will 'know' the consequences of their actions (and can thus act in accord with the principle) while others do not have this capacity: namely marginal humans and non-human animals. Likewise, although Regan's rights position attributes rights to all conscious creatures with an identity, he makes a clear distinction between creatures who can act with full Kantian moral autonomy and those who act with preference autonomy. Consequently, the implications of this argument are more dangerous than Regan and Singer allow.

There are several problems with the 'argument from marginal cases'. First, the use of a universal standard conceals the history or politics behind the advent of this particular criterion to stand as an ahistorical, ultimate standard. Secondly, when Singer and Regan affirm the central position of the 'normal' being, those who differ from the norm remain marginalized. The use of the 'argument from marginal cases' in both positions forecloses the possibility for multiple articulations of subjectivity that deviate from the standard definition, not only for non-human animals but for 'marginal humans' as well. Thirdly, the agent/patient division, which declares most non-human animals to be 'patients', denies the power, capabilities or agency of non-human animals. This conception ignores many of the types of interactions that people have with animals and the fact that human animals do not stand above all other animals (for example, humans are also vulnerable to predators just like other animals). Finally, the binary division of agents and patients, or 'norms' and 'marginals', fails to criticize the fundamental binary logic that has contributed to the problem of mistreating animals because non-human animals. A binary

evaluation system requires that a being can only be one of two things: either 'one of us' or an 'other' who should be feared, tamed, utilized, or segregated.

The central problem with the argument from marginal cases concerns the legitimacy of reducing the differences between all animals, human and non-human, to a single or a narrow set of standards, to which all claims of equality must refer. Claims of equality are important for breaking down dominance hierarchies; however, treating people as 'similar' begs the question of 'similar to what or whom'? The answer to this question reveals subtle subordinations that reduce various different groups or individuals into a common category that conceals its historical, political or contingent nature. In considering the rights of animals, the reduction of all things termed 'animal' (including humans) into a unified category conceals the very differences that, arguably, make individual animals or species what they are. The abstract, single classification 'animal' becomes almost absurd, yet with powerful political ramifications.

Scientific reason has tended to abstract from diversity into coherent and manageable categories that inevitably ignore important differences. Regan and Singer both use an abstract approach to reduce differences into rationally generated rules for inclusion or exclusion. Detachment and abstraction deny the embodiment of animals and foreclose alternative ways of relating to animals in terms of caring, non-interference and cooperation. Marion-Young summarizes these points nicely:

> I argue that the ideal of impartiality in moral theory expresses a logic of identity that seeks to reduce differences to unity. The stances of detachment and dispassion that supposedly produce impartiality are attained only by abstracting from the particularities of situation, feeling and affiliation, and point of view. These particularities still operate, however, in the actual context of action. Thus the ideal of impartiality generates a dichotomy between universal and particular, public and private, reason and passion. It is, moreover, an impossible ideal,

> because the particularities of context and affiliation cannot and should not be removed from moral reasoning. Finally, the ideal of impartiality serves ideological functions. It masks the ways in which the particular perspectives of dominant groups claim universality, and helps justify hierarchical decsionmaking structures.[55]

Both utilitarianism and rights approaches cannot deal with animals in a way that truly respects or grants consideration to those who differ from the exalted norm.

Ironically, the difference critique often acts to affirm the belief in primary essential differences which statements of equality are meant to contradict. For example, radical feminist positions not only insisted on women being recognized for their different needs but also reified the idea that women really are different than men (i.e. *really were* meant to be nurses and not doctors, or that violence *really is* a masculine trait). Instead, the point is that the use of a single standard against which all individuals are measured ignores and suppresses differences that matter and that can be considered in a more contextual way. Moreover, it is the politics behind the establishment and suppression of differences (the politics behind what gets called different and how those considered different are treated) that can be more relevant than the differences themselves. The appeal to a single accepted standard conceals the inability of theorists to deal with the moral concerns around the oppression of animals without recourse to a set of problematic assumptions about the modern Subject.

Another concern is the implications from categorically classifying non-human animals as 'patients'. Is it appropriate to consider grizzly bears, antelopes and Orcas - even rats, rattle snakes and raccoons - as 'patients'? Human moral patients are generally very young, very old, severely mentally disabled and/or psychologically disabled. In other

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[55] Iris Marion Young, Justice and the Politics of Difference, (Princeton N.J.: Princeton University Press,

words, as the term suggests they are almost always dependent on human 'agents', often passive, and if they are considered dangerous to themselves or others we generally condone monitoring and restraining them. It seems odd then to equate human patients with all animals, and in fact, Regan does compare wild animals to agents because of their independence from humans.[56] The 'patient' designation is strategically ideal for making the argument for more respectful treatment of animals whom we confine, kill and/or (ab)use but it does not make sense to apply this classification to all non-human animals. This trivializes the agency of non-human animals and continues the chauvinism of placing human animals above non-human ones.

Finally, arguments from marginal cases are dangerous because they do not problematize the fundamental binary self/other structure of modern western thinking that has marginalized non-human animals (along with many other famous 'others' like women, racialized people and homosexuals). The strategy of using the margins to challenge the centre runs into an unavoidable problem because in so doing it also reifies the centre *as* the centre. Arguments from the margins privilege the centre even while the point is to critique it. To return to the example of radical feminism, in the 1970's and 1980's radical feminist positions simultaneously challenged liberal feminist views (which were held to be the moderate mainstream views) and maintained the dominant position of liberal feminism by constituting the marginal borders against which the central, mainstream feminism could be defined.

As a result of these problems, there are contradictions in Singer and Regan's work. For Singer, there is a contradiction between his mantra that 'all animals are equal'

1990) 97.

and the utilitarian focus on the varying value of a life. In particular, a binary divide persists between animals who can be moral agents (humans) and animals who cannot make moral decisions, and as a result, human animals are considered superior in ways that do matter. For example, human animals are able to reflect upon the morality of eating flesh while non-human animals are not:

> The point, of course, is that nonhuman animals are not capable of considering the alternatives, or of reflecting morally on the rights and wrongs of killing for food; they just do it. ... Every reader of this book, on the other hand, is capable of making a moral choice on this matter. We cannot evade our responsibility for our choice by imitating the actions of beings who are incapable of making this kind of choice.[57]

In other words, while the capacity to suffer is the primary criterion for moral consideration, the 'fact' that normal humans are moral while marginal humans and animals are not, *is* significant. Certain capacities make 'normal' humans better than marginal humans and non-human animals. This leads Singer to the inevitable conclusion that the life of a 'normal' human is more valuable than the life of an orphaned infant, a mentally challenged person or a chimpanzee.[58]

This example illustrates that in spite of Singer's intentions to reject the treatment of animals as objects, his evaluation of different levels of animal capability is not entirely different from standard assumptions made about the relative worthlessness of animals. Since Singer compares speciesism to racism and sexism, one might expect him to present a theory that is informed by this history of anti-racist and feminist activism and theory. David DeGrazia points out that the mistake of translating equal consideration as equal

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[56] Tom Regan, The Case for Animal Rights, 243.
[57] Ibid., 225. I agree with the intent of his statement but think it is somewhat arrogant to say that humans have a monopoly on morality (our history in the Twentieth century alone shows this to be problematic).
[58] Michael Specter, "The Dangerous Philosopher" in *The New Yorker*, (September 6, 1999) 48.

treatment, and failing to take the different interests of individuals into account, is made by most writers of the animal liberation genre.[59] Consequently, Singer's argument is open to a 'difference' critique because he exaggerates the similarities between 'species' to the detriment of important differences between species and individuals within species.

Regan also perpetuates a dualistic vision that privileges 'normal' humans as solely possessing the highest, most valuable, capacities. In order to argue that full respect is due to non-human animals he must find a way of extending rights to animals without the corresponding duties often associated with rights.[60] By asserting that patients are due respect regardless of their capacity to fulfill the duties corespondent to rights, he satisfies this demand. This tension is evident in Regan's description of a 'subject of a life'. In his configuration of the preference-autonomous subject, Regan is conflicted by both wanting to affirm the agency of animals as SOALs, yet also needing to make his argument by comparing animals to humans whose agency is severely restricted. In fact, Regan's choice of the phrase 'subject of a life' is revealing in its passive structure. Regan must feel that simply using the word 'subject' is too strong and would be open to critique. 'Subject of a life', however, implies that the creature in question is somewhat of a passive vessel who is the subject of an animating and mysterious life force; in other words, the creature in question is not a full agent or Subject. And in concert with Singer, when forced to choose between the life of a 'normal' human and a 'marginal' human, Regan appeals to what he calls our intuitive beliefs that we are justified in choosing agent lives over patient ones.[61]

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[59] David DeGrazia, Taking Animals Seriously: Mental Life and Moral Status, (New York: Cambridge University Press, 1996) 47.

[60] Regan is by no means the only rights theorist to suggest that rights do not have to be reciprocally recognized. See the work of Joel Feinburg.

[61] Tom Regan, The Case for Animal Rights, in his lifeboat scenario, 365.

In spite of Regan and Singer's commitment to viewing animals as individuals whose interests are morally relevant, their failure to recognize the important differences between different sorts of animals is problematic. Singer and Regan both perpetuate the unquestioned exaltation of a narrow account of the Subject, which potentially jeopardizes possibilities for the subjectivity of 'other' humans and animals. Both authors have gone a long way towards challenging the human/animal divide and towards questioning assumptions that have justified the objectification of animals. Yet the promises they make in terms of the emancipation of animals are impossible to meet because they rely on a problematic centre/margin division of humans and animals, which continues to marginalize animals in the same way that so many humans have been relegated to the margins.

The point is not that there is no basis for making the decision between taking my sister's life or my cat's life (assuming that such hypothetical examples do exist in 'real' life). Rather, the point I wish to make is that the rights/equality approach fixes this dilemma within these difficult abstract and decontextualized terms, which precludes the possibility of dealing with these questions through any other lens. As Chapter Two will suggest, there are other relevant considerations and approaches to reformed relationships between animals. Concern for the flourishing of ecosystems; examining an oppressive framework that explains a number of familiar discriminations; and approaching relationships with 'others' in terms of care, are all important considerations for human/non-human relationships, which are difficult to examine under a rights/equality paradigm. Moreover, Regan and Singer (re)produce another version of the human/animal divide when it is possible to instead deconstruct the central Subject and discuss of how

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marginal animals in fact figure in and define the centre. Consequently, Chapter Three will explore how non-human animals figure in the construction of 'humanity' and how the deconstruction of both human and non-human subjects leaves the relationships between us open for questioning, reimagining and reconfiguration.

In spite of the many criticisms of Regan and Singer's positions, the equality/rights argument continues to be important for animal liberation or several reasons. To begin with, the emphasis on the value of the individual is important. Much of our abuse of animals is made possible because we do not see the food we eat, the skins we wear or the test patients we use, as individuals rather than indistinguishable, undifferentiated and disposable commodities. If we stopped to consider how the animals we use and kill have individual identities in the same way as our pets, our human community, and animal co-workers, it would not be so easy to stomach the enormous scale with which we use and consume animal lives. Because so many of the animals we (ab)use appear as anonymous, interminable clones, generally living in groups of thousands if not hundreds of thousands, they seem endlessly disposable and replaceable. It is easy for us to treat them as a renewable resource and not as thousands of individuals with unique personalities who should not be made to suffer and whose lives have value to themselves. It is particularly worrisome to see how the innovation of genetic cloning has strengthened the attitude that animal bodies can be disposable products created by humans for the use of humans. As not only animal bodies but also animal genes become legally defined as property, it is crucial that we recognize each animal's individual, subjective existence so that we prevent the exploitation of animal bodies as little more than genetic science experiments.

Another benefit of rights/equality positions is that they give one recourse to absolute standards and inalienable claims to protection. The principle of equality is very powerful once you have made a convincing claim that you are a member of the community of equals; it is a principle that has been historically vital for the emancipatory claims of many groups. Likewise, the positing of 'rights' insures certain basic protections and liberties for those considered to be rights-holders. Without these concepts the argument for respectful treatment of oppressed groups becomes somewhat more difficult. A statement of rights or equality has a monolithic ability to conclude an argument: if one is equal, and if one has rights, then there is not much more to be said.

There are two recent developments that suggest that this approach is still very relevant and important. The first was the recent Supreme Court of Canada decision that upheld Robert Latimer's life in prison sentence for killing his severely disabled daughter. The court has said that someone, even in the 'inhumane' state (according to some standards[62]) in which Tracy lived, maintains an intrinsic right to consent to the ending of his/her life. If it was unacceptable for Robert Latimer to assume that his daughter consented to the termination of her life, then it is reasonable to argue that dogs, pigs and cows are equally unconsenting to their untimely deaths. A legal case can now be made that the same right to life, or a version thereof, ought to apply to healthy, expressive, communicative animals whose lives matter to themselves regardless of how far short of a 'human' standard their quality of life might fall. A second example involves proposed

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[62] When compared to the standard of a 'normal' human life, Tracy did not seem to have a 'good' life. She was a quadriplegic, she could not speak, she had the mental capacity of a four-month-old, and she suffered constant pain. However, the Court believed that she enjoyed a sufficient degree of quality of life: "Tracy enjoyed music, bonfires, being with her family and the circus. She liked to play music on a radio, which she could use with a special button. Tracy could apparently recognize family members and she would express

legislation before the Swiss government to define some animals as legal subjects with specific rights. This is extremely exciting for animal rights proponents and demonstrates that claims of rights can be very powerful.

The work of Regan and Singer has been invaluably progressive by insisting that the suffering of animals is as equally important as the suffering of humans, and by arguing for the inherent value of subjects of a life. However, what is the price for this rhetorical ammunition? At its most fundamental level, the price is the possibility that the groups or individuals in question might not make it into the community of equals. You can only be granted the protection of equality/rights if you agree to the accepted ground rules, or the central standard to which all applicants will be measured. For animals, this proves to be an awkward promise. The burden of proof is placed on Regan and Singer to prove that animals are sufficiently like humans in the ways that matter. I argue that this project is only a small part of the solution. In addition to demonstrating the 'humanity' of animals we need to explore other ways of relating to animals, to displace the position of dominance given to the central Subject (the prototypical 'normal' human), and to recognize how animals figure in various ways in our own self-definition.[63]

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joy at seeing them. Tracy also loved being rocked gently by her parents". Quoted from court decision available at: http://www.lexum.umontreal.ca/csc-scc/en/rec/html/latimer2.en.html.

[63] Which is not to suggest that the project of demonstrating the humanity of animals has not been powerful, successful and useful. Consequently, Regan and Singer's work should not, of course, be dismissed or under appreciated, but should be seen as one particular strategy that is appropriate in a limited context.

So, gently, and using the greatest of care,
The elephant stretched his great trunk through the air,
And he lifted the dust speck and carried it over
And placed it down, safe, on a very soft clover.

Chapter 2: Ecofeminist Alternatives

In considering other ways to approach human-animal relations, ecofeminist literature provides important critiques, alternatives, and insights into the issue of animal liberation in three ways. First, it stresses thinking of webs of relations rather than rules of justice. Second, ecofeminism exposes a common 'logic of domination' that underlies the oppression of many groups. Finally, ecofeminism is instructive in terms of advocating the importance of an ethic of care. Ecofeminism has roots in the environmental movement, in radical feminist movements that extolled 'feminine' virtues, and in various peace and social justice movements. Authors falling under the umbrella of ecofeminism have a diversity of arguments, however there are several prominent authors who propose an ecofeminist approach to animal liberation. In particular, Val Plumwood, Carol Adams, Karen Davis, and Noel Sturgeon point to various similarities between the oppression of women and the oppression of animals and 'nature' and stress the importance of living in harmony or humbly with 'nature'.

Ecofeminism recognizes the value of feelings of connectivity with 'nature' and an ethic of respect for the integrity of ecosystems. The ecofeminist concern for the health of the 'ecological web' and the desire for humans to live more equitably with other members of that web are similar to the goals and philosophy of deep ecology, both of which emerged as more radical approaches to the conservationist and environmental movements. Both deep ecology and ecofeminism have attempted to reconnect 'alienated'

humans with 'nature' by moving away from rules of justice based on abstract principles and instead based on principles of connection and ecological responsibility. This goal is perhaps less easy than it might appear. The case of deep ecology is instructive because as Val Plumwood and Tim Luke point out, it unwittingly perpetuates a self/other partition, which continues to justify some form of human dominance and avoids problematizing the intricacies of the divide itself. This problem is similar to Regan and Singer's problematic approach to the Self or the Subject as self-contained, individualistic and in competition with the world around it. Consequently the attempt to move beyond individually centered rules of justice and towards relational thinking is beset with pitfalls.

Some of the problems associated with the view of subjectivity expressed by Singer, Regan and deep ecology can be better understood by examining an underlying 'logic of domination' that lie beneath the subordination of many 'others'.[64] Karen Warren uses the phrase to describe how remarkably similar forms of binary hierarchical subordination emerge between very different oppressed groups, such as black people, poor people, women and nature. Likewise, Carol Adams attempts to counter a widespread acceptance of the practice of eating animals by drawing a connection between the legitimating myths or practices behind the oppression of women and animals. Both are subordinated by a 'logic of domination' that objectifies female and animal bodies and utilizes them in ways that deny animals and women their subjectivity. In particular she is concerned to point out the connections between sexism and the mass slaughter of animals

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[64] Karen J. Warren. "The Power and Promise of Ecological Feminism", in Donald VanDeVeer and Christine Pierce (eds.), The Environmental Ethics and Policy Book, (Belmont CA: Wadswroth Publishing Company, 1994) 268.

in what she calls the 'animal industrial complex'.[65] Examining the 'logic of domination' helps us to recognize how and when difference gets translated into differing worth and helps expose the legitimating myths that enable, sustain and underlie this logic.

In addition, ecofeminism affirms the positive potential for understanding and guiding interspecies relations in terms of compassion and nurturing. As an alternative to the ethic of justice approach found in the animal rights/equality literature and much environmental literature, caring allows compassionate relationships between human and non-human animals, which are not constrained by reciprocity or logical principles. This possibility is similar to the position held by Reverend Andrew Lindzey that Christian morals suggest that our relationship with animals should be one of love. Not all proponents of an ethic of care agree that animals can be participants in relationships of care. Nel Noddings writes that care does in fact require the possibility of reciprocity and consequently does not extend to animals. I argue that the potential for care has been shortsightedly overlooked and dismissed by many in the animal rights genre (as well as other social justice debates) and it must be given due consideration as part of improved relations between human and non-human animals.

Arguing the superior benefits of an ethic of care has often been criticized for reifying essentialist gender assumptions. In fact, ethic of care proponents, feminist theories, and environmental perspectives have all been criticized for affirming essentialist assumptions in the central tenets of their philosophies. Essentialism posits fundamental and unchanging characteristics to exist in certain groups and can be dangerous because of the power imbalances, positions of authority, and exclusion of counter-identities that are

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[65] Carol Adams, Neither Man Nor Beast.

implicit in essentialist assumptions. Assuming that a natural essence unites all the members of a group permits normative and empirical claims about *all* women, *all* animals or *all* constituents of 'nature'. These universal claims elide the politics involved in representing a group or advocating 'the good' for a group, which occurs as part of a larger purpose or set of truth claims, consequently, advocating the benefits of the ethic of care must be aware of the dangers of essentialist assumptions. For example, there are essentialist ecofeminists who would say that women are naturally more nurturing and caring and should therefore be the ones to make decisions about the environment. This hypothesis leaves a large number of people (i.e. all males) outside environmental solutions and alienates and misrepresents many women who do not identify with the definition that 'women' are more nurturing, caring or 'in tune' with nature. Likewise, animal ecofeminism runs the danger of reifying problematic assumptions about gender, nature and animals.

For the most part, ecofeminist literature tends to recognize the problems associated with essentialism and tries to advocate an activism that minimizes the risks associated with it. In this way many ecofeminists take a position of strategic essentialism and others point out the dangers associated with accepting an uncritical anti-essentialism. The essentialism debate, the alternative ethic of care, the similarities between the domination of nature and women, and a focus on ecological webs and relationships provide illuminating perspectives on, and complementary understandings of, the problem of the oppression of animals.

The environmentalist or conservation movement developed alongside a trend towards urbanization and systems of intensive production during the industrial revolution.

As people moved from the country to cities and as production began to have a startling impact on 'nature', people started demanding better standards to protect endangered animal and plant species and the protection of certain lands from the effects of human development. Many environmentalists made these arguments from the position that it is in our own self-interest to protect 'nature' because of the potentially untapped resources we might lose if a species goes extinct, because of the consequences of breaking the equilibrium of an ecosystem, and because the wilderness provides us with enjoyment and recreation. In reaction to this 'shallow' environmentalism, which aims to preserve nature because of its utility for humans, ecofeminists and deep ecologists argue that 'nature' does not exist merely for the use of human beings but that the preservation of 'nature' is a good in itself. Humans, they argue, do not stand above the rest of 'nature' and the elements of nature (for example, forests, rocks, rivers and trees) should not be treated simply as crude resources. In particular, ecofeminists point to important connections between the abuses of 'nature' and the subordination of groups such as women, racial groups, the poor and animals.

Noël Sturgeon refuses to describe ecofeminism as a single, united movement or theory, and she avoids the question of its origins, choosing instead to talk about "relationships, legacies, simultaneous births of related entities, discontinuities, renamings, mutations, and throwbacks."[66] In particular, she suggests that an analysis of ecofeminism challenges "the divide between theory and practice,"[67] which has historically privileged theory over practice; has equated theory with masculine, universal rationalism; and has

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[66] Noel Sturgeon, Ecofeminist Natures: Race, Gender, Feminist Theory and Political Action, (New York: Routledge, 1997) 4.
[67] Ibid., 7.

denigrated practice as particular, less than rational and often feminine. However, her own sense of ecofeminism derives from her work and activism around feminist antimilitarism and she writes that "ecofeminism's role in activism (read for the moment as 'out-in-the-streets' political action) can be seen in feminist animal liberation actions, U.S. Green politics, Earth First!, and international development politics."[68] An important part of this activism, is the "production of oppositional knowledges" that stress the "connections between sexism and environmental problems."[69] Ecofeminism, then, can be described as a coalition of movements and supportive ideas that recognize the interconnectivities between the liberation or consciousness raising goals of many groups including women, anti-racist groups and animal advocates.

Carolyn Merchant provides another characterization of ecofeminism in her book, Radical Ecology. In particular, Merchant focuses on "the domination of women and nature inherent in the market economy's use of both as resources."[70] She acknowledges that many ecofeminists stress "an ethic of care and nurturance that arises out of women's culturally constructed experiences"[71] as a way of countering the twin oppressions of women and nature. She personally advocates an ethic of partnership, which:

> ... allows for the possibility of a personal or intimate (but not necessarily spiritual) relationship with nature and for feelings of compassion for nonhumans as well as for people who are sexually, racially, or culturally different. It avoids gendering nature as a nurturing mother or a goddess and avoids the ecocentric dilemma that humans are only one of many equal parts of an ecological web and therefore morally equal to a bacterium or a mosquito.[72]

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[68] Ibid.
[69] Ibid.
[70] Ibid., 184.
[71] Ibid., 185.
[72] Ibid., 188. Merchant's preferred strain of ecofeminism might more accurately be called feminist social ecology and her partnership ethic could be criticized for presenting a very shallow critique and response to the privilege of masculine rationalism.

Another response to the shortcomings of 'shallow' environmentalism is found in the deep ecology approaches, proposed by Aldo Leopold, Arne Naess, Bill Deval, and George Sessions. Deep ecology is in agreement with ecofeminism in recognizing our indivisibility from 'nature' as opposed to thinking ourselves outside, above or separate from nature. The central idea behind deep ecology is that "a thing is right when it tends to preserve the integrity, stability, and beauty of a biotic community, [and] it is wrong when it tends otherwise"[73]; and the philosophy works towards the two basic goals of biocentric equalitarianism and self-realization.[74] In other words, it points out the problems with an atomistic worldview where humans toil and fight to tame and control 'nature'. Moreover, "[b]y seeing Nature as a significant form of otherness with properties of sentient subjectivity, deep ecology proposes new norms of human responsibility to change the human exploitation of Nature into coparticipation with Nature."[75] Consequently, the goals of self-realization and biocentric equality could be positive steps towards giving consideration to animals, and ultimately animal liberation, because they urge people to recognize other creatures and to take responsibility for our impact on other life.

Some deep environmentalists go so far as to suggest that biotic communities have a right to be free from human manipulation or interference.[76] While animal rights/equality proponents like Singer and Regan agree that animals ought not to be treated like property, they disagree that other 'natural' figures have certain rights or similar claims to consideration because this leads many environmentalists to treat animals in ways that

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[73] Aldo Leopold, A Sand County Almanac, (Oxford: Oxford University Press, 1949) 224-225.
[74] Donald VanDeVeer and Christine Pierce, The Environmental Ethics and Policy Book, (Belmont, CA: Wadsworth Publishing Company, 1994) 211.
[75] Tim Luke, Ecocritique: Contesting the Politics of Nature, 2.

more closely resemble the 'respectful treatment of plants' than the 'respectful treatment of humans'. In other words, by widening the sphere of consideration to include insects, plants and forests some environmentalists reject the special consideration that Regan and Singer would give to animals that would preclude them from being eaten or otherwise utilized for human ends. Animal defenders do not necessarily reject the notion that non-animal forms of life have rights, possess an inherent value or deserve respect but the concern is that a more holistic approach to environmental ethics can be used to justify the continuation of practices that oppress animals. Regan has gone so far as to write that the ambivalence towards individuals in Aldo Leopold's deep ecology could be characterized as environmental fascism.[77] Because of this atomism versus holism split, ecofeminist approaches are especially important in their attempts to analyze and reconcile the debate between animal rights views and environment-centered views.

Both deep ecology and ecofeminism attempt to bridge what Val Plumwood calls the 'discontinuity problem', or the perceived alienation of humans from nature. This problem stems from the belief that "what is most virtuous in the human is that which maximizes the distance from the merely natural."[78] Consequently humans and nature are treated as an oppositional and value-laden dualism. Deep ecology shares with the predominant animal rights theories the desire for an erasure of difference in favor of 'the universal'. And as with animal rights, this enlargement happens at the expense of the particular, the embodied and the different: "modern subjectivity is not so much overcome

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[76] See J. Baird Caldicott, "On the Intrinsic Value of Non-Human Species" in Brian Norton (ed), The Preservation of Species , (Princeton, NJ: Princeton University Press, 1986).
[77] Tom Regan, The Case for Animal Rights, 361-2.
[78] Val Plumwood, "Nature, Self, and Gender: Feminism, Environmental Philosophy, and the Critique of Rationalism" in Donald VanDeVeer and Christine Pierce, The Environmental Ethics and Policy Book, 256.

as it is made into an equal entitlement and guaranteed to everything in the ecosphere."[79] Val Plumwood argues that the alternative holistic conceptions of 'Self' presented by deep ecologists are in fact other versions of the egoistic Self (Subject).

Plumwood describes three holistic versions of the Self used interchangeably by deep ecology in response to the discontinuity problem: the indistinguishable account, the expanded Self, and the transcended or transpersonal Self. The indistinguishable account of Self rejects the boundaries between humans and nature; it is an extension of the idea that the self is in the other and vice versa so that it is impossible to see the borders between the two.[80] The expanded Self recognizes and identifies with the world around it as an "enlargement and extension" of the egoist self.[81] Finally, the transcended or transpersonal Self strives for "impartial identification with all particulars, the cosmos, discarding our identifications with our own particular concerns, personal emotions and attachments".[82]

Plumwood argues that all three similar versions of the Self maintain the central tenets of egoism: that it is human nature to be solely concerned with one's 'self' and that the only alternative to self-centered actions is self-sacrifice. Moreover, the deep ecological 'Self' maintains the superior evaluation of the universal, which views any particular attachments as suspect. Consequently, deep ecology maintains the instrumental rationalism that leads to the problem of needing to somehow prove the inherent value of nature that inspires deep ecology in the first place.

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[79] Tim Luke, Ecocritique: Contesting the Politics of Nature, 19.
[80] Val Plumwood, "Nature, Self, and Gender: Feminism," 257.
[81] "Ibid.", 258.
[82] "Ibid.", 259.

Plumwood points out that the first step should be to recognize how instrumental logic is necessary for the justification of the unfettered use of nature because the 'lower spheres' are seen to have no ends in themselves and thus can be used as means to the ends others impose upon them.[83] Instrumental logic corresponds to a 'self' that "stresses sharply defined ego boundaries, distinctness, autonomy, and separation from others - that is defined *against* others, and lacks essential connections to them."[84] Deep ecology has not presented a critique or alternative to the instrumentally rational self but has increased the sphere of consideration for that self. In other words, deep ecology responds to the discontinuity problem by widening the scope of the egoistic self so that the integrity, health and flourishing of non-human nature are consistent with our own interests.

Likewise, Tim Luke recognizes a soft-anthropomorphism in deep ecology's biocentrism. In the attempt to reconnect humans with nature in a relationship of non-dominance, 'Nature' is 'humanized' so that "the essence of Nature, to a large extent, would appear to be a projection of an idealized humanity onto the natural world.[85] Nature, consequently, becomes the source for "authentic humanity"; "[b]y projecting self-hood into Nature, humans are saved by finding their self-maturation and spiritual growth in it".[86] Individual humans cannot only achieve self-realization through their connection to Nature but they can also survive the limits of this life by remaining "an essential part of an organic whole."[87] Moreover, by characterizing 'natural' relationships as involving "mutual predation", or the idea that all species make use of each other for their vital

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[83] "Ibid.", 258-261.
[84] "Ibid.", 261.
[85] Tim Luke, Ecocritique: Contesting the Politics of Nature, 15.
[86] Ibid.
[87] Ibid., 16.

needs, deep ecology again falls back on a soft-anthropocentrism because it gives humans a justification for dominating 'others' in nature when the need arises. In other words, the ideal of biocentrism is essentially self-serving and "[i]n the end, humans inevitably put themselves above other species and natural entities."[88] Plumwood suggests instead that we need to see humans as essentially related, and interdependent with 'nature'; her self-in-relationship view does not imply a holistic world view but "can provide for an ethic of connectiveness and caring for others."[89]

Ecofeminism tries to escape the tautological individualism versus holism debate through a nuanced appreciation of domination, a focus on respect for difference, a valuation of care as a legitimate guiding philosophy, and a worldview of webs of relationships instead of hierarchies of dominance or rights. One of the central tenets of ecofeminism is that a similar 'logic of domination' informs the subordinate position of women, 'nature', people of non-white races and people of lower classes. Consequently, the fight to end the oppression of one group must expose the interconnectiveness of all these oppressions. Not all ecofeminists agree that animals can (or should) be extracted from the concern for the oppression of 'nature'. However there are several prominent authors who argue for the liberation of animals from a distinctly ecofeminist perspective. Carol Adams and Karen Davis, in particular, point out that the myths, assumptions or logic that justify the oppression of women and nature also lie behind justifications for treating animals in a subordinate manner.

Carol Adams has argued that there are important similarities between the inferior treatment and position of animals and women. In particular she points out gendered and

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[88] Ibid., 17.

racial assumptions implicit in the semiotics and practices around 'meat', she draws connections between violence toward women and violence toward animals and she discusses the links between the objectification and consumption of female and animal bodies literally through butchery and figuratively through pornography. She is particularly concerned with the politics of food, and the connections between vegetarianism and gender. This focus is important not only because the practice of eating animals causes more animal death and suffering than all other abuses of animals combined[90] but because food, as a subject area of study, is generally dismissed as a trivial concern in many disciplines including political science and philosophy. The fact that food gathering and preparation is almost universally considered to be the job of women is probably not coincidental.

Moreover, although the subject of food might appear to be trivial, discussion of dietary choices can often verge on the taboo. While vegetarians are often asked to explain why they 'abstain' from meat (it is assumed that eating meat is the neutral and normal practice), it is a delicate matter for a vegetarian to ask non-vegetarians why they choose to eat meat. Dietary choices are depoliticized and treated as moral, religious or cultural differences, which should be respected, tolerated and held beyond the demands of reason and judgment. In agreement with Adams, I argue that food is a distinctly political issue and it is imperative to remove the excuse of cultural privilege from the topic so that it can be discussed and debated openly. Most importantly, people must be prepared to justify and accept responsibility for the dietary choices they make in regards to animals.

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[89] Val Plumwood, "Nature, Self, and Gender", 262.

One way in which the politics of eating meat is obscured is through the semiotics of meat. For example, as Adams writes, the term 'meat' conceals the origin of the material through its absent referent: "animals in name and body are made absent *as animals* for meat to exist ... [l]ive animals are thus absent referents in the concept of meat."[91] The word hides or denies the reality of its origins and "[t]hrough butchering, animals become absent referents."[92] In the same way, the physical fragmentation and packaging of animals into edible commodities conceals the origin or identity of 'meat' so that the average consumer is protected from the potentially unsavory details of the production of animal parts for human consumption.

The word 'meat' is also a mass term like 'color' or 'water', which remains singular regardless of its volume.[93] A mass term removes the particularity and uniqueness from the animals whose bodies become 'meat'; moreover, it conceals the sheer numbers of animals who are consumed.[94] Removing the delicate terminology from the concept forces us to recognize and take responsibility for the lives that become absent in the production of meat. The organization People for the Ethical Treatment of Animals (PETA) uses this strategy in several of their campaigns. The slogan 'Did your food have a face?' is an evocation of the absent referent. In addition, one of their anti-fur posters that

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[90] Meat eating is an essential aspect of animal rights theory because meat eating is "the most extensive destruction of animals". Carol Adams, The Sexual Politics of Meat: A Feminist-Vegetarian Critical Theory, (New York: Continuum Press, 1991) 13.
[91] Ibid., 40.
[92] Ibid.
[93] Ibid., 27. Interestingly, 'fur' is also a mass term.
[94] Adams cites figures of 6 and 7 billion individual animals killed each year in factory farms. Neither Man Nor Beast, 93 and The Sexual Politics of Meat, facing page.

exposes the fallacy behind the mass term 'fur' shows the faces of two raccoons. The text underneath reads: "29 more would make a coat."[95]

The connection between meat and gender is quite powerful. There is an "overt association between meat eating and virile maleness" which is corresponds to the social equation of "vegetarianism with emasculation or femininity."[96] In conditions of scarcity meat has often been reserved for the men of the household on the assumption that their bodies would suffer without it.[97] For example, during the First and Second World Wars, civilians were encouraged to cook without meat while soldiers were fed a diet heavy in animal flesh. Wisdom had it that working men needed meat to keep up their strength, as if by eating "the muscle of strong animals, we will become strong."[98] Consider the connotations of the word 'vegetable' in contrast. To be 'like a vegetable' is to be dull, monotonous, inactive: "someone who leads a passive or merely physical existence"[99]; it is the worst of all possible ways of being alive. The correlation between meat and men and vegetables and women is common. Hegel, for example, wrote that "[t]he difference between man and woman is the difference between animal and plant."[100]

The mythical superiority of meat eaters is reflected in racist assumptions as well. Protein from plant sources was (is) considered inferior; hence appropriate for inferior people.[101] Dietary difference became part of justifications of colonial expansion. This

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[95] http://www.PETA.com.
[96] Carol Adams, The Sexual Politics of Meat, 15.
[97] Ibid., 29.
[98] Ibid., 33.
[99] Ibid., 36.
[100] G. W. F. Hegel, Elements of the Philosophy of Right, (New York: Cambridge University Press, 1991) 207.
[101] On a global scale, the majority of people have vegetarian or primarily vegetarian diets. The continued insistence by western nutritionists that animal protein is superior to plant protein suggests the persistence of the belief that 'the best' protein is necessary for western people, or people in the 'First World', even if the

opinion is expressed fairly comically by a nineteenth-century doctor by the name of George Beard. He thought that the more highly developed the race or society, the more meat they would eat. Savages could survive on less meat because they were:

> little removed from the common animal stock from which they are derived. They are much nearer to the forms of life from which they feed than are the highly civilized brain-workers, and can therefore subsist on forms of life which would be most poisonous to us. Secondly, savages who feed on poor food are poor savages and intellectually far inferior to the beef-eaters of any race.[102]

Moreover, meat eaters could conquer vegetable eaters with little effort:

> The rice-eating Hindoos and Chinese and the potato-eating Irish peasants are kept in subjection by the well-fed English. Of the various causes that contributed to the defeat of Napoleon at Waterloo, one of the chief was that for the first time he was brought face to face with the nation of beef-eaters, who stood still until they were killed.[103]

It is consistent with the western cultural meanings around meat that vegetable or low-meat diets would be used as justifications of superiority; or vice versa that lower-class vegetable diets would be considered appropriate for lower-class humans, namely women, the poor, and people from non-white races.

The importance of animals as part of legitimating discourses around racial and gender superiority is also evident in patterns of physical violence. Adams has studied the phenomena of spousal battery (which is primarily committed by men against a female partner) and she concludes that these forms of violence against women are often connected to overt acts of violence towards animals. Battery is thought by many to be an expression of the batterer's dominance and control and one common medium for this

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numbers suggest that the majority of world's population eat only minimal amounts (if any) of animal protein.

[102] George Beard cited in Carol Adams, The Sexual Politics of Meat, 31.

[103] Ibid., 31.

expression involves violence to the family pets.[104] This can involve threats of violence against the pets if the woman tries to take actions against the abuse or outright harm done to the animal, which upsets and threatens the woman.[105] In many cases where the batterer eventually kills his partner there were previous incidents where a pet was abused or killed.[106] There is a disturbing relationship then between violent behavior directed towards animals and violent behavior directed towards women. It is interesting to note that while Immanuel Kant did not grant any rights to animals he thought that violence against animals was wrong because it would cause or encourage men [sic] to be violent to each other (cite). His hypothesis turns out to be logically flawed but essentially true.[107]

In Adams' research she also points to certain similarities between sexual violence expressed through some pornography and the practice of butchering animals. She writes that there is a "cycle of objectification, fragmentation, and consumption, which links butchering and sexual violence in our culture."[108] Objectification involves distancing the physical body or image from the individual identity or personality of the subject. The female body is objectified, or conceptually simplified into a gratifying image or object, on a regular basis. Although most objectification of females is only symbolic, sexually violent acts, such as rape, involve the objectification of the victim by imposing the will of the rapist and treating the victim as a passive recipient. Animals in a slaughterhouse likewise must be considered purely material, interchangeable and identity-less bodies

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[104] Carol Adams, "Woman Battering and Harm to Animals" in Carol J. Adams and Josephine Donovan (eds.) Animals in Women: Feminist Theoretical Explorations, (Durham: Duke University Press, 1995) 57.
[105] If a woman is forced to leave her pets or children behind and jeopardize their safety she will be far less likely to go. This has encouraged many women's shelters to have pet friendly policies. "Ibid." pg. 59.
[106] "Ibid.", 58-63.
[107] Logically flawed because he cannot both argue that animals are only objects yet violence done to them will influence the way men treat each other: if splitting wood with an ax does not cause men to be violent but whipping the dog does, the dog is obviously more than an object.

without individual identity or personality. This is clear from some of the impersonal terms used to describe animals in the industry, such as "food-producing unit" or "biomachines."[109]

The fragmentation and consumption the female body is likewise generally figurative. Certain parts of the female body are routinely fetishized, separated from the whole, and visually consumed in mass quantities (in advertising, literature, music videos, pornography, etc.). Animal bodies are of course literally fragmented and consumed. After slaughter, their bodies move down a "disassembly line" [110] where the parts of their body become disassociated from the living being that was the animal. In this way people can purchase and consume fragments of the animal's body without associating the piece of meat with an individual living creature. In the same way, the fragmented images of women's bodies found in magazines, in music videos and on mud-flaps are generally disassociated from the identity of any living woman from which they might emanate.

For Adams, this is evidence of a patriarchal pattern in which 'man' assumes a dominating position over those considered beneath him, including women and animals. The essentialist assumptions in Adams' work can be extremely problematic at times. For example, the gender division of guilt and innocence in Adams work is overstated. Women are equally implicated in the process of objectification, fragmentation and consumption of sexualized and animal bodies even though they commit fewer acts of rape and battery than men. As noted earlier, women have traditionally had the most daily contact with the preparation of meat, yet this has not translated into widespread adoption

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[108] Ibid., 47.
[109] Ibid.

of vegetarianism by housewives.[111] Likewise, men are not immune from the violence of this process. The construction of masculinity is also oppressive and for Adams to suggest that violence is overwhelmingly perpetuated by men does a disservice to the agency of women and the variety of forms of gender violence. Moreover, it is an overstatement to suggest that a process of objectification, fragmentation and consumption will always be violently oppressive.

However, Adams' work is invaluable for understanding the interconnections between violations of subordinate bodies. Moreover, her insistence on the politicization of diet and food is an essential step for ending the oppression of animals. Other authors in the animal rights genre have found it hard to provide a successful philosophical argument for the consideration of animals by invoking the case of so-called 'food' animals because diet, eating and food are either considered trivial issues or are relegated to the untouchable territory of culture, religion and tradition. Consequently, Adams is responding to a number of authors who have unfortunately continued to marginalize the vast number of animals who suffer and die at the hands of humans. Adams tends to essentialize gender and understand relations of power as uni-directional hierarchies because of her conviction that the scale of the oppression of women and animals necessitates such an approach.

Some animal ecofeminists suggest that the neglect for the concerns of farm animals (as opposed to animals in 'nature') results from a disdain towards domestication,

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[110] Henry Ford's assembly line innovation was actually inspired by "the overhead trolley that the Chicago packers used in dressing beef". Ibid., 52.

[111] See the debate in *Signs*: Kathryn George, "Should Feminists be Vegetarian?" (*Signs*, Vol. 9, no.2, 1994) and Greta Gaard and Lori Gruen, "Comment on George's 'Should Feminists be Vegetarian'," (*Signs*, Vol. 21, no. 1, 1995).

which is evident in a similar attitude toward women and farm animals in environmental literature. Karen Davis laments the overwhelming disregard by deep ecologists and environmentalists for "things [that are] unnatural, tame and confined" as opposed to "natural, wild and free."[112] In particular she is concerned with publicizing the plight of farm animals whose suffering is often overlooked by environmentalists and animal protectionists who prefer to focus on the plight of grizzly bears, whales, tigers and elephants.[113] She believes that a large part of this privilege given to 'wild' animals corresponds with the denigration of farm animals due to their feminine characterization; in particular, both women and farm animals are 'domesticated' and both are involved with undervalued reproductive labour.[114]

In an attempt to reverse a certain "disdain for the defenseless" approach found in deep ecology, Davis wrote an article called "Clucking Like a Mountain", which she submitted to the journal *Environmental Ethics*. As part of the article she tried to give a first person voice to the experience of a battery hen in the following passage:

> I am a battery hen. I live in a cage so small I cannot stretch my wings. I am forced to stand night and day on a sloping wire mesh floor that painfully cuts into my feet. The cage walls tear my feathers, forming blood blisters that never heal. The air is so full of ammonia that my lungs hurt and my eyes burn and I think I am going blind. As soon as I was born, a man grabbed me and sheared off part of my beak with a hot iron, and my little brothers were thrown into trash bags as useless alive. ... Look for pieces of my wounded flesh wherever chicken pies and soups are sold.[115]

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[112] Karen Davis, "Thinking Like a Chicken: Farm Animals and the Feminine Connection" in Carol J. Adams and Josephine Donovan (eds) Animals in Women: Feminist Theoretical Explorations, (Durham: Duke University Press, 1995) 193.
[113] In other words, animals who are threatened as a species in a certain ecosystem or who are treated in cruel, demeaning and 'unnatural' ways such as being kept in zoos or as part of circuses.
[114] Karen Davis, "Thinking Like a Chicken", 196.
[115] "Ibid.", 200.

It is easy to criticize Davis for being sensationalist, for presuming a degree of voice appropriation in using a human voice to speak for a battery hen, and for using gendered biases in an exploitative manner (by specifying that a 'man' shears off her beak and that her 'brothers' are disposed of because they are useless to the egg producers).[116] However, the attempt to identify and empathize with, as well as to try to communicate with, an'other' creature is crucial to fostering compassion and concern towards oppressed and overlooked animals.

In addition, the epilogue to the article describes how the journal *Environmental Ethics* rejected the piece because "the editor has a policy of not publishing papers on animal welfare ethics unless they pertain specifically to environmental ethics", which reiterates her point that the lives of farm animals are dismissed as trivial or unrelated to the 'environment' when compared with a concern for ecosystems or endangered species.[117] Again the debate of holism versus individualism interferes with a basic concern for living responsibly and ethically in a way that does not insist on an either/or choice but instead problematizes the separation of concerns about animals, domesticated animals in particular, from concerns about 'nature'.

Many animal liberationist ecofeminists stress the importance of compassion, connection and friendship between humans and animals. Another example of the importance of communications or friendships between humans and non-human animals for ending animal oppression is described by Barbara Smuts, a biologist who has spent

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[116] In a recent documentary shown on the television program *Witness* (aired November 14, 2000), the camera shows the male chicks being ground up alive to be sold as food to a mink farm. It was a vivid portrayal of the inter-relations of the oppression of and overt cruelty towards animals.
[117] Karen Davis, "Thinking Like a Chicken", 206.

"years in the company of 'persons' ... who happen to be nonhuman."[118] Her studies and interactions with animals have convinced her "that the limitations most of us encounter in our relations with other animals reflect not their shortcomings, as we so often assume, but our own narrow views about who they are and the kinds of relationships we can have with them."[119] From her observations of baboons, dolphins and her pet dog, she argues that communication and friendship are entirely possible between human and non-human animals. Moreover, she suggests that to realize this possibility it is necessary to re-think the way we perceive animals:

> In the language I am developing here, relating to other beings as persons has nothing to do with whether or not we attribute human characteristics so them. It has to do, instead, with recognizing that they are social subjects, like us, whose idiosyncratic, subjective experience of us plays the same role in their relations with us that our subjective experience of them plays in our relations with them. If they relate to us as individuals, and we relate to them as individuals, it is possible for us to have a *personal* relationship. If either party fails to take into account the other's social subjectivity, such a relationship is precluded. Thus while we normally think of personhood as an essential quality that we can 'discover' or 'fail to find' in another, in the view espoused here personhood connotes a way of *being in relation to others*, and thus no one other than the subject can give it or take it away. In other words, when a human being relates to an individual non-human being as an anonymous object rather than as a being with its own subjectivity, it is the human, and not the other animal, who relinquishes personhood.[120]

Being cognizant of the subjectivity of animals and understanding how our assumptions of 'personhood' are problematic requires trying to adopt a new way of thinking about and interacting with animals. While the experiences of Davis and Smuts are particular, personal, and resistant to universal rules they provide an important lesson about relationships between human and non-human 'others'. Without considering how much

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[118] Barbara Smuts, response to a pair of essays by J. M. Coetze in The Lives of Animals, (Princeton, NJ: Princeton University Press, 1999) 108, italics in original.
[119] "Ibid.", 120.
[120] "Ibid.", 118, italics in original.

more deep and meaningful our relationships with animals could be[121] we are unable to recognize the true extent of injustice committed against animals in our society.

Ecofeminist authors generally suggest that an attitude of caring is superior to one of detachment and domination. Many radical feminists have argued that so-called 'feminine' or 'maternal' values of caring and compassion are a positive antidote to the problems of atomism, egoism and individualism. In particular, these authors suggest that there are alternatives to the 'either egoism or holism' problem found, for example, in equality/rights approaches and deep ecological thinking. One of the most methodical advocates of the 'ethic of care' is Carol Gilligan. In In A Different Voice, she argues that the standard measures of psychological development equate moral development with hierarchical thinking, understanding the self as separate from the world at large and applying rules of justice. In her studies, this conception was not only articulated by males but empirically boys showed proper development along these lines while girls seemed to lag behind.

By studying a series of questions and answers around moral dilemmas, Gilligan isolated an alternative way of perceiving the world and thinking of morality, which was far more common in the girls' responses and which explained why they scored poorly when measured against the standard model. In particular, she found that girls worked out moral problems as "a narrative of relationships that extend over time"[122]; in other words the girls in the study saw the world working through human connections rather than

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[121] Smuts points out that while for most people their relationship with their pets will be the most developed they experience, "[e]ven the most avid pet-lovers generally operate within a narrow set of assumptions about what their animals are capable of, and what sort of relationship it is possible to have with them. This was true of me before [my years spent studying] the baboons, despite my long experience with pets and abundant knowledge of animal behavior". "Ibid.", 115.

through a system of rules.[123] Consequently, the chosen resolution to conflict frequently involved communication and the consideration of a several relationships rather than a decontextualized application of rules of justice.

Gilligan describes this as the difference between the primacy of separation or connection and she details the difference between the way the males and females viewed relationships. Another study examined the way college students told narratives in response to a series of photographs of ambiguous human relationships. In this experiment, the men in the class were more likely to characterize close relationships as explosive and dangerous, while the women saw separation as dangerous and perceived aggression to be a result of the fracture of human connection.[124] The standard psychological analysis has said that the women's positive focus on relationships is a sign of their immature development. Gilligan points out that an alternate reading might suggest that male aggression corresponds to a problem of communication and an immature of knowledge about human relationships.[125] Rather than a wish to be 'alone at the top', and a corresponding fear of closeness, the female respondents expressed a wish to be 'at the centre of connection' with a corresponding fear of being stranded at the edge.[126]

What is particularly interesting about Gilligan's work is the affirmation of an alternative conception of the self:

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[122] Carol Gilligan, In a Different Voice: Psychological Theory and Women's Development, (Cambridge, MA: Harvard University Press, 1982) 28.
[123] Ibid., 29.
[124] Ibid., 43.
[125] Ibid., 45.
[126] Ibid., 62.

> In this light, the self appears neither stranded in isolation screaming for help nor lost in fusion with the entire world as a whole, but bound in an indissoluble mode of relationship that is observably different but hard to describe.[127]

This was exactly the problem Plumwood found with the various conceptions of 'self' articulated by deep ecology. Moreover, the tension between applying rules of justice and extending consideration beyond the narrow parameters of those rules is evident in the arguments of Regan and Singer. By thinking in terms of hierarchy (who meets the requirements of moral consideration), isolated individuals (whether in terms of rights or individual suffering), and rules of justice, they are unable to formulate a logical argument that does not come back to the separation and antagonism between self and others. This separation is inevitably reinscribed as a new and similar hierarchy and the problem remains. Because ecofeminists begin with an assumption of networks of relationships, ecofeminist positions are less susceptible to this problem:

> Since relationships, when cast in the image of hierarchy, appear inherently unstable and morally problematic, their transposition into the image of a web changes an order of inequity into a structure of interconnection.[128]

However, in opting for an ontology of a web of relations as opposed to a hierarchy of priorities and values we lose the ability to set absolute rules because moral decisions will depend, in a substantial way, on the context and the various relationships involved. Since we are used to thinking in terms of rules or commandments, and when the opposite of rule-based thinking appears to be immoral, chaotic relativism, this is a frightening prospect for many. Moreover, when we consider the way people have been willing to ignore, deny and repress the incredible suffering of animals in our society it is logical that we would look to an absolute decree of the rights of all animals or absolute moratorium

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[127] Ibid., 47.

on the suffering of all animals as the only solution strong enough to counter the problem. Yet because there has largely been an exclusion of interconnected ways of thinking about animals and because hierarchical thinking already puts us into what some would see as an immoral and chaotic relationship with animals, it is important to consider the value of an alternative approach.[129]

However not all proponents of an ethic of care believe that caring is a possible way of relating to animals. Nel Noddings defines care as a relationship that involves a measure of reciprocity or mutual responsiveness that connotes completion.[130] She writes:

> We shall see that for (A, B) to be a caring relationship, both A (the one-caring) and B (the cared-for) must contribute appropriately. Something from A must be received, completed in B. Generally we characterize this something as an attitude. B looks for something which tells him that A has regard for him, that he is not being treated perfunctorily.[131]

She is primarily concerned with discussing the teacher/student and parent/child relationship, however, she also takes up the arguments that the importance of caring would lead to vegetarianism and that caring for indifferent animals might be similar to caring for a non-reciprocating infant. She does not deny that familiarity with an animal can develop a "natural caring" relationship but for Noddings this cannot be compared to a situation of human caring. In terms of the relationship she has with her cat, she writes that although there is responsiveness, "there is not intellectual or spiritual growth for me to nurture, and our relation is itself stable. It does not possess the dynamic potential that

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[128] Ibid., 62.

[129] In my own experience, I have never convinced someone to be a vegetarian (for example) on the basis of logic. Several of my friends have become vegetarians after eating meat all their life not because of rational considerations but because they realized that they had a choice and because they felt compassion toward the animals. One friend in particular would debate for hours with me about the illogic of vegetarianism but one day he had an awakening when he drove by a field of calves and he has not eaten meat since!

[130] Nel Noddings, Caring: A Feminine Approach to Ethics and Moral Education, (Berkeley: University of California Press, 1984) 151.

characterizes my relation with infants."[132] For Noddings the separation between human and non-human animals is crucial to the caring relationship, however she provides no justification for the primary separation; she writes simply that in encounters with animals "we do not have a sense of the animal-as-subject."[133]

There are a variety of ways to criticize Nodding's understanding of the ethic of care. To begin with, her reading of care as reciprocity or potential reciprocity has more in common with liberal contract theory than the ethic of care that Gilligan articulates. She assumes that the 'one-caring' is fundamentally a rational calculator who enters into relationships based on what can be gained for him/herself. Even if this is an astute perception of some relationships that claim to be based on altruistic care but can be better explained in terms of reciprocal gains, this does not correspond to countless examples of caring relationships. If forced to make such a sacrifice, parents often say that they would give their lives for their children thereby abandoning any conscious measurement of reciprocity. Although Noddings claims not to have a sense of the 'animal-as-subject' her relationship with her cats and her response to the sight of baby seals being killed seems to contradict this statement. What is the source of one's revulsion to witnessing a baby seal being killed if it is not the recognition that the seal is an animal-as-subject? Surely it is not simply an aesthetic preference for bodily integrity as opposed to fragmentation or white fur as opposed to red snow. Empathizing with others who are vulnerable, who are suffering or who are in danger without primary regard for your own interests is the value of caring.

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[131] Ibid., 19.
[132] Ibid., 156.
[133] Ibid., 149.

Another critique of the 'ethic of care' approach relates to the problem of essentialism, which can reify and depoliticize identity and inequality. Theories that postulate natural and unalterable differences between males and females, for example, can be criticized for their essentialism, or "the positing of natural and ahistorical essences to define characteristic qualities or behaviors of individuals as members of groups."[134] Social movements or theories that argue that differences between people are fundamental and unchanging (for example a campaign to fund women's shelters based on the assumption that women need protection from the aggressive nature of men) are problematic because by declaring the immutability of certain differences they imply that different (unequal) treatment of these groups is justified. Moreover, essentialist classification enables advocating 'the good' for a certain group regardless of differences, silences or dissent within that group on the issue of what is 'good' for them. For example, animal protectionists often urge pet owners to spay and neuter their cats and dogs to reduce the number of pets that are neglected and killed each year yet this could be at best unkind and at worst an abuse of an animal's most personal wishes.

Because there are many cases where 'benevolent dictators' have committed wrongs in the name of what is 'good' for a certain group contemporary proponents of social progress are often hesitant to accept essentialist understandings yet essentialism remains an important aspect of many 'progressive' theories. For example, deep ecology and ecofeminism both tend to reify an essentialized view of nature and risk supporting functioning or sustainable systems in spite of oppressions that might be part of those relationships. In particular, the oppression of animals can be legitimated as an extension

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[134] Noel Sturgeon, Ecofeminist Natures, 12.

of the natural order of ecosystems where predation and carnavorism are simply a 'natural part of life'.

Ecofeminists have often been criticized for combining a 'feminine' ethic of care with the idea that women are 'closer to nature' in order to argue that an (eco)feminine approach offers a responsible, healthy and meaningful relationship with 'nature'.[135] These ecofeminist theories have been charged with essentializing not only gender (through assumptions about women's caring nature) but nature as well. Implicit in what Merchant calls 'cultural ecofeminism' is the understanding of 'nature' as the opposite of culture, or the sphere where human agency and interference is secondary to the equilibrium of natural cycles of growth and decline. Included in this essentialist definition of 'nature' are the standard divisions of private versus public, the pristine versus the artificial, and reproductive labor versus productive labor, which feminists have fought to problematize and denaturalize.

Allison Jagger argues that psycho-analytic theories of gender difference, such as Gilligan's ethic of care, are acceptable only if they suggest that the psychological development of females is not universally determined by their biological sex (contra Freud, for example) but by social conditions. In other words, given specific historical and material conditions, theories of differing gender developments have merit.[136] For her part, Gilligan is careful to point out that the two conceptions of self/world did not fall solely along gender lines but that overall males and females in the study articulated two different

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[135] See: Ynestra King in Judith Plant (ed). Healing the Wounds : The Promise of Ecofeminism. Philadelphia: New Society Publishers, 1989, and Mary Daly. Gyn/Ecology: The Metaethics of Radical Feminism. Boston: Beacon Press, 1990.

[136] Allison M. Jaggar, Feminist Politics and Human Nature, (Totowa, NJ: Rowman & Allanheld Publishers, 1983) 126.

points of view, which suggests, in agreement with Jagger, that the different points of view were not essentially tied to gender. Moreover, she did not attempt to extrapolate her findings beyond her particular context to argue for the existence of two ahistorical mentalities.

The essentialist critique points out that these definitions of male/female and culture/nature perpetuate illegitimate power imbalances; namely the exaltation of culture and the masculine over nature and the feminine. Moreover, by positing the essential, ahistorical 'nature' of gender and society it is assumed that change is not possible or even perhaps desirable: if men are naturally followers of an ethic of justice and if culture naturally involves the domination of nature/the environment, then perhaps it has been a mistake to identify these 'natural' processes as problems (or problems that can be solved). However, when essentialism moves from being a critique of power to being a critique in general it becomes problematic. Noel Sturgeon points out that the charge of essentialism has often been used to marginalize ecofeminist theory and practice. Essentialism in feminism was originally a critique leveled at white liberal feminists who failed to recognize the differences between women in their narrow understanding of what 'women' were; in other words, it was a critique of power exercised by white feminists to define 'women' all the while ignoring or silencing other non-white women and their experiences of 'woman'-ness. Consequently, for the essentialist critique to have merit it must specify what kinds of essentialist moves are objectionable and why. When the anti-essentialist critique assumes that any notion of determinism - or non-human/non-human-society causality - is illegitimate, it commits a blatant essentialist move of its own.[137]

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[137] Noel Sturgeon, Ecofeminist Natures.

Although essentialism also poses a serious problem for activists and the practical deployment of feminist and environmental theory, many ecofeminists choose instead to adopt a position of strategic essentialism, which admits that certain assumptions are being utilized or unexamined for strategic and temporary reasons. This allows a person to have a voice from a particular embodied position or to advocate for a particular understanding of 'the good' in spite of the fact that the person's subject position is not representative, universal or permanent (i.e. essential). Christine Sylvester uses the helpful metaphor of 'homesteading' to describe this process of using temporary essentialist connections (the shared connections between the women of the Greenham Common, for example) as a source for collective progressive movements.[138] The key is the appreciation of dissent and the recognition of the temporary nature of the foundations for action.[139]

In addition, the problem of essentialism becomes more interesting and complicated with an ecofeminist outlook on the oppression of animals because an anti-essentialist viewpoint effectively insists that humans *are not* animals. An anti-essentialist understanding of animals is nearly unthinkable because while we can acknowledge that many animals may be highly adaptive they are essentially defined by their biological makeup make-up: although monkeys are extremely intelligent and versatile, it is highly unlikely that any monkey is capable of becoming Kafka's Red Peter.[140] For humans, however, anti-essentialism and theories of social construction insist that the realm of

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[138] Christine Sylvester, Feminist Theory and International Relations in a Postmodern Era, (Cambridge: Cambridge University Press, 1994) 194-187.

[139] Certainly the compromise of strategic essentialism is not acceptable to all people. Some would suggest that this is an excuse to avoid dealing with issues from a position of less security but and wider possibility.

[140] It is interesting to note the frequency with which human-like animals appear in literature to express the experience of living with anti-Semitism. See David Clark, "On Being 'The Last Kantian in Nazi Germany': Dwelling with Animals after Levinas", in Jennifer Ham and Matthew Senior (eds). Animal Acts: Configuring the Human in Western History. New York: Routledge, 1997

possibility is indefinite and human animals are not fundamentally limited by their biological inheritances. The doctrine of anti-essentialism asserts that while animals inevitably become what they are biologically determined to be, human abilities or traits are not biologically determined, and consequently the separation of human and non-human animals is at the heart of the anti-essentialist critique.

Once again the human/animal divide is deployed to justify treating human and non-human animals differently and to elevate our own status through the establishment of boundaries that take on ethical significance. As biologist Lynda Birke writes:

> Feminists have gone along with [the human/animal] distinction in our emphasis on social constructionism. It seems paradoxical that at a time when feminist theory is moving beyond dualisms of gender it should do so by building analysis on yet another dichotomy: humans versus 'other' animals.[141]

Birke believes that the animal question should be a central concern to feminism. In particular, she argues that the question of essentialism, or determinism, needs to be considered from a wider vantage. She writes that we need to:

> [Q]uestion not only boundaries of difference *within* humans (or between women), but also to question the boundaries of what constitutes humanness. What is it we are afraid of when we flee from any suggestion of our own connections with other kinds of animals? It is not enough to say glibly that it is 'biological determinism' that we wish to avoid if we continue to shore up such determinism by assuming that it applies to nonhuman animals.[142]

Feminism has shied away from the animal question because of "our resistance to seeing humans as animals" and the assumption that looking at connections between women and

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[141] Lynda Birke, "Exploring the Boundaries: Feminism, Animals and Science", in Carol J. Adams and Justine Donovan (eds) Animals and Women, (Durham: Duke University Press, 1995) 38.
[142] "Ibid.", 49.

animals is regressive.[143] In order to take the idea of social construction seriously, it cannot be a concept that applies to humans but not non-human animals.

While feminist theory contains many sophisticated accounts of the social construction of gender and race, understanding animals in these terms is not common. Birke points out that in fact the lives of many animals are constructions that change with the historical context and "have inevitably changed as the needs and priorities of human society have changed."[144] For example, the creation of the category and the creature called a 'lab animal' arises out of particular historical conditions and possibilities. The physiology and 'personality' of animals have also changed over time through selective breeding, domestication and their social[145] situation (see the elk in Banff for example). The importance of social influences on animal behavior and development is not adequately considered in feminist theory or scientific study. Science treats all difference in animals as biologically, genetically or chemically determined when animals also develop in a social context and act as social creatures in the same way that humans do. In other words, behaviorism might be a quaint, old-fashioned notion when applied to humans but it is orthodoxy when applied to animals. This ideology needs to be challenged and deconstructed in the project of animal and human liberation movements alike.

The variety of ideas that can be collected under the umbrella of 'ecofeminism' inevitably means that there will be disagreements and contestations between them. In terms of the animal liberation project, these debates can be illuminating in themselves. Ecofeminism attempts to bridge the imagined separation between humans and the

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[143] "Ibid.", 36.
[144] "Ibid.", 42.

'natural' world around us and asks us to recognize, identify with and even empathize with other animals. The importance of exploring the potential in empathy, compassion and care was confirmed for me while watching a video that showed the horrible death of a 'downer'.

'Downers' are cows and pigs that are so sick by the time they reach the slaughterhouse they cannot walk so they are dragged by a chain across the floor to the slaughter station so that the flesh may still be used for meat. In terms of cruelty to animals legislation it is illegal not to put these animal out of their suffering but according to the testimony of truck drivers it is a common occurrence because if the animal is killed before it reaches the slaughter station the value of the meat drops dramatically (it cannot be sold as human food). In the video footage we see the face of a downer cow as her massive weight is dragged from one hoof along the concrete floor and the anguish, confusion and suffering is so clear in her eyes that the image has haunted me ever since. The feeling of looking into the face of another individual being and understanding quite clearly how she must have felt was very powerful. I believe, like most animal activists, that if people could see how a factory farmed animal lives and dies it would be nearly impossible to stomach current practices.

Ecofeminism is also crucial for examining the corresponding arrangements or practices of domination and oppression that operate to subordinate many different groups including women and animals. Focusing on context and the intricacies of our relationships with animals de-emphasizes universally applicable laws and norms, and this poses a problem for people who do not have faith in other people's ability to demonstrate

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[145] The term 'social' here is inclusive to the interactions of all animals in a particular setting, this is

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compassion and responsibility in making moral choices where animals are concerned. However, it acknowledges that making decisions out of context does a disservice to the variety of complex human/animal relationships and tends to objectify animals (denies their subjectivity) when universal rules are imposed upon these relationships.

In addition, the 'logic of domination' that subordinates various 'others' perpetuates a problematic self/other mapping of the world. Consequently it is important to recognize the connections between feminism and animal liberation in terms of the similar forms of their subordination and in terms of potential strategic alliances between movements. Moreover, ecofeminism engages with the debate around essentialism and determinism in a sophisticated way that reveals areas for further thought in the anti-essentialist agenda found in a lot of current feminist theory. In particular, from an animal perspective it is clear that anti-essentialism is often premised upon an unstated privileging of human animals over non-human animals.

Exposing animals as the unacknowledged 'other' that enables the anti-essentialist critique calls feminism to account for many unasked but fascinating questions and adds a new dimension to the issue of essentialism. In particular, how does challenging the divide between humans and animals affect the way we conceive of 'being human'? How then do we understand our moral relationship to other animals, human and non-human? And what new relations of subordination are likely to result from such a conceptual shift? Ecofeminist arguments and their critiques complement the theoretical rights/equality approaches by providing another more contextualized vantage of the animal problem. In addition, they lead us to the third step in our investigation, which examines the way

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consistent with Birke's use of the term.

animals figure in our understanding of 'human'-ity, or conversely, the construction of animal subjectivity.

"For almost two days you've run wild and insisted
On chatting with persons who never existed.
Such carryings on in our peaceable jungle
We've had quite enough of your bellowing bungle!"

Chapter 3: Deconstructing the Animal Subject

Until this point, this paper has argued that there are several valid ways of explaining the subordination of non-human animals and diverse ways to relating to non-human animals that affirm their subjectivity as thinking and feeling creatures not unlike ourselves. However, as the limitations of these approaches suggest, it is also important to deconstruct the concept of subjectivity, to which animals (both human and non-human) are being measured, because animals are central and generally unrecognized figures in this construction. Deconstructing modern subjectivity illustrates how a primary divide between humans and animals is key to our particular subjectivity and yet how this divide is untenable. In fact both are co-constructed by the same discourses, and consequently, the sharp border that supposedly separates human and non-human animals is more accurately understood as a gray zone, or many gray zones, where differences get translated into hierarchies through the workings of power. Once we consider that the divide between human and non-human animals is not natural, essential or absolute but instead the result of historical trajectories and power relations then we can begin to re-think the way we treat and relate to non-human animals. The outcome of renegotiating human/animal relationships cannot be predetermined but the potential for imagining different and less oppressive relationships makes the approach of deconstructing subjectivity from the animal angle an important and underutilized opportunity.

In contrast to 'objectivity', 'subjectivity' grants the subject a particular view of the world that is inextricably tied to the subject's (speaker's, agent's, being's) position in the world. A subjective account will not be obvious to persons who do not share the same subject position; consequently, the subjective vantage of oppressed or marginalized beings provides a unique vantage on the workings of power. The concept of subjectivity as a privileged vantage from which to understand oppression has, however, come under scrutiny. The assumption that a subject position will determine one's understanding and that extremely subjugated (oppressed, marginalized) people will have a particularly accurate and innocent view of the workings of power has been shown to be simplistic and dangerous. Instead, it is suggested by some that deconstructing the category of the 'subject', as "the mind, or ego, that thinks and feels as distinguished from everything outside the mind"[146] is a more useful as way to investigate and hopefully minimize practices of oppression. Whereas liberation movements such as feminism and postcolonialism have used the concept of subjectivity, or identity, in the past to claim a legitimate voice, today the deconstruction of the subject is also seen as a necessary part of responsible liberatory movements.

This is because although the concept of subjectivity, as a privileged vantage on oppression, has been central to many emancipatory projects, it contains a series of internal contradictions and trade-offs rather than a straightforward liberationist manuscript. Claiming a voice and speaking as a subject are important performances for an individual from a marginalized group. But at the same time, the attempt to speak one's absolute, authentic perspective reveals the constraints and limitations of that subjectivity.

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[146] Part of the definition of 'subject' in Webster's College Dictionary.

The attempt to speak as an 'authentic' voice is complicated because the subject can never remove itself from its context in order to speak from outside a subject position or outside discourses that shape the subject in various ways. There is no objective language or meta-language available for the 'authentic subject' nor does a person hold only one single subject position; instead, we are always speaking and acting from within a variety of changing and only partially discernable limitations and constraints. Therefore, the subject-as-authentic-agent is revealed as a construction that is historically constituted in the context of particular ideas and conditions. For some situations of oppression, then, speaking the language of subjectivity will not guarantee liberation.

Consequently, it is important to acknowledge, listen to and try to understand marginalized subject positions in the world, while at the same time pulling apart the factors that compose that subjectivity. It is important to examine the layers of meanings shaping our view of those considered 'others' because it helps us to see the extent and variety of injustices experienced by 'others', to demythologize justifications for the oppression of 'others', and to recognize our own unwitting participation in and constitution through practices of 'othering' and oppression. Although neither has an ultimate claim to truth, both claiming and deconstructing subjectivity are important ways to locate and understand situations of oppression and resistance and both aspects of this two-pronged approach hold potential for lessening the oppression of animals.

To begin with, it is important to recognize animals as subjects or 'persons'[147], particularly when many occupy an extremely oppressed subject position in our society. The demonstration, performance, or experience of an animal's subjugation can provide us

with important insight into the mechanisms of oppression and subsequent forgetting and justification. The fact that a great deal of interpretation will be involved on the part of humans to translate animal experiences into human language does not negate the fact that we can identify expressions of subjective suffering and resistance in animals. At the same time, simply claiming a new subjective voice or account of the world with corresponding demands for justice is limiting. I would argue that both equality/rights and ecofeminist approaches stop at the point of demanding that the subjectivity of animals be acknowledged and consequently are often unaware of the political privileges, pitfalls and ramifications of this maneuver. Part of this project involves directing the focus toward ourselves (human animals) and asking how a particular form of subjectivity is enabled through, and constructed upon, the objectification, 'othering' or oppression of animals.

Consequently, this chapter will focus on the task of examining how human and animal subjects are co-constructed through several discourses, including: 'nature' as sublime wilderness, urban or industrial modes of production, race and the nation state, and biology and the scientific method. Certainly this is an incomplete list but it provides a fascinating glimpse into the construction of animal subjects, human and otherwise. In spite of this evidence of the co-construction of what it is to be both a human and a non-human animal, the particular modern subject of political theory is marked by a denial of any animal heredity. This is accomplished primarily through the reification or reiteration of the modern political subject as a self-contained and freely acting agent in the world.

The shared genealogy of human and animal subjects is also denied through the use of 'the animal' to define 'the human' by serving as a blank page where conceptions of

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[147] Unfortunately there is not a non-anthropocentric word available but many people have argued that

what it is (or is not) to be human are projected. Moreover, animals appear in the project of constructing/discerning what it is to be 'human', as biological bodies that allow us to know ourselves in terms of our biological nature. Recognition of how marginal figures have been used to delimit 'humanity' or 'subjectivity' is found in Foucault's work on the subject. In agreement with Donna Haraway, I would argue that Foucault's poststructuralist approach of deconstructing subjectivity does not apply to human animals exclusively. As Haraway has written, deconstructing the subject allows us to recognize its potential and its limitations, and to be open to "lived social and bodily realities in which people are not afraid of their joint kinship with animals and machines, not afraid of permanently partial identities and contradictory standpoints."[148] The ramifications of exploring our 'joint kinships' are not predetermined nor necessarily in agreement with all of the aims of the animal liberation movement, however, there are potentials, uncertainties and possibilities that are opened up in such an approach that are crucial to challenging human privilege and the oppression of non-human animals.

Our particular construction of human subjectivity emerges through a variety of practices and discourses and there is body of literature that contends that animals are constructed as subjects by these same discourses. In particular, animal subjects supplement definitions of humanity, or what is and what is not human, through their place in binary concepts such as wild/domesticated, nature/culture, male/female, and society/biology. These concepts intersect and cannot be completely separated from each other; moreover, none can be shown to be the primary binary that produces the others.

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animals are persons. For example, see Mary Midgley.

[148] Donna J. Haraway, Simians, Cyborgs and Women: The Reinvention of Nature, (New York: Routledge, 1991) 154.

Examining how, as Haraway has written, "we polish an animal mirror to look for ourselves"[149] and analyzing the intersections where the limit between human and animal plays out, provides a context for thinking about deconstructing the subjectivity of animals, human and non-human.

Perhaps the most common configurations of the 'animal' as humanity's mirror allude to mankind's supposed original unity and subsequent alienation from nature. In this story, animals figure as part of romantic discourses about wilderness, nature and the noble savage that symbolize our original innocence, and as tragic or monstrous figures of domestication that refer to our subsequent alienation. According to many authors, societies based on different modes of production have different relationships with animals and nature.[150] For example, in the pre-industrial west, people depended on animal labour and their knowledge base (what we might now call 'folk-knowledge') attributed both anthropomorphic and magical qualities to plants and animals.[151] The role of animals in human society and the meanings of 'the animal' (and 'the human') have changed over time and with social conditions, however, non-human animals, especially as figures of 'nature', are central to the construction of the modern human subject.

Many have argued that the concept of 'nature', as we use the word today, was invented during the upheaval of the industrial revolution.[152] William Cronon argues that in the Eighteenth Century 'nature', as represented by the concept of 'wilderness',

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[149] Ibid., 21.

[150] Richard Tapper uses a Marxian analysis to argue that human/animal relations mirror the contract, feudal lord and serf, and bourgeois/proletariat roles found in hunting and gathering, pastoral and industrial societies respectively. Richard Tapper, "Animality, Humanity, Morality and Society" in Tim Ingold, What Is an Animal? (Boston: Unwin Hyman, 1988).

[151] Treatment of animals was not necessarily less cruel however. See Keith Thomas, Man and the Natural World.

[152] See William Cronon, Tim Luke and Keith Thomas.

underwent a shift in meaning from being a barren and hostile wasteland to a pristine depiction of Eden.[153] He describes how the concept of 'nature' was/is caught up in romantic notions of the sublime and the frontier, which accompanied the industrial and scientific revolutions. For example, the Rousseauian notion that the solution to the problem of the modern world lay in reverting to simpler ways of life was central to the drive to colonize the western United States. The myth of the frontier promised that as you moved to the uninhabited Wild West you escaped the trappings of civilization and reclaimed primal, noble, liberal democratic energy.[154]

The paradox of the sublime and the frontier was, however, that in the act of conquering or inhabiting untamed or pristine land, it became civilized. Nature became defined as that unsoiled by human interference. Likewise, as European people filled in the supposedly uninhabited American west, there were calls to place some land off limits in order to protect the possibility of the frontier and the corresponding American frontier mythology. Environmentalism and efforts to protect endangered animals have inherited a concept of nature derived from notions about the pristine and self-regulating characteristics of ecosystems untouched by humans, and the subsequent assumption that human involvement in nature is an inevitable pollution. In the pure state of 'nature', it is assumed, animals are inherently free and fulfilled in the same way that the desire to achieve or reclaim a mythical human state of nature is expressed in ideas about the pristine wilderness.

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[153] William Cronon, "Trouble with Wilderness, or Getting Back to the Wrong Nature", in William Cronon (ed) Uncommon Ground. (New York: W. W. Norton & Company, 1995) 73.
[154] Ibid., 76.

The 'sublime' and the 'frontier' express a rugged individualism that implied a rejection and hostility towards modern society as civilized people were, so the thinking went, increasingly rationalized, bureaucratized and urbanized. Ironically, though, the men (and this was a highly gendered phenomena) who most celebrated nature through concepts of the frontier and the sublime were upper-class people who were enjoying the rewards of the modern urban economy that was seen to be so alienating. Consequently, the wilderness could only come to reflect and reproduce the very civilization - that of the bourgeois elite - its devotees sought to escape.[155] People who still worked the land, such as farmers, miners or loggers, were supposedly not alienated from it and were less likely to regard unworked, hostile or extreme land as ideal, natural and sacred. Consequently, the reverence of the wilderness from the point of view of those alienated from it has led to the paradox that true, pristine nature must be completely segregated from humans; our very existence causes the fall of nature. Moreover, notions of nature, the value of nature and threats to natural integrity are intricately connected to class divisions in a modern, industrial economy.

John Berger echoes the suggestion that over the last two hundred years 'we' (by this he means the proletariat) have lost our close proximity to nature and animals because of technological changes and urbanization.[156] Whereas animals were once part of production - co-workers in a sense - industrial changes have made our need for animal power obsolete and the move from rural to urban living has separated us from a daily connection to living animals. In fact, he writes that animals are no longer part of production as raw materials; their material

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[155] Ibid., 78.

bodies are processed like just any other commodity.[157] For Berger, this is important because it points to the similar erosion of the condition of industrial workers who are not only alienated from their labour but also their connection to nature by systems of production.

Berger finds this proletariat alienation reflected in the 'mirrors' of animals in zoos and as pets, which "symbolize the inauthenticity of contemporary urban culture."[158] The emergence of zoos coincided with a decline in wild animal populations[159] and colonial expansion. As industrialization killed off and segregated animals, people sought to replace this loss through house pets and encounters with 'nature' at zoos. Moreover, zoos became a symbol of imperial power because they displayed animals captured from colonized countries. In the zoo, animals became more exotic and remote, yet more familiar and banal at the same time as western society became, according to Berger, more urbanized and domesticated. Zoos meant that a middle-class English boy, in an urban setting, could now come face to face with an Asian tiger or Canadian grizzly bear in perfect safety. Therefore, for Berger, zoos are a monument to the impossibility of the natural encounter - "an epithet to a cherished relationship between man and animal."[160] As Berger writes, "the fact that they [i.e. caged animals] can observe us has lost all significance. What we know about them is an index of our power, and thus an index of what separates us from them."[161]

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[156] John Berger, "Why Look at Animals" in About Looking, (London: Writers & Readers, 1980) 10.
[157] "Ibid.", 11.
[158] Steve Baker, Picturing the Beast, 13.
[159] Marina Warren, From the Beast to the Blond, (add info) 306.
[160] Thomas Berger, "Why Look at Animals", 19.
[161] "Ibid.", 14. This knowing view, however is not an objective one but as Baker points out, it is explicitly the white, male gaze of the empowered. Steve Baker, Picturing the Beast, 15.

Likewise, Berger disdains pets as alienated, unnatural creatures; for him the modern pet is not a real animal.[162] In "Why Look at Animals", Berger laments the replacement of physical connections between humans and animals with inauthentic visual ones. Yet the physical closeness between humans and pets is not considered healthy because the animals in question are not the independent, noble and dignified creatures that Berger has in mind:

> The essay thus sets up an idiosyncratic contrast which is certainly not quite that of contemporary animal rights orthodoxy. The 'outside' world, the authentic reality of the good meat-eating peasant, is set against capitalism's claustrophobic interior where the overt exploitation of animals goes hand in hand with the narcissistic fictions of the pet-owning animal-lover - the powerful symbolism of that older and outer world contrasting with the hollow echoes of what we might call the modern urban-symbolic.[163]

Pets, for Berger, are inauthentic in the same way that Disney characters are not authentic animals. Mickey Mouse, realistic stuffed toys and pets are all pathetic, fetishized and neotenized[164] versions of the real animals that we have lost. The degree to which we cling to this type of animal presence in our lives reflects our domestication, alienation and immaturity according to Berger.

Yet the history of pet keeping tells a somewhat different story. Keith Thomas agrees with Berger that "the fact that so many people feel it necessary to maintain a

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[162] "Ibid.", 12.

[163] Steve Baker, Picturing the Beast, 13.

[164] "Neoteny" is defined as "the retention of juvenile characteristics in the adult" (Webster's New World Dictionary). Elizabeth Lawrence has argued that "human beings have selectively created animals which are neotenous. ... Konrad Lorenz ... proposes that the physical configuration of a high and slightly bulging forehead, large brain case in proportion to the face, big eyes, rounded cheeks, and short stubby limbs, calls forth an adult nurturing response to such a 'lovable' object, moving people to feelings of tenderness. The same positive reactions are elicited by animals who exhibit these juvenile traits". Cited in Steve Baker, Picturing the Beast, 181. Examples of our attraction to neotenous objects can be found from the evolution of Mickey Mouse's appearance to the new iMac Apple computers.

dependent animal for the sake of their emotional completeness tells us something about the atomistic society in which we live."[165] However, the practice of pet-keeping:

> ... encouraged the middle classes to form optimistic conclusions about animal intelligence; it gave rise to innumerable anecdotes about animal sagacity; it stimulated the notion that animals could have character and individual personality; and it created the psychological foundation for the view that some animals at least were entitled to moral consideration.[166]

Consequently, the idea that Berger takes for granted - that 'real' animals have an inherent dignity or worth - arises in a society that began to relate to animals in a new way when select individual animals began living in close quarters as part of the family.[167]

Certainly the relationship between people and pets is a complicated one because as Yi-Fu Tuan has written, pet keeping is "dominance combined with affection" not unlike the relationship between parent and child.[168] The abuse and abandonment of pets attests to the fact that affection can often lose out to dominance. Moreover, ear-clipping, tail-docking and other cosmetic manipulations of pets are examples of unnecessary pain inflicted onto pets by their owners. Berger's thesis that pets unnaturally "complete" their owner seems to be displayed by society ladies who carry handbag-sized miniature poodles and by rugged men whose pick-up trucks are protected by Rotweiler guard dogs. However, the judgment that these relationships are perverse, unnatural or undignified reflects Berger's problematic assumption that there is only one proper relationship that humans should have with animals. In other words, Berger assumes that animals are

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[165] Keith Thomas, Man and the Natural World, 119.
[166] Ibid.
[167] According to Thomas, dogs, monkeys, cats, lambs, pigs, horses and birds were all kept as pets. Ibid.
[168] Yi-Fu Tuan, Dominance and Affection: The Making of Pets, (New Haven: Yale University Press, 1984) cited in Carol Adams, "Women Battering and Harm to Animals" in Carol Adams and Justine Donovan (eds) Women and Animals: Feminist Theoretical Explorations, (Durham: Duke University Press, 1995) 75.

biologically determined to be a certain kind of creature and only through an unnatural relationship with humans are they frustrated from reaching that end.[169]

For Berger, the situation of animals as pets, in zoos and as raw material helps us understand the stress of living in an industrial consumer society. Interestingly, however, animals themselves are only important as metaphors and symbols for him and his point is not to lament the cruel or unusual treatment of animals in these roles. Moreover, Berger's disdain for domesticated, tamed or 'unnatural' animals demonstrates that while the animal in the pristine wilderness is a noble symbol of the manly virtues of nature, pets, caged animals and animals intensively raised for food are dismissed as domesticated and feminized creatures. As such, domesticated animals serve as tragically comic and ridiculous symbols of our own alienation from nature, slightly horrifying figures who remind us of our own 'unnatural', tragic and even bizarre domesticity. From there our joint alienation from nature serves to legitimate our treatment of animals as objects for human consumption.

Haraway has written extensively about how scientific research using animal communities, especially primate ones, has been used to naturalize or reify assumptions about the primacy of conflict and dominance, gender hierarchies and sexual relationships that coincide with a self/other subjectivity and a capitalist economy.[170] As part of this science project, "animals have continued to have a special status as natural objects that can show people their origin, and therefore their pre-rational, pre-management, pre-

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[169] This corresponds to Berger's belief that human are meant to be a certain kind of creature and are frustrated from fulfilling our potential by an oppressive system of production.
[170] See Donna J. Haraway, Primate Visions and Simians, Cyborgs and Women.

cultural essence."[171] For example, if it can be shown that apes establish hierarchies of authority or dominance, especially in terms of the sexual submissiveness of female apes, then this would explain why power hierarchies appears in human societies as well. If it is 'natural' then it cannot be condemned nor helped in apes or in human primates. In particular, Haraway has shown that primate studies from the 1930's and 1940's confirmed theories about gender divisions and structural functionalism in human societies.[172]

Primates have been the ideal models for studying the internal human body as well. Lynda Birke writes that modern science reifies and contributes to a system of modern inequalities and in turn, "assumptions founded on these inequalities become built into the ideas of science."[173] In particular, there are "a whole set of assumptions about the appropriateness of using animal bodies as 'models' for the human body."[174] By viewing bodies through a machine metaphor, the animal body can stand for all similar unchanging bodies. In addition, the study of bodies (biology) is (ironically) conducted by examining dead bodies, so the study of life means losing the vitality of the organism: "as we study the dynamic processes of life we fix them into the eternal stillness of death."[175] The body is understood in fragments, which downplays the importance of organic integrity for life. Figurative fragmentation leads to literal fragmentation where, for example, organ transplantation is enabled by the dismemberment of animals with compatible organs.

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[171] Donna J. Haraway, Simians, Cyborgs and Women, (New York: Routledge, 1991) 11.
[172] "We cannot dismiss the layers of domination in the science of animal groups as a film of unfortunate bias or ideology that can be peeled off the healthy objective strata of knowledge below. Neither can we think just anything we please about animals and their meanings for us. We come face to face with the necessity of a dialectical understanding of scientific labour in producing for us our knowledge of nature". Ibid., 12.
[173] Lynda Birke, Feminism and the Biological Body, 9.
[174] Ibid.
[175] Ibid., 140.

Primates continue to figure importantly in questions of human nature, proper relationships between humans and animals, and even in configurations of what determines natural political arrangements. For example, in 1993, Peter Singer and Paola Cavalieri published a "Declaration on Great Apes", which argued that apes possess basic rights of life, liberty and freedom from torture and should be allowed to exercise those rights in a self-governing, sovereign territory.[176] The argument draws on historical uncertainty about how apes should be classified (are they more human or more animal?), the genetic similarity between humans and other primates[177], and information about the social structures of ape communities, to argue that apes hold claim to a sort of national sovereignty and the right of non-interference from outsiders.[178] The political motive behind the Declaration is that many apes in question are currently threatened by humans, especially but not only those who live in the same territory because the humans are destroying the apes' habitat, killing much of the ape population, and allowing apes to live as laboratory slaves.

This call for nation-based rights is meant to protect the apes from the sovereignty exercised by human nations in the same territory, which pits an ape sovereignty claim directly against a human one. The Declaration then is as much a condemnation of the irresponsibility, or the inhumanity, of the people who are mistreating apes and pushing them towards extinction, and the claim to ape nationalism is primarily a strategy to

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[176] Robert E. Goodin, Carole Pateman and Roy Pateman, "Simian Sovereignty" (Political Theory, 25 no.6, 1997) 821.

[177] The genetic similarity is 96.4% between human and orangutan DNA, 97.7% between human and gorilla DNA and 98.4% between human and chimpanzee DNA. From Goodin et al, quoted from The Great Ape Project, 88-101 and 93-95.

[178] "If the logic of sovereignty in the Westphalian order was taken at face value, many of the great apes would already have met the traditional test of de facto sovereignty - namely, an authority structure in place over some particular territory". "Ibid.", 833.

achieve this goal. The argument turns on a role reversal where people are criticized for acting as 'animals' while the apes are said to possess an intrinsic, albeit basic, humanity which accords them natural sovereignty rights. Given historical justifications of racism that suggested a 'natural' proximity existed between the 'lower races' and animals and given the direct threat posed to the apes by the African people living in the same area, this strategy is potentially problematic. The attempt to ascribe sovereignty rights to the apes suggests that the real objects of attention are still humans and the animals are primarily useful as a vehicle to make judgments about human conduct.

In each of these examples, the human subject is constituted both against and through concepts of animality. The 'animal' is used to signify aspects of humanity, and at the same time, an abyss is reified separating humans and animals. There are three main ways in which the subjectivity of animals figures as a constitutive negation in the establishment of a particular form of human subjectivity. First, this is accomplished through a set of assumptions about the subject that correspond to the masculine, individualist subject in modern political philosophy. This subject is distinctly free from the determinations of nature that constrain non-human animals. Secondly, the animal as symbolic body serves as a figurative screen or blank page that allow projections of meanings about human subjectivity to be presented. The notion that animals are used as 'blank pages' draws from the work of Sandra Gilbert and Susan Gubar who argue that the female body often figures in this capacity in art and literature. Finally, the animal as body, or organism that acts according to biology and instinct, allows for the delineation of the human subject as both a product of biology and an agent free from biology. Consequently, Lynda Birke problematizes the assumptions behind using animal 'subjects' in biology as

both different than humans (not affected by social influences) yet at the same time reductively equivalent to the human body.

A great deal of work has been done to show how notions of the subject in modern political theory are "relentlessly male"[179] and how they consistently constitute the self as a "bounded agent in the world, the centre of all things, active, reflective, coinciding neatly (immediately or eventually) within itself."[180] Typically this self is not considered gender specific but constitutes itself as 'human' and stands to distinguish humans from the non-human world. It is to the credit of this particular account of male-defined subjectivity that there are many different relations possible between the self and other but all are defined through male subjectivity.[181] For example, women can be admired, respected or included *as part of* the dominant discourse and not *in spite of* it as it might first appear.[182] Similarly, animals can be treated with love, care, respect, and admiration without disrupting the dominant discourse of human-centered subjectivity.

This remarkably male model of the Subject and 'others' is well illustrated by the work of Hegel and his hypothesis that the subject is formed through the workings of a lord/bondsman (master/slave) dichotomy. Hegel has "an insistence on the primary separation and conflict over interconnection and affirmation and on the constitution of desire via domination"; moreover, he shares "modernity's project of mastering and utilizing nature."[183] The Hegelian subject comes to know itself "through a dialectical process of opposition and negation"; the subject has to go outside itself in order to know

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[179] See Wendy Brown, Manhood and Politics: A Feminist Reading in Political Theory, (Totowa, NJ: Rowman and Littlefield, 1988).
[180] Kathy Ferguson, The Man Question, 38.
[181] This idea comes from Edward Said, Orientalism, 204, cited in Kathy Ferguson, The Man Question, 38.
[182] Ibid., 39.

the inside and the subject exists only by being acknowledged or recognized by others.[184] Agency in these terms is defined as the ability to dominate, or illicit acknowledgment from, an 'other':

> The setting for the story of lord and bondsman is the human quest for identity, for a unified subjectivity, wholeness, independence, autonomy, and self-sufficiency. This quest can only be fulfilled by recognition of an other who also possesses self-consciousness (that is, not a non-human animal or plant). Because each person wants this acknowledgment, wants to command this recognition from the other, a struggle ensues. Each wants to be the essential, the primary one, and to render the other inessential so as to command his recognition. The one who wins the struggle does so not by actually by killing the other (for that would leave no one to give recognition) but by being prepared to kill the other and to die in the fight. The one's willingness to kill and to die intimidates the other into submission. The first becomes the master/lord, the second the slave/bondsman.[185]

The slave learns to internalize the master's conception of himself as object or thing and he believes that he cannot live without the master. But through his labour the slave develops a sense of himself and his importance. Therefore liberation is possible when the slave realizes (self-actualizes) what he is capable of becoming an individual in the model of his master.[186]

The scene is set for the endless cycle through which history progresses. The master seems to have freed himself ('themselves' in the case of a ruling group) by commanding the slave but this relationship is really one of dependence, wherein the master depends on the slave and consequently the bondage is eventually reversed. Likewise, animals and 'nature' are dominated by humans in the story we tell ourselves; however, our independence from nature and animals is plainly a misconception because humans are dependent on animals and nature more broadly. As the industrial revolution

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[183] Ibid., 40.
[184] Ibid., 41-42.
[185] Ibid., 42.

catches up to us with global warming, desertification, endangered species, mad cow disease, anti-bacterial resistance, and the hole in the ozone layer, the myth of our independence or colonization of nature becomes a questionable, if not feeble, claim.

The subject in modern thought as the active agent and centre of all things may have a hegemonic status but it is based on only one kind of relationship. For example, the relationships between friends, family members, or romantic partners are inadequately described by a master/slave paradigm. Sigmund Freud of course argued that these relationships truly are ones of domination and subordination but perhaps this is not surprising (or convincing) given his sometimes bizarre assumptions - often verging on ambivalence - about female psychology. As we saw in Chapter Two, there are other ways to imagine human relationships and it is extremely important to unprivilege the self/other, master/slave binary division that suggests that there are only two roles that can be performed in relationships. Animals are relegated to the bottom of these binaries and are used to confirm a Hegelian view of human subjectivity.

The human 'subject' is also constructed through the identification of animals as bodies (as opposed to minds) that can be surfaces for representation or reflections about human-ness. In Sandra Gilbert and Susan Gubar's revolutionary book The Madwoman in the Attic, they describe the challenges for female authors who are faced with writing against a "paternity/creativity metaphor" of [male] authorship, which includes the notion "that women exist only to be acted on by men, both as literary and sensual objects."[187] Women and female bodies in this paradigm are blank pages - 'cyphers', to use Gilbert

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[186] Ibid., 43.

[187] Sandra M. Gilbert and Susan Gubar, The Madwoman in the Attic: The Woman Writer and the Nineteenth-Century Literary Imagination, (New Haven: Yale University Press, 2000) 8.

and Gubar's metaphor - or "nullities [and] vacancies"[188] that enable dissemination from the active, masculine pen. The point is not to suggest that a patriarchal construct of literary authority is not also available to women authors, but to show how the subjectivity of the author is defined in a way that requires 'female negation', or the objectification - rendering inert - of passive, female bodies that are themselves "void of generative power."[189]

In Derrida's discussion of the 'blank', or space that allows the dissemination of signification (words, text, writing), he also alludes to this gendered division of signifying labour by including 'hymen' in the series of "writing sites" (blank, space, white, hymen, tissue).[190] Derrida's wants to problematize the separation between page and text, and the division of signifying power assigned to each. In other words, he argues that the 'passive' blank space also generates meaning and that the meaning of the 'active' marks cannot be completely contained or pre-determined. The bodies of animals, likewise, figure as 'blank', 'cyphers' or mediums for signification, and as Derrida suggests, they do not always stand still or cooperate with those meanings, nor are they purely passive objects in the production of meaning.

Steve Baker echoes this premise when he argues that "representations of the animal can be used to make almost *any* kind of statement about humans and human identity."[191] Moreover, he points out that 'the animal' seems to be far and away the most

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[188] Ibid., 9.
[189] Ibid., 21.
[190] Jacques Derrida, "Dissemination" in James M. Thompson (ed), Twentieth Century Theories of Art, (Ottawa: Carleton University Press, 1995) 478.
[191] Steve Baker, Picturing the Beast, x.

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[190] Jacques Derrida, "Dissemination" in James M. Thompson (ed), Twentieth Century Theories of Art, (Ottawa: Carleton University Press, 1995) 478.
[191] Steve Baker, Picturing the Beast, x.

common metaphor that "enables us to frame and express ideas about human identity."[192] This interesting fact cannot be separated from our relationships with living animals. Understanding the mechanisms behind tropes of representation can give light to various modes of concealing and trivializing animal oppression and Baker believes that this can provide animal liberationists/defenders innovative ways of using animal representation to the benefit of the political movement.

The "image of body as surface, always malleable and subject to multiple readings"[193] is juxtaposed with the view of bodies as collections of inert parts, seen particularly in biological understandings of animal subjects. Lynda Birke has concerns that a poststructural approach to subjectivity is once again leaving biology and the body out of the picture, or continuing problematic assumptions about what is biological. Birke writes:

> There are underlying problems with our critiques of biological determinism that we failed adequately to address. One is that in questioning biological determinism, we have insisted upon social construction - of gender, of sexuality, of the inequalities of race. A corollary of this position is that we thereby perpetuated the distinction between what counts as sociocultural (human) and what counts as biology.[194]

One of the most dramatic areas that is (re)defining 'the animal' as body today is in the area of cloning and genetic engineering. On one hand, working from a basic unit of 'the gene' involves a radical equalization of humans and all other DNA based life forms. Bodies (human or non) become vehicles (in theory) for any sort of combination of genetic information. Genetic engineering raises large problems for animal rights theories because humans today really are 'creating' new combinations of life (DNA), which might never

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[192] Ibid., 24.
[193] Lynda Birke, Feminism and the Biological Body, 6.

exist in 'nature' (such as pigs with human organs). When DNA is privileged as *the* concept with scientific currency and when it is seen as little more than a collection of 'information', it becomes more difficult, but no less important, to argue that the pain, sentience, intelligence, or subjectivity of engineered animals *matters.*[195]

This focus on DNA has led people to be concerned with the preservation of individual genes rather than living beings. The disembodying narrative of flows of information through genes threatens once again to forget the materiality of the body as a self-'organ'ized, dynamic and transforming entity.[196] Rather, Birke writes that we should approach the body as becoming, or in "a process of constant transformation"[197], given that the actual material that makes up living organisms (cells) do not exist inertly but are in a state of constant regeneration. As Birke argues, continued somatophobia, or denial of the body, contributes to the oppression and objectification of animals who are defined as bodies and not subjects.

Genealogical approaches or deconstructive approaches understand subjectivity as a particularly modern phenomena sustained by particular discourses and practices. Instead of assuming the "priority of the speaking subject and that subject's account of his/her experiences, ... the genealogist problematizes the subject, claiming that our notion of the subject is itself an outcome of the disciplinary practices of modernity."[198] In this

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[194] Ibid., 20.
[195] Interestingly some animal rights proponents have suggested that we should use genetic engineering to benefit the lives of animals raised for our use, for example, to engineer chickens that do not have a nesting instinct. I would argue that without problematizing the Subject in much of the animal rights literature, suggestions such as this which give humans the prerogative to manipulate animal lives - even their very DNA - for their own good, is to be expected and ought to be questioned further. See the work of Bernard Rollin. Cited in Magpies, Monkeys and Morals, 108.
[196] Lynda Birke, Feminism and The Biological Body, 148.
[197] Ibid., 136.
[198] Kathy Ferguson, The Man Question, 14.

approach, "subjectivity provides no secure foothold for struggling against power."[199] In particular, a poststructural account of subjectivity examines how the marginalization and oppression of animals provides a condition for the emergence of the dominant definition of subjectivity. This is so because animals are defined as the "lack, deficiency, or as imitation and negative image of the [human] subject."[200]

The animal-as-subject-negative has important consequences for the landscape of intersubjective relationships between different types of animals, human and non-human. As Kathy Ferguson writes, the genealogical project of examining discourses that construct the subject "deconstructs meaning claims in order to look for modes of power they carry and to force open a space for the emergence of counter meanings"; its emphasis on subversion "inclines it to the side of the powerless and marginal" but its rejection of all fixed meaning claims puts it in opposition to 'marginal-standpoint' theories.[201] Consequently, on both counts the deconstruction of the subject can contribute to lessening the oppression of animals; "the decentering of the human subject opens up a valuable conceptual space for shifting the animal out from the cultural margins."[202]

Michel Foucault has described his own work as "a history of the different modes by which, in our culture, human beings are made into subjects" and "[his] work has dealt with three modes of objectification which transform human beings into subjects."[203] Those modes could be described as the speaking or labouring subject, the subject of science and the internally regulated subject. In particular he is concerned to examine how

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[199] Ibid.
[200] Luce Irigary quoted in Kathy Ferguson, The Man Question, 15.
[201] Kathy Ferguson, The Man Question: Visions of Subjectivity in Feminist Theory, (Berkley: University of California Press, 1993) 6.

(human) subjects (such as the mad or healthy subject) constitutes themselves through "games of truth and practices of power"[204] and how resistance manifests through practices of subjectification. An example from the experience of oppression in factory farmed pigs involves tailbiting. Pigs, who live in cramped, humid and socially isolated conditions, have tended to bite and eat at the tail of the pig in the pen ahead of them. As Foucault would suggest, this response to a situation of diminished power, which occurs within the parameters of the situation of oppression (as opposed to acting outside of it), is an expression of resistance. Unfortunately, as is frequently the case with attempts at resistance against profound oppression, the response to tailbiting has been to remove the tails of pigs rather than to give them more space and opportunities to socialize.

However, Foucault does not extend his investigation of the subject to include animals as subjects who are formed within regimes of power and who resist coercive power from within those regimes. In particular, he does not believe that freedom (as acts of resistance from within power regimes) is a concept that can be applied to animals for two reasons. First, he writes that a certain base level of freedom (understood as lack of constraints) is necessary for a subject to be part of discourses of power and resistance: "nonslavery to others is a condition [of freedom and hence ethics]: a slave has no ethics."[205] Secondly, he reifies the assumption that freedom involves transcending one's natural, biological or instinctual impulses. He writes: "being free means not being a slave to oneself and one's appetites, which means that with respect to oneself one establishes a

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[202] Steve Baker, Picturing the Beast: Animals, Identity and Representation, (New York: Manchester University Press, 1993) 26.
[203] Michel Foucault, "The Subject and Power", 208.
[204] Michel Foucault, "The Ethics of Concern for the Self as a Practice of Freedom", 290.
[205] "Ibid.", 286.

certain relationship of domination, of mastery."[206] I would argue that because animals are, by definition for him, biological or instinctual beings, freedom for Foucault is a meaningless in the discussion of animal oppression.

In other words, being a subject and being free both require a certain basic condition of non-slavery and self-mastery. In this sense, the Foucauldian subject does not diverge from the subject in modern political thought. Consequently, animals who are often in conditions of slavery and who might be considered unable to 'master their appetites' would not be subjects in Foucualt's thinking (nor Hegel's). However the assumption in Foucault's work that his work on the subject should be confined to human animals is unconvincing. The project of deconstructing the subject problematizes the absolute, binary separation between human animals as active creatures of culture or society and non-human animals as passive creatures of nature or biology. Foucault writes that becoming a subject through relations of power and discipline, and exercising practices of freedom from within those relations, are two sides of the same coin. Consequently, his appeal to a notion of freedom as the transcendence of the constraints of biology and a state of incomplete domination is in tension with his central claim.

As Haraway has written, deconstructing the concept of the subjectivity allows us to recognize its limitations and to be open to "lived social and bodily realities in which people are not afraid of their joint kinship with animals and machines, not afraid of permanently partial identities and contradictory standpoints."[207] Most importantly a Foucauldian-inspired approach to subjectivity inverts the 'animal problem' by pointing to

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[206] "Ibid.", 287.
[207] Donna J. Haraway, Simians, Cyborgs and Women: The Reinvention of Nature, (New York: Routledge, 1991) 154.

problematic constructions of human subjectivity that play off of the meanings and understandings projected onto animals. The point is not to settle the question of 'what is freedom' but to examine how human self-conceptions utilize the subordination of non-human animals and to problematize these power relations.

Haraway's "Manifesto for Cyborgs" urges us to recognize the ways in which the discourses of science, nature and capital have constructed such narrow understandings of concepts like 'the animal' but also how subversion and resistance are possible from within these regimes of meaning. It is precisely because of the narrow confines of the binary divisions between male/female, human/animal, culture/nature that we are able to explode these concepts from within. Her cyborg 'subject' reflects the breakdown of the animal/human divide[208] and a resultant potential for border crossing and category confusion. In addition, the cyborg entices us to resist the security of the supposedly solid foundations of 'nature', scientific objectivity, or subjective standpoints as the source of insight or innocence.[209] Instead, the cyborg "skips the step of original unity, of identification with nature in the western sense. ... Nature and culture are reworked; the one can no longer be the resource for appropriation or incorporation by the other."[210]

The cyborg subject is not the replacement of, or improvement upon, the Hegelian subject of modern political thought. Although the possibility of examining subjectivity through a cyborg lens potentially disrupts the human/animal divide in ways that are positive for animal defenders, Haraway's point is not to replace one partial and politically charged Subject with another universal category. Instead the lesson of the cyborg is to try

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[208] The 'cyborg' disrupts the human/animal division as well as the organism/machine and the physical/metaphysical divides.
[209] Donna Haraway, Simians, Cyborgs and Women, 152-3.

to address troublesome binary power structures without needing to return to innocence or find a final solution. Consequently the project of deconstructing subjectivity from an animal angle holds great potential for disruption, sober self-examination and creative re-thinking but the resultant effects for human animal/non-human animal relationships cannot be predeclared to be in accordance with the specific aspirations of animal activists.

Yet it is crucial to deconstruct subjectivity in order to expose the role 'the animal' plays in our self-understandings and to consider the position animals play as biological bodies and 'blank pages', in relation to the goal of animal activists to assert the subjectivity of animals. The problem of appropriating subjectivity is not a problem unique to animal marginal subjects. Postcolonial theorists and what Ferguson calls 'linguistic' feminists have shown how difficult it is for the subaltern to speak as subjects because individuals and groups are always inside discourses that define us in particular ways.[211] Consequently, achieving subjectivity for marginal groups also requires that the dominant class (in this case, human animals) learn to listen and interact with the subaltern (in this case animals) in radically different and imaginative ways. At the same time, we must be leery of reifying animals as the latest or ultimate subaltern group whose victimization gives them a privileged claim to recognition. As Haraway states, "innocence and the corollary insistence on victimhood as the only ground for insight, has done enough damage."[212]

Instead, investigations of the cultural meanings which are embodied by animals and the representation of animals in our popular imagination, demonstrates how the

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[210] Ibid., 151.
[211] See Gayatri Spivak, "Can the Subaltern Speak".
[212] Donna Haraway, Simians, Cyborgs and Women, 157.

objectification of animals and the cultural marginalization of animal suffering is enabled through trivial, fetishized and neotenous stereo-types of animals. Examining the 'other'ing of animals demonstrates how particular aspects of 'human-ness' are constructed through the ways in which we perceive and understand animals. As Keith Thomas has demonstrated, "[i]t was as a comment on human nature that the concept of 'animality' was devised"[213]; the concept of 'humanity' is intertwined with assumptions about 'animality'. Questioning the discourses that shape animal subjects (both human and non) and examining the borders that have been drawn as the effects of power relations, makes it is easier to question current practices that treat non-human animals as inert bodies availing themselves to our disposal. Consequently, a deconstructive or genealogical process is a potentially profound step towards imagining new and more responsible types of relationships between human and non-human animals.

[213] Keith Thomas, Man and the Natural World: Changing Attitudes in England 1500-1800, (London: Allen

And that Yopp…
That one small, extra Yopp put it over!
Finally, at last! From that speck on the clover
Their voices were heard! They rang out clear and clean
And the elephant smiled, "Do you see what I mean?…

Conclusion:

The story Horton Hears a Who written by Theodor Geisel (Dr. Suess) expresses how dangerous racism and the exclusion of the 'other' can be. It was written as an allegory of how racism against Japanese people helped justify the first ever atomic bomb attacks on the people living in Hiroshima and Nagasaki. In the story, Horton, an elephant, hears a tiny voice coming from a dust speck blowing in the wind. He rescues the speck and promises to protect the 'Whos', the persons inhabiting the spec, which he places on a clover flower. Other animals belittle his concern, steal the clover flower and a "black-bottomed birdie[214]" drops it in a field of eight million clover. Horton manages to find the spec but the ignorant animals steal it again. Certain destruction is averted at the last moment when all the Whos work together to make themselves heard and a great 'Yopp' reaches the ears of the hostage takers.

The use of animal characters to tell the story allows Geisel to deal with politically sacrosanct material in the same way that the Art Spiegelman's Maus comics[215] tell the story of a holocaust survivor through animal characters. The animal characters bring an

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Lane, 1983) 41.

[214] The black bottomed birdie refers to the American national symbol, the Bald Eagle and to the airplanes that delivered the bombs. The Mayor of Whoville tells Horton: "When that Black Bottomed Birdie let us go and we dropped/ We landed so hard that our clocks have all stopped../Our teapots are broken. Our rocking chairs smashed./ And our bicycle tires all blew up when we crashed.", this is a reference to the fact that the clocks in Hiroshima did stop at the moment the bomb was dropped. Theodor Geisel, Horton Hears a Who, (New York: Random House, 1954) 37.

[215] Art Spiegelman, Maus: A Survivor's Tale, (London: Andre Deutsch, 1987). Another example of using animals to make the unthinkable horrors of concentration camps thinkable is the opening scenes in the movie "Babe". See the first respondent in Coetzee, The Lives of Animals, for a discussion of this.

aspect of fantasy or unreality that ironically makes it possible for the reader to imagine or grasp the reality or 'truth' behind the story. In the Horton tale, the lesson of acceptance and tolerance is reinforced by an ironic role reversal where animals are responsible for a callous and arrogant attitude toward the less-powerful, human-like Whos, and where one particularly sensitive animal faces great odds to convince the others that: "a person's a person no matter how small." Through an animal rights lens, the story can also urge readers to question their assumptions about the non-personhood of animals and the unrealistic demands placed on the subaltern (the Whos, animals) to prove to the rest of us that we should protect or respect them. It is particularly interesting that the Whos shout "We are here, we are here, we are here, we are here" yet the utterance that finally resonates with the capturers is a non-sensical 'Yopp' that is more akin to a 'bark' or a 'moo' than the comprehendible 'we are here'.

Animal rights advocates often describe the movement in terms of a continuation of former enlargements of the moral community to include non-white races and women.[216] Likewise, the ridicule of animal liberation theories is not dissimilar to the ridicule that accompanied early calls for the liberation of slaves, women, homosexuals and others. In fact, the release of Mary Wollstoncraft's 'Vindication of the Rights of Women' was soon followed by a publication called 'A Vindication of the Rights of Brutes', which was released anonymously but later found to be written by Cambridge philosopher Thomas Taylor.[217] The intent of this parody was to insinuate that the only thing more ridiculous than 'women's rights' was the suggestion that animals have rights.

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[216] Some also compare it to the attempts of pro-life proponents to widen the sphere of moral consideration to fetuses.

[217] Peter Singer, Animal Liberation, (New York: Avon Books, 1990) 1.

Moreover, at times animal defenders have utilized (perhaps unconsciously) the idea that women and radicalized people are more animalistic, or closer to being non-human animals. In Henry Salt's astonishingly progressive book on animal rights, first published in 1892, he often refers to animals as "the lower races."[218] In addition, Peter Singer and others have been criticized for suggesting that 'specisism' is similar to racism and sexism; that as Jeremy Bentham wrote:

> The day *may* come when the rest of the animal creation may acquire those rights which never could have been withholden from them but by the hand of tyranny. The French have already discovered that the blackness of the skin is no reason why a human being should be abandoned without redress to the caprice of a tormentor. It may one day come to be recognized that the number of legs, the villosity of the skin, or the termination of the *os sacrum* [tail] are reasons equally insufficient for abandoning a sensitive being to the same fate.[219]

These examples point to the animalization of women and/or racial groups or the feminization and/or racialization of animals, which has justified the oppression of both. This has been criticized from two perspectives: first that it trivializes the civil rights and feminist movements, and secondly, that biases against women and racialized people are then transferred into animal rights theories.

This conflation of subjected animals and humans reflects our ideas about who belongs inside and outside of the sphere of consideration, how that line is drawn, and how its location has changed over time. The fact that female and racialized people have been thought to be more 'animal-like' is embarrassing today because we now assert that, on an abstract level, all humans are equal and that these comparisons were only other ways of denigrating groups categorized by racial or sexual difference. While the conflation of

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[218] Henry S. Salt, Animal Rights: Considered in Relation to Social Progress, (London: Centaur Press Limited, 1980 first published in 1892) 9. This tendency notwithstanding, this book foreshadows most of the major arguments for the consideration of animals and makes the case for animal rights very persuasively.

animals and other 'sub-humans' upholds unacceptable prejudices, it is interesting that this analogy can only be insulting if 'being a non-human animal' is unquestionably less valuable, less dignified, and less important than being a human animal.

The appropriate suggestion behind Singer's speciesism analogy is simply that we must overcome the mentality that animals are materials (bodies) for human use in the same way that the anti-slavery, civil rights, post-colonial and the women's movements worked to overcome ways in which their constituents were denied subjectivity through prejudices about the dispensability of non-white, non-male bodies. Moreover, the assumed equality of 'all humans' and the division between humans and other animals is not a universal truth but an historically recent phenomena.[220] Consequently, the analogy between the end of slavery, women's liberation and animal liberation makes insinuations that may be politically charged for people whose oppression involved being equated with animals. Yet, the comparison recognizes that the modern human/animal divide is an arbitrary division that justifies the unacceptable oppression of animals at the hands of humans.

In a similar vein, arguments that suggest similarities between human and non-human animals are often charged with the sin of anthropomorphism, or the illegitimate projection of human characteristics onto non-humans. Regan points out that while it may be anthropomorphic to suggest that my cat is deeply concerned about Quebec's secession, to insist that my cat is conscious and has beliefs, desires, and interests is not

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[219] Cited in Peter Singer, Animal Liberation, 7.

[220] For example, Singer refers to early Roman gladiator fights that pitted slaves, criminals and captured soldiers against each other or against large aggressive animals indiscriminately and "[m]en and women looked upon the slaughter of both human beings and other animals as a normal source of entertainment; and this continued for centuries with scarcely a protest". Peter Singer, Animal Liberation, 190.

anthropomorphic under a proper understanding of the term. Instead, he says that it is human chauvinism "not to attribute characteristics to those non-humans who have them and to persist in the conceit that only humans do."[221] The ease with which so many people have used the charge of anthropomorphism to dismiss animal rights arguments displays, I would argue, the hegemonic nature of our human chauvinism.

Perhaps the most damning assertion leveled at animal rights proponents comes from Keith Tester who argues that animal libbers are in fact practicing an irrational 'animal avoidance' and a regime of bodily purity. As Baker paraphrases:

> Its supporters 'distance themselves from any relationship with animals and thereby begin to know themselves all the better'. They oppose cruelty to animals primarily because it constitutes 'an illicit touching which corrupts humanity; an aggression which does violence to our human being'. 'Animal rights can be reduced to a ritual avoidance of touching animals; it helps society firmly delimit itself'. ... Against all appearances, the cause of animal rights stands revealed (or so Tester believes) as an appalling self-deluding sham: an extreme form of anthropocentrism.[222]

For Tester, the practices of avoidance associated with animal rights are in fact denials of the liberationist's own animality. Tester believes that some people may love animals but animal rights supporters do not. Rather than loving animals, animal rights supporters act out of malice towards others and self-loathing. This corresponds nicely to media portrayals of the violent and angry animal rights extremists who, we are told, believe that violence towards humans in the name of animal liberation is justifiable. Portrayals of these law breaking activists are often visually presented in similar terms as IRA

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[221] Tom Regan, The Case for Animal Rights, 31.

[222] Steve Baker, Picturing the Beast: Animals, Identity and Representation, (New York: Manchester University Press, 1993) 213. Quoted from Keith Tester, Animals and Society: The Humanity of Animal Rights, (London: Routledge, 1991) 172.

extremists and neo-Nazis, which heightens the sense that these people are irrational, dangerous and concealing ulterior motives.[223]

Tester's hypothesis is not completely beyond the realm of the imaginable. Many people suspect that I am deluded about my motivations when I tell them that I have a fear of rodents that seems incompatible with my convictions that they deserve respectful treatment. Likewise, in the first introduction to Singer's book Animal Liberation, he recounts a visit he and his wife made to a woman who had a rather simplistic and unreflective 'love of animals'. When they stated that they did not own any pets, the hostess was confused. Singer writes:

> We tried to explain that we were interested in the prevention of suffering and misery; that we were opposed to arbitrary discrimination; that we thought it wrong to inflict needless suffering on another being, even if that being were not a member of our own species; and that we believed animals were ruthlessly and cruelly exploited by humans, and we wanted this changed. Otherwise, we said, we were not especially "interested in" animals. Neither of us had ever been inordinately fond of dogs, cats, or horses in the way that many people are. We didn't "love" animals. We simply wanted them treated as the independent sentient beings that they are, and not as means to human ends - as the pig whose flesh was in our hostess's sandwiches had been treated.[224]

Singer's detachment in this passage from a connection to living animals raises questions about the source of his conviction and many authors have criticized him for the severe rationalism and denigration of emotional attachment found in this paragraph. To be fair though, Singer is consciously adopting the only approach that he thought could be taken seriously in 1975 and what he believed was the only viable strategy towards the goal of animal liberation. His detached, 'objective' stance can be criticized but it may also have contributed to the success and wide distribution of his book and his ideas.

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[223] Certainly the animal liberation movement has attracted its share of extremists but media portrayals tend to suggest that these are average activists.

In response to Tester's hypothesis, Baker writes that:

> The fascinating thing about Tester's distinctive and contentious analyses is the extent to which they actually conform to certain entrenched ways of thinking about animals - ways of thinking which have no strict correspondence either to the politics [of the animal rights supporters] or the seriousness of those who hold them.[225]

For Baker, the issue at stake is the power to determine the meanings of animals and the way those meaning positively reflect and affirm a certain human self-conception. Tester seems threatened that the 'extremists' might be allowed to determine the meaning of the animal against the consensus interpretation. The belief that 'we' (English/North American society at large) are caring, compassionate and just people who love animals must not be threatened by irrational militants who want to suggest otherwise.

The availability of the animal as 'blank page' makes it easy to project meanings that reverse the claims of the animal rights supporters so that the activists appear to be uncaring and out of touch with 'real' animals. Consequently, while Tester assumes that his standpoint privileges him to see what is really going on here, and what the real meaning of the animal is, his interpretation is equally partial, and moreover, embarrassingly uncritical. This capacity for the reversal of meanings implores animal rights supporters to act and think with agility, creativity and ironic perception. We must be both sensitive to and wary of our desire to control the meaning, representation and interpretation of human/animal relationships.

This paper has argued that there is no single approach that explains the sources of the oppression of animals or provides an ultimate solution to the problem of animal suffering and (ab)use in our society. Instead, three approaches provide a more

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[224] Peter Singer, Animal Liberation, ii.

comprehensive account of the current understandings of non-human animals and provide a matrix of analyses by which to discuss possible solutions to situation of oppression. On one hand, this work causes us to ask different questions about human animal/non-human animal power structures, or to ask familiar questions in different ways.

For example, how should we think about the difficult problem of animals in medical testing? My sister is diabetic and I am eternally grateful to the hundreds of dogs who died as Banting and Best learned how to regulate the disease with insulin. How do we reconcile the fact that one of the worst (ab)uses of animals occurs in medical laboratories where millions of animals suffer and die each year, with the fact that animal testing has brought (and may still bring) medical advances?[226] In the past, this difficult question has been articulated in polarized terms between the rights of, or the 'good' for, people, and the rights of animals. Perhaps instead we might ask ourselves what kind of people do we become through the use of animal subjects in medical testing. Not only is the individual scientist who learns to treat 'lab-rats' or 'lab-monkeys' as living test-tubes affected by these practices, but the reliance on disposable 'science-animals' implicates everyone who chooses to ignore or avoid questioning this activity. This practice of objectifying and (ab)using living beings indicates who we are and what we do; if we come to the decision that the death or suffering of an individual animal or many individual animals is acceptable because of the good that would result, then we must also take responsibility for that action and for what that means in terms of 'being human'.

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[225] Steve Baker, Picturing the Beast, 214.

[226] I do not mean to neglect the large supply of literature on this subject, which indicates that many animals used in medical testing could be replaced with mechanical, computer or cell-culture alternatives, and that the vast majority of animals are used for trivial studies that are not a matter of life or death (for example, in order to test the toxicity of new oven cleaners or shampoos).

The question of animals in medical testing in light of work that shrinks or muddies the border between human animals and non-human animals also points to the possibility that animals should be able to consent (in some manner of speaking) to being used as medical subjects. Clearly a cat cannot sign a medical consent form but if we consider that many people are willing to take personal risks for potential gains for others if the risk or the sacrifice is substantial, then we could imagine situations where animals might be willing to undergo a certain amount of pain and suffering if they were treated respectfully and kindly in the process and if the possible benefits were worthy. This is similar to justifications for killing and eating animals found in many aboriginal philosophies, which assert that an animal gives itself up to a hunter in a reciprocal and respectful relationship. Approaching animals as subjects able to give their consent would signal a completely new way of negotiating unparallel power relationships between human and non-human animals. At the same time though, this opens up the situation for massive rhetorical abuse. In particular, I could not accept extending the possibility of consent to death in situations where animals would be eaten or used for clothing. What I have in mind is situations where animals would rarely be killed in the process of their involvement and where the use of animals to satisfy appetites and material desires would be still considered unacceptable. Similar justifications for the use of animals have been articulated in the past, often to the horror of animal protectionists because of what practices these suggestions might justify. The crux of my suggestion here is the need to approach and relate to animals in new and different terms which do not perpetuate the subordination of animals as inconsequential 'others' or objects.

There are several ways in which the ideas and discussions in this paper can be used by organizations, activists, and people concerned with the exploitation of animals. On a very practical level, this approach points towards affinity politics with other groups that previously have been avoided because of their 'impure' animal consciousness. For example, perhaps an ironic affinity could be made between anti-abortion groups and animal rights groups that want to make the legal argument that rights are prior to language, moral agency or the ability to live independently of others. While pro-life advocates and animal rights proponents will disagree about many things, they are both forced to work in a legal framework that privileges individual rights and consequently they would have pragmatic reasons to work together to argue such a case.

Likewise, environmental groups are notorious for privileging wild or native animals over domesticated and immigrant ones. However doing so should not preclude a cooperative effort on particular issues such as factory farms that are both polluting and cruel to the animals living in them. Animal rights groups could also join with labour groups to protest the conditions in factory farms and slaughterhouses. The demand that animal bodies be 'disassembled' and packaged as quickly as possible in order to maximize profit results in dirty, dangerous and demoralizing conditions for workers as well as inhumane deaths for the animals. It is ironic that people working on similar assembly lines that produce automobiles have far better wages and working conditions than people working in slaughterhouses. Workers who have to witness the living conditions on factory farms and who have to dismember the bodies of dead animals are more often than not women and/or immigrants who do not speak the dominant

language.[227] The invisibility and silence around these facilities contributes to the neglected concerns of both animals and workers.

In terms of blasphemous alliances, there are even opportunities to work with corporations if improvements (or abolition) to the way animals are used in production can be traded for appropriate amounts of positive endorsement. Companies like *The Body Shop* have done a lot to legitimize and normalize concerns around animal testing even while they are profiting from their concern. In particular, the organization People for the Ethical Treatment of Animals has been very successful with this approach. For example, after the McDonald's restaurant chain undertook several minor improvements to their purchasing policies including only buying eggs and chickens from farms that do not de-beak their birds or withhold water from them to increase egg production, PETA has put a one year moratorium on protesting McDonalds stores.[228] While veganism is considered the real answer to cruelty to animals, PETA is also sensitive that small improvements are important too and are using McDonald's new standards to pressure other large purchasers into adopting similar guidelines. McDonald's new policies have been hailed as a substantial victory for animal rights. welfare?

The affinity model of activism is a more delicate proposition for animal rights groups than other more mainstream organizations because of the radical nature of their critique. Almost any alliance would require compromising the basic guiding principles behind animal activism because the abuse of animals is so widespread and so under-

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[227] Carol Adams, Neither Man Nor Beast, 8. And recently published Eric Schlosser, Fast Food Nation: The Dark Side of the American Meal.

[228] http://www.mccreulty.com

recognized.[229] Such a compromise can easily discredit an organization that does not hold popular support already. However, activists have also seen that the price of purity is obscurity and elitism. Moreover, the opportunity to gain more mainstream attention and legitimacy in the eyes of the public is very important at this time. Organizations like The Society for the Protection and Care of Animals (SPCA)may have a somewhat softer approach to animal rights (choosing to talk about animal protection which does not preclude ending the lives of animals) but they have done a lot to bring concern for animals to the mainstream. Currently the SPCA is lobbying for the institution of a labeling system that would give credit to farms with higher standards for animal care.[230] So far the farming industry and Health Canada are resistant to the idea but the organization's respected name lends it some power in this effort.

In Canada and the United States, our highly consumptive society relies on incomprehensible numbers of animals[231] in the production of everything from toothpaste to army boots to hormone replacements. This mass consumption is enabled through understanding human and non-human animals as creatures of culture and nature, society and biology, respectively. In spite of the looming presence of the "animal industrial complex[232]", the North American self-image of an animal-sensitive and animal-loving society is sustained by practices of secrecy, invisibility and a regime of silence, on one hand, and fetishized, trivialized and sentimental images of animals on the other.

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[229] Almost all 'human' centered organizations (feminists, unions, human rights groups) begin with a premise that humans deserve certain respects because of their human status, which is obviously problematic for animal activists.

[230] The program would give the 'humane' label to animals and animal products that could claim that their animals live free from 1. Fear and distress, 2. Pain, injury and disease, 3. Hunger and thirst, 4. Discomfort, and 5. Free to express normal behavior. http://www.spca.bc.ca/farm/

[231] Carol Adams cites figures of five to six billion. - Per year?

[232] This term was coined by Carol Adams.

This paper has argued that the project of treating animals with respect is furthered by examining the concept of subjectivity and the place animals occupy in this discourse. The denial of animal subjectivity is challenged by the rights/equality approach that makes the case that treating human and non-human animals by two separate standards is untenable. In addition, animal ecofeminists argue that there is a diversity of positive relationships that are possible between human and non-human subjects, and in particular they emphasize the importance of care and the use of web analogies to think about ethical dilemmas involving human and non-human animals. Deconstructing the concept of subjectivity exposes ways in which an animal 'other' allows understandings of what it is to be human and points to possibilities for reimagining this construction. Each component of this approach holds promise for lessening the oppression of animals by problematizing the human/animal divide. This will not result in one ultimate authentic view of animals but it will necessarily be a less self-serving gaze with which we consider the question. Addressing the social construction of animal (both human and non-human) subjectivity in this way entreats us to think of animals not as self-referential objects but as individuals with agency, preferences and a point of view that should be respected.

By recognizing this feature of the objectification of animals we are able to destabilize an anthropocentric view of the world and recognize instances of resistance in the lives of animals where we previously saw only products of 'nature', the results of deterministic biology, or objects being manipulated by humans. By exploring the concept of subjectivity we do not discover a sub-cutaneous truth about 'being' but rather disarm certain problematic assumptions and open spaces for unimagined, non-oppressive and

alterior ways of relating to non-human animals. In particular this means rethinking how we understand ourselves as 'natural' and social animals. In Haraway's words:

> [E]fforts to come to linguistic terms with the non-representability, historical contingency, artefactuality, and yet the spontaneity, necessity, fragility, and stunning profusions of 'nature' can help us refigure the kind of persons we might be. These persons can no longer be, if they ever were, master subjects, nor alienated subjects ... We must have agency - or agencies - without defending subjects.[233]

The biggest advantage to thinking about animal subjectivity is that it leads to self-examination and reconception. Instead of demanding that the oppressed speak up, prove themselves or even defend themselves, problematizing subjectivity allows us to rethink agency in ways that are not solely anthropocentric and forces us to take responsibility for our own 'god tricks'. From here the possibilities for addressing the oppression of non-human animals in our society is cause for hope and excitement.

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[233] Donna J. Haraway, Simians, Cyborgs and Women, 3.

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[233] Donna J. Haraway, Simians, Cyborgs and Women, 3.

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"We are here, we are here, we are here, we are here"
Subjectivity and the Animal Question.

Author [redacted]

Larissa Angelina Lutjen

June 12, 2001