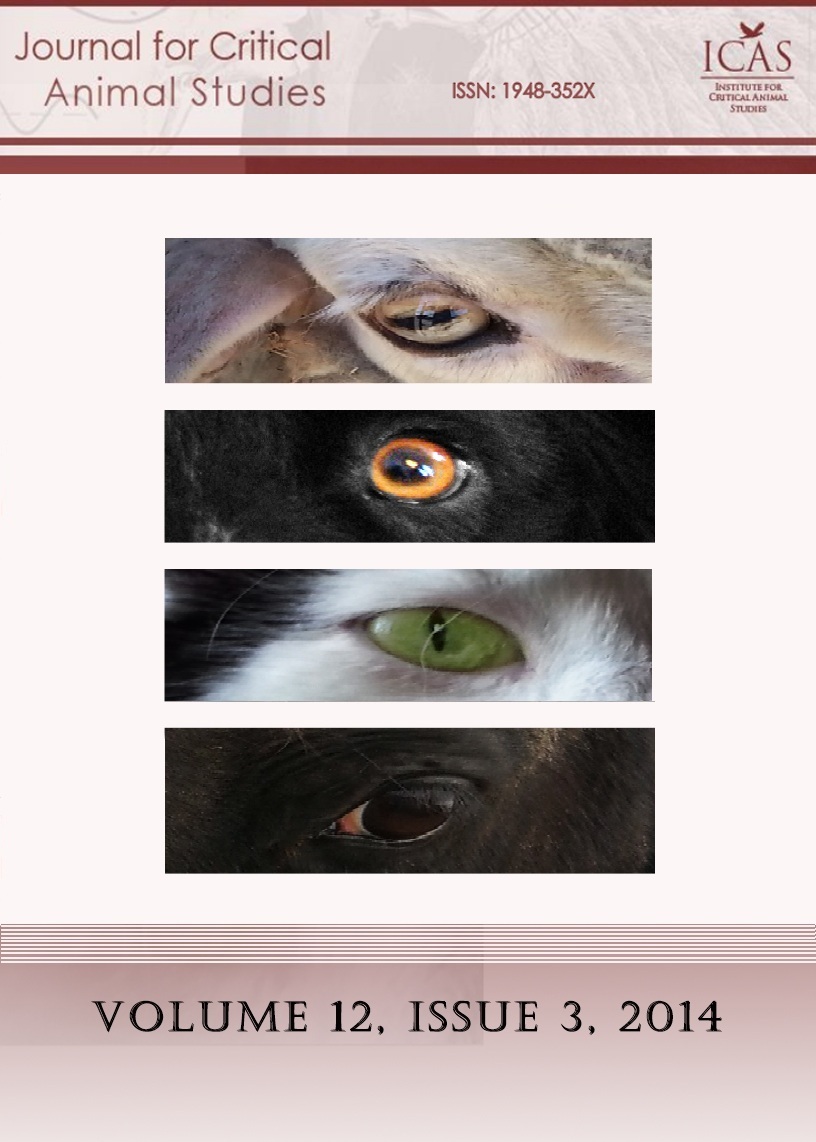
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**Issue Introduction**

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**ISSUE INTRODUCTION**

While this summer issue of *JCAS* is not focused on a special topic, the five articles assembled in these pages all participate in the ongoing discussion of intersections and divergences between animal rights and animal welfare discourses in animal ethics, often interrogating the roles of animal suffering and human compassion in constructing the status of nonhuman animals. Are the two orientations—rights and welfare— compatible and even mutually reinforcing, or do they inevitably work at cross-purposes? And if both discursively resolve to questions about the ethics of human relationships to nonhuman animals, what exactly are the real and ideal positions of humans in these relationships? What moral responsibilities do such relationships confer upon human beings? What sacrifices might they demand? And how and to what extent is it possible for human animals to escape an andropocentric worldview in the conduct of these relationships?

The first article to take up such questions in this issue is “The Cost of Compassion,” in which Norm Phelps analyzes the economic impacts of several proposed farmed animal welfare measures on animal factories and retail prices. Focusing primarily on the elimination of gestation crates for sows, battery cages for laying hens and waterbath stunning of broiler chickens prior to slaughter, Phelps uses data from agricultural economists to refute the claim that such welfare measures can actually increase farm profits. Instead, he argues that by passing the added costs of improved animal welfare on to consumers of meat, producers and processors will gradually make meat-eating a less attractive option for increasing numbers of customers; as consumer demand for meat products declines, fewer animals will be subjected to the intolerable conditions of factory farming. Consequently, Phelps maintains, seemingly small welfare improvements may indirectly serve the larger cause of animal liberation rather than merely assuaging the collective conscience of the meat-eating public.

The next article, Sean Kelly’s “*Geschlecht*, Speciesism, and Animal Rights in Leopold von Sacher-Masoch,” conducts an analytical survey the 19th-century Galician author’s literary works, focusing on the intent behind von Sacher-Masoch’s use of the term “*Geschlecht,”* generally translated into English as “sex,” but carrying in German the broader meaning of “species” or “type.”Kelly argues that human-animal relationships in von Sacher-Masoch’s stories, set in a moral universe of *Krieg der Geschlechter*—warfare and struggle among “types”—, offer a useful theory of animal rights grounded in the possibility of friendships across the species divide. Interspecies relationships in these stories, Kelly concludes, model animal rights not as legal protections for nonhuman animals but rather as human responsibilities to effect positive changes in the lives of animals, largely through human education guided by the purpose of making animal exploitation unnecessary.

The next two essays, Sean Meighoo’s “Suffering Humanism, or the Suffering Animal”and Sundhya Walther’s “Refusing to Speak: The Ethics of Animal Silence and Sacrifice in Coetzee and Derrida,” both examine the moral significance of nonhuman animal suffering. Through an analysis of Peter Singer’s and Jacques Derrida’s uses of Jeremy Bentham’s famous assertion that nonhuman animals’ moral standing is grounded in their capacity to suffer, Meighoo argues that although Bentham ushered in a radical revision of humanism by replacing the capacity to reason with the capacity to suffer as the core component of moral subjectivity, the inclusion of nonhuman animals in the moral universe of humanity occurs on strictly anthropocentric terms. Meighoo leaves us with the unanswered question, “Is the suffering subject of ethics fundamentally human?”

While Walther provides no final answer to this question, her analysis of Derrida’s *The Animal That Therefore I Am* and Coetzee’s *The Lives of Animals* and *Disgrace* suggests that there is no way out of our ethical andropocentrism. She rejects Elizabeth Costello’s interpretation of animal silence in Coetzee’s *The Lives of Animals* as a form of active resistance to human domination, using Derrida’s lectures and Coetzee’s *Disgrace* to demonstrate human appropriation of animal silence in a “sacrificial economy.”

Finally, Olatoye Olufemi’s and Owoseni Adewale’s “Yoruba Ethico-cultural Perspectives and Understandings of Animal Rights” questions the Western conceptual division of animal ethics into the separate camps of animal rights and animal welfare by examining the Yoruba concept of animal ethics encoded in oral texts and cultural practices. Concluding that the Yoruba culture of Nigeria does not recognize or uphold the rights/welfare divide, they call for more human cultural diversity in the global conversation about the ethics of human-nonhuman animal relations.

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**The Cost of Compassion: The Impact of Welfare Reforms on the Profits of Animal Factories and the Retail Price of Animal Products**

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**Keywords:** animal welfare, animal agriculture, CAFOs, factory farming

**THE COST OF COMPASSION: THE IMPACT OF WELFARE REFORMS ON THE PROFITS OF ANIMAL FACTORIES AND THE RETAIL PRICE OF ANIMAL PRODUCTS**

**Abstract**

This article considers the impact of welfare reforms on the cost of raising animals for their flesh, eggs, or milk, and on the retail price of animal products. It surveys the academic and industry literature on the subject, with emphasis on the economic impact of three proposed reforms: eliminating gestation crates for pregnant pigs, eliminating barren battery cages for hens who lay eggs, and eliminating electrical water bath stunning for chickens raised for their flesh. It concludes: a) that the plentiful supply of cheap animal products is dependent on the productivity enhancements brought about by industrial techniques; b) that most welfare reforms reduce productivity and thereby increase the cost of raising animals; this in turn increases the retail price of animal products, although in some cases, not beyond consumers’ willingness to pay; c) the size of the cost/price increase depends on the nature of the reform and the number of animals affected; and d) over time, welfare reforms can drive up the retail price of animal products to the point that demand is significantly reduced, thereby reducing the number of animals who are enslaved and slaughtered for their flesh, eggs or milk. Used in conjunction with other strategies, including vegan and abolitionist advocacy, welfare reforms can contribute to the shrinking and eventual abolition of animal agriculture.

**Introduction**

The debate within the animal rights community over the strategy of campaigning for reforms that reduce the physical and emotional suffering of animals began with the work of Gary Francione in 1996. In *Rain without Thunder* (and in subsequent books, articles, and posts on his popular blog, *The Abolitionist Approach),* the Rutgers law professor and animal advocate has contended that welfare reforms undermine the animal liberation message by failing to attack the legal status of animals as property and encouraging the public to believe that they can consume products from “humanely raised” animals with a clear conscience.

More recently, Professor Francione has emphasized a third argument in his case against welfare reforms:

For the most part producers of animal products derive a palpable economic benefit from making welfare reforms, completely apart from the separate benefit that comes from being able to assure members of the public that the animal products they are consuming have been produced in a “humane” fashion. (Francione and Garner, 2010, p. 45)

Since the whole point of modern intensive confinement agriculture is to maximize profits, this is an intriguing argument. How does giving animals more space and better care—arrangements that intuitively would seem likely to increase costs—provide producers with “a palpable economic benefit?” Professor Francione asserts that “animal agriculture is not an efficient industry,” going on to explain that when factory farming techniques were being created “there was no thought given to the fact that animals, unlike other production inputs, are sentient, and the stress caused by intensive confinement would cause damage to the animal property (Francione and Garner, 2010, p. 45).

Professor Francione’s first two arguments have been widely critiqued within the animal rights movement (see, for example, Friedrich, 2011; Phelps, 2007 and 2013, pp. 103-190; Shapiro, 2012). His third argument is sometimes asserted by opponents of welfare reforms but is usually left unsupported, as though its validity were self-evident. Supporters of reforms, on the other hand, have typically ignored Professor Francione’s assertion, as though it did not merit rebuttal. The economic impact of welfare reforms for farmed animals is, nonetheless, susceptible to quantitative analysis and has in recent years been the subject of considerable attention by agricultural economists. Therefore, it will be worthwhile to review the literature on the economic effects of welfare reforms and consider whether they do, in fact, strengthen the animal agriculture industry by reducing the unit cost of production.

**Sophisticated** **Industry**

Animal agriculture is among America’s largest industries, generating annual revenues of $180.1 billion a year, not counting revenues from field crops fed to animals (Economic Research Service, 2013). According to calculations made on the basis of U.S. Department of Agriculture statistics by Farm Forward—a non-profit group that advocates for “sustainable” and “humane” animal agriculture—99% of the meat, eggs and dairy consumed in the United States comes from large-scale intensive confinement facilities, known in the industry as Concentrated Animal Feeding Operations (CAFOs) and to everyone else as “factory farms” (Farm Forward). Other estimates by persons with extensive knowledge of the American meat, egg, and dairy industries put the number at closer to 95% (See, for example, Keyser, 2013). But whatever the precise figure, no knowledgeable person disputes that substantially all of the meat, eggs and dairy sold in supermarkets and restaurants originates on factory farms.

This vast industrial complex is supported by an extensive cadre of academic researchers. While some are employed directly by the giant corporations that dominate America’s food production, most serve on the faculties of land grant universities, institutions that actively support the food industry in general and agriculture in particular.1 These schools have large and well-funded departments of agricultural economics whose work is supported by an agency of the U. S. Department of Agriculture, the Economic Research Service (ERS).

For half a century, the “damage to the animal property” caused by industrial agriculture has been a topic of study at departments of animal science and agricultural economics in land-grant universities and at the U.S. Department of Agriculture (as well as at institutions abroad, especially in the United Kingdom). And as I will show in the following pages, the bottom line for producers remains what it has always been: industrial agriculture provides dramatic increases in productivity made possible by economies of scale, space, time, labor and food that more than offset the costs occasioned by the damage that intensive confinement inflicts on the animals. With certain minor exceptions, which I will discuss in a moment, welfare reforms raise the cost of producing meat, eggs and dairy—they do not lower it.

**Productivity: the Factory Farm’s Competitive Edge**

The adoption of Industrial farming practices during the second half of the 20th century was responsible for a quantum leap in the productivity of animal agriculture. Factory farms produce more animals with more edible flesh per animal (or who produce more eggs or milk per animal), in less time, on less land, using less labor and less food than is possible on old-style free-range farms.

Two of the industry’s leading researchers into the economic impact of welfare reforms are F. Bailey Norwood, Associate Professor of Agricultural Economics at Oklahoma State University, and Jayson L. Lusk, Professor and holder of the Willard Sparks Endowed Chair in the Department of Agricultural Economics at Oklahoma State. Norwood and Lusk cite three striking examples of the increases in productivity brought about by industrial agricultural practices:

In 1929 it took 85 hours to produce 1000 pounds of broilers (chickens raised for meat). Today it takes only one hour. Chicken producers are 85 times more efficient than they were in 1929. Needless to say, this has made chicken much cheaper. Eating chicken used to be a rare treat, reserved for special occasions like Sunday dinners. Now it is the most widely consumed meat in the US. On average, each person in the US consumed about 28 pounds of chicken in 1960, compared to 85 pounds today. And… the price of chicken has fallen 110 percent (adjusting for inflation). Similar efficiency gains have occurred in all livestock sectors. Dairy farms today only need 21 percent as many animals, 23 percent as much feed, 35 percent as much water, and 10 percent as much land as dairy farms did in 1944 to produce the same amount of milk. (Norwood and Lusk, 2011, pp. 39-40)

And finally:

In the early 1930s, the most productive egg farms only produced about 153 eggs per hen per year. Today farmers produce more than 250 eggs per hen per year. That is a remarkable achievement, the benefits of which are passed almost entirely to consumers in the form of lower prices. The industrialization of egg production began in the 1940s and progressed steadily over time… Prices in 1943 were 6.5 times higher [in constant dollars, NP] than they are today. (Norwood and Lusk, 2011, p. 115)

#### The sophisticated equipment needed for a factory farm—including computer-controlled feeding, lighting, climate, and milking systems—is more expensive, but it dramatically reduces the need for human labor. As food production, including animal products, has skyrocketed, the agricultural workforce has plummeted. According the U.S. Department of Labor, Bureau of Labor Statistics, between 1910 and 2000 the number of farmers and farm workers fell from 12,809,000 to 1,598,000, a decline of 87 percent (Wyatt and Hecker, 2006, p. 55). Some of this plunge was due to the introduction of tractors and other mechanized farm equipment, which began in the 1920s, but most resulted from the industrial transformation of agriculture that began after World War II.2

#### It is these previously unimaginable increases in productivity—that is to say, in efficiency—that have sharply lowered the cost of animal products over the past 60 years. Most animal welfare reforms reduce this efficiency and increase the unit cost of production. To see how this works, let’s consider three reforms that are widely campaigned for today: the abolition of gestation crates for pregnant pigs, the abolition of battery cages for laying hens, and the elimination of electrical bath stunning for broiler chickens.

**Gestation Crates**

In industrial pig factories, “breeding sows”—the females who give birth to the pigs who are sent to slaughter—are forced to spend their adult lives in individual metal-frame stalls called “gestation crates.” These stalls are so tiny that the occupant is unable to move, but must constantly lie motionless on her side on a concrete floor. Lusk estimates that a national ban on gestation crates would lead to increased costs for producers of $258 million a year and necessitate a 1.7% increase in the supermarket price of pork.

Lynn Seibert, also an agricultural economist at Oklahoma State and Norwood estimated that conversion from gestation crates to group housing for “breeding sows” will cost on average an additional $10.09 per finished pig,3 even as they acknowledge that more experience with group housing and more research, especially in the field of group housing design, is needed before the precise figure can be definitively established (Seibert and Norwood, 2011a).

According to Seibert and Norwood,

Increasing animal welfare for all hogs [they mean all “breeding sows,” NP] in the United States will increase retail pork prices by a maximum of 2% for a small welfare increase and 5% for a large welfare increase. The cost of banning gestation crates measured by this study is lower than the consumer willingness-to-pay from other studies.” (Seibert and Norwood, 2011b)

The distinction between “small” and “large” welfare increases is based on the amount of space female pigs are given and the degree of enrichment that is provided, “enrichment” being the industry term for amenities that the animals are given, such as nesting material for pregnant pigs, who like to build soft nests for their newborns.

Norwood and Lusk project that banning gestation crates will increase the retail price of pork by approximately six and a half cents per pound, which they estimate will reduce pork consumption by 1.2% (2011, p. 351), a loss that the industry can easily absorb. The mega pork producers, such as Smithfield Foods, who are planning a phase-out of gestation crates believe—based on research such as that cited above—that they can pass on the increased cost to consumers. This being the case, they hope that welfare reforms will prove to be a worthwhile investment in damage control, allowing them to avoid unfavorable publicity. The considerable resistance that still exists elsewhere in the pork industry has to do primarily with the upfront capital investment cost, which will take several years to recoup, and a concern that acceding to the demands of animal advocates might encourage activists to make other—more expensive—demands. In any event, the recent sale of Smithfield Foods to Chinese meat processing giant Shuanghui International has cast a shadow of uncertainty over Smithfield’s conversion to group housing.

In short, current projections are that ending the use of gestation crates will not lower the costs and increase the profits of pig farmers. It will raise their costs by 5% or less, but producers will be able to pass these costs along to consumers while consumption of pork stabilizes at nearly 99% of present levels.

**Battery Cages**

The cost increases associated with eliminating gestation crates for sows have only a small impact on the retail price of pork for two reasons: First, the “breeding sows” who are kept in the crates represent only a small fraction of the pigs in a producer’s herd. The pigs who are slaughtered for pork and who constitute the vast majority of the herd are kept in group housing known as confinement sheds (where they have a mere eight square feet per pig [Norwood and Lusk, 39]). Second, the cost of raising the pigs accounts for only 25% of the retail price of pork (Ikerd, 2001). The remaining costs come from slaughter, the post-slaughter butchering and dressing of the meat, storage, and distribution.

With “laying hens”—the female chickens who produce eggs—the situation is just the opposite. First, the “breeding stock” are kept in group housing, but the hens who actually lay the eggs that go to market—and who constitute the overwhelming majority of the flock—are kept for their entire adult lives in battery cages. This is Norwood and Lusk’s description of a typical battery cage system: “Hen houses are large metal buildings containing from 100,000 to one million hens in cages stacked up to six rows high… [T]ypical cage systems provide 67 square inches per bird” (Norwood and Lusk, 2011, p. 116). Sixty-seven square inches per bird is a space 10 inches long by 6.7 inches wide—smaller than a sheet of typing paper—not enough room for the hens to spread their wings or groom themselves, much less walk around. And, of course, there are no perches for them to sleep on or nests in which to lay their eggs; and since the cages have wire floors, there is no opportunity to take dust baths or to peck in the dirt. Almost invariably, proposals for welfare reforms for chickens include enlarging and enriching battery cages or eliminating them entirely in favor of some form of group housing.

Second, in regard to shell eggs (the eggs that are sold in supermarkets and restaurants), the eggs that come out of the hens are finished products that require no processing beyond washing, grading and packaging. This means that a large proportion of the retail price of shell eggs represents the cost of raising and maintaining the laying hens and collecting the eggs. Thus, eliminating battery cages has a considerably greater impact on the retail price of eggs than eliminating gestation crates has on the retail price of pork.

Norwood and Lusk estimate that a nationwide ban on battery cages for laying hens would cost producers $187 million a year and increase the cost of producing eggs by $0.35 a dozen, leading to a 21% increase in the supermarket price of eggs and a 4.24% decrease in consumption (Norwood and Lusk, 2011, pp. 350-351).This means that at any given time there would be a decrease of more than 14,000,000 hens from the current population of 340,000,000 (Norwood and Lusk, 2011, p. 232).

At present, however, there is no politically feasible path to a nationwide ban on battery cages (Shapiro, 2012). And there is no prospect that additional states will ban battery cages, either via the legislature or by ballot initiative (Phelps, 2013, pp. 146-147). This means that the only welfare reform that could become a reality in the near term—say, the next ten to fifteen years—is larger, enriched cages. Larger cages—the size most often proposed is 124 sq. in. per bird—and enriched cages, by which is usually meant cages that contain nests, perches, and gravel for scratching and pecking, are far from ideal. But they are a clear improvement over the present lot of laying hens.

Addressing United Egg Producers, a major trade association, in 2012, Hoy Carman, Professor Emeritus, Department of Agricultural and Resource Economics, University of California, Davis, estimated that conversion to a cage-free system would increase production costs by 34.8 percent; enlarged cages that allowed 116 square inches per hen would increase production costs by 12.48 percent and retail prices by 12 percent (Carman, 2012, pp. 2-3). Thus, just as we might expect, enriched cage systems increase operating costs significantly, but also significantly less than cage-free systems.

This is confirmed by the experience of JS West, an agricultural, energy and retail conglomerate that has installed one of the largest enriched cage facilities in the United States, housing 151,000 laying hens. In 2011, JS West reported to an egg industry conference hosted by Iowa State University that operating costs at this facility were running 15% to 17% above costs in their conventional battery cage facilities, leading them to charge an additional 10 to 12 cents per dozen for enriched cage eggs. The ultimate effect on the retail price of the eggs was not reported (WATTAgNet, 2011).

**Electrical Waterbath Stunning**

Chickens raised for their flesh—known in the industry as “broilers”—are not raised in battery cages. Broiler chickens live on an open floor in a long, narrow single-story confinement shed. According to Norwood and Lusk, industrial methods—primarily the controlled environment of the shed, selective breeding, the routine administration of antibiotics to the entire flock, and the controlled dispensing of scientifically formulated food—have made chicken farming “twice as efficient” as in 1940. “[M]odern broiler breeds produce twice as much meat for the same amount of feed” (Norwood and Lusk, 2011, p. 128). Needless to say, productivity increases on this scale have led to significant reductions in unit cost. “The retail price of broilers was $3.08/lb in 1960 (in inflation adjusted terms) but was only $1.28/lb in 2009. Chicken meat is almost 2.5 times less expensive today than it was in 1960” (Norwood and Lusk, 2011, p. 128).

In terms of welfare reforms, Norwood and Lusk observe, accurately, that, “Few alternatives to traditional broiler production are feasible, at least, not any that can generate comparable levels of output at similar cost” (Norwood and Lusk, 2011, p. 131). As a result, the only proposed welfare reform that has generated significant activity in the animal rights community (because it is the only reform that has any possibility of being implemented) has to do with the method of slaughter.

The problem confronting every high-volume slaughterhouse is how to immobilize the animals so that the killing, which is done by slitting the throat, is accomplished quickly, with as few workers as possible, and with minimal bruising to the flesh (although bruising is becoming less important, as I will explain below). Large animals, such as cows or pigs, are typically herded into narrow individual stalls, where they are struck in the head and knocked unconscious by a piston fired from a device called a captive bolt pistol. But birds have such small heads that this is not feasible for poultry. And so, the industry has adopted a method for immobilizing the birds known as “electrical waterbath stunning.” The birds are pulled individually, by hand, from the crates in which they have been transported to the slaughterhouse, flipped upside down and hung by their feet from an overhead conveyer belt. The belt passes over a pan of water through which runs an electrical charge, dipping the birds’ heads—and sometimes upper bodies—into the electrified liquid.

The efficacy of electrical waterbath stunning is the subject of intense debate. Industry experts argue that the electric shock renders the majority of birds unconscious, although they generally concede that some birds are merely paralyzed without losing consciousness. Animal rights advocates argue that the shock leaves substantially all of the birds conscious, and thus terrified, as—paralyzed by the electrical shock—they are whisked along by the conveyor belt to have their throats slit—still fully awake. Even within the industry, there is disagreement about the optimum type of current (AC or DC), and the optimum voltage and amperage for rendering the maximum number of birds fully unconscious and keeping them unconscious long enough to allow the throat-slitting to be accomplished without causing internal hemorrhaging that would soak the flesh with blood and cause consumers to refuse to buy it.

Some electro-encephalographic (EEG) tests have suggested that most chickens who are subjected to electrical waterbath stunning do, in fact, lose consciousness, but that even under controlled laboratory conditions, no electrical waterbath stunning system will render more than 96% of the birds unconscious—and the number may range well below that depending on the type, voltage and amperage of the current (European Food Safety Authority, 2012). And, of course, ideal laboratory conditions do not exist in an abattoir. Other studies purport to show that electrical waterbath stunning can be virtually 100% effective if the proper type and amount of current is administered (Lines et al., 2011). Still other studies have found that few if any birds are rendered fully unconscious prior to their throats being slit. (Shields and Raj, 2010). There is no consensus on this point in the animal science community—in part because of the difficulty of obtaining reliable data under actual abattoir conditions and in part because there is no general agreement on how to define and determine unconsciousness in birds, whose brains are organized differently from mammalian brains, and whose functioning is less well understood. Thus, Sara Shields and A. B. M. Raj, leading researchers in the field—Shields at the Humane Society of the United States and Raj at the University of Bristol in the UK—tell us that, “The EEG analytical procedures used to determine the state of consciousness vary widely and are constantly evolving. Therefore, the debate about the persistence of consciousness at the time of onset of convulsions may continue until further research provides insight into or elucidates the brain mechanisms associated with convulsions and the state of consciousness” (Shields and Raj, 2010).

And so, at least for the present, slaughterhouse operators can argue that it has not been proven that electrical waterbath stunning fails to render the birds unconscious in much the same way that cigarette manufacturers for decades could argue that it had not been proven that smoking causes cancer. But at this point, the preponderance of the evidence seems to indicate that many, and perhaps virtually all, stunned birds remain conscious until their throats are slit (Shields and Raj, 2010).

The only alternative to electrical waterbath stunning that has been seriously proposed is controlled atmosphere stunning (CAS)—sometimes known as controlled atmosphere killing (CAK), as I will explain in a moment—of which there are two forms. In both variations, the birds are left in their transport crates and the crates are stacked in a sealed room. In the first variation, called low-atmosphere stunning, the air is removed from the room until the birds lose consciousness. In the second, known as gas stunning, carbon dioxide (CO2), an inert gas such as argon, or a mixture of CO2 and an inert gas—is introduced into the room with a view to rendering the birds unconscious before they experience the terror that accompanies suffocation.

It is also possible, of course, in both low-atmosphere stunning and gas stunning, to prolong the process until the birds die. This is the method usually preferred by animal activists on the grounds that it avoids any possibility of birds regaining consciousness before their throats are slit. The industry, on the other hand, generally prefers to stun the birds in the controlled atmosphere chamber, rather than kill them—apparently for reasons of public relations. As one producer told *The New York Times*, “I don’t want the public to say we gas our chickens” (Neuman, 2010).

From a welfare perspective, controlled atmosphere killing/stunning is clearly preferable to electrical waterbath stunning, first because the birds remain in their transport crates until they are unconscious or dead; they do not undergo the psychological stress and risk of painful physical injury that accompany being pulled from their crates and shackled upside down to a conveyor belt; second, they are spared the painful electrical shock; and finally, controlled atmosphere killing/stunning can approach 100% effectiveness under slaughterhouse conditions, which electrical waterbath stunning has never been shown to accomplish in an actual working abattoir. The industry, however, is fiercely resisting conversion to CAS, presumably because they believe that it will increase costs. Although this is disputed, the best available evidence suggests that they are right.

In 2007, the European Commission sponsored a study on the economic effects of various forms of animal slaughter. In regard to poultry, the study determined that the cost of a new controlled atmosphere stunning system is from three to five times the cost of a new electrical waterbath system, depending on the manufacturer and the type of system chosen. The authors also estimated that this capital investment could be recouped in two years by a plant running at full capacity (European Commission, 2007, p. 38). Since, as we shall see next, operating costs for controlled atmosphere stunning systems are higher than for electrical waterbath systems, the capital investment would have to be recovered by raising prices—if only minimally.

As to operating costs, the study had this to say,

Running costs per bird depend heavily on the system being used and also on throughput. It is therefore very difficult to make generic comparisons between systems. However, *equipment manufacturers are unanimous in the view that controlled atmosphere systems result in a higher running cost per bird compared to electrical stunning systems.* The cost of actually administering stun using electrical stunning systems is considered by most equipment manufacturers and slaughterhouses to be negligible. . . . Although there is general agreement that the running costs of electrical stunning are insignificant, there is a wide discrepancy in the figures presented above for controlled atmosphere systems. Different sources disagree on the exact difference in costs between the two systems, although it is clear that even if controlled atmosphere stunning systems are relatively more expensive than electrical stunning methods, the actual cost of administering stun per bird remains relatively small.” (European Commission, 2007, p. 39)

This leads the authors to conclude, “The small proportion of consumer price that is accounted for by the cost of stunning means that more expensive methods, such as controlled atmosphere stunning, are unlikely to have any appreciable impact on the final consumer price for poultry (European Commission, 2007, p. 1).

By this analysis, the situation with controlled atmosphere stunning for poultry is similar to the situation with group housing for pregnant female pigs: the welfare measure will increase costs by a small amount, but any resultant increase in retail price will fall within the limits of consumers’ willingness to pay. Thus, the increase can be passed along to consumers without affecting the market. Producers’ profits will be unaffected.

Temple Grandin agrees with the European Commission that controlled atmosphere stunning will increase the operating costs of slaughterhouses, but disagrees that the increases will be minimal. Whatever opinion one may hold of the ethical status of Professor Grandin’s work, she is among the world’s most knowledgeable specialists in the field of welfare measures for farmed animals—and she gained her reputation by devising methods, such as her famous low-stress chute for cattle going to slaughter, that *reduce the operating costs of factory farms and slaughterhouses by reducing animal suffering* (Grandin, 2010a). (I will have more to say about this shortly.) Furthermore, she consulted on the design of a controlled atmosphere stunning system for poultry with Bell and Evans, a major manufacturer of chicken products (Neuman, 2010). Grandin’s estimate of the cost implications of controlled atmosphere killing is unequivocal: “A major disadvantage of gas stunning is high installation and operating costs” (Grandin, 2010b).

Finally, as I noted above, the industry is fiercely resisting conversion to controlled atmosphere stunning, a strong indicator that they believe it will raise their costs. People for the Ethical Treatment of Animals (PETA) disputes this view, arguing that conversion to CAS will, in fact, lower operating costs—due primarily to lower labor costs and less meat lost to bruising and hemorrhaging. This, in turn, PETA argues, will enable slaughterhouse operators to enjoy lower operating costs (as opposed to the higher operating costs projected by the European Commission and Temple Grandin) and to recoup their initial capital investment within 13 to 16 months (rather than the 24 months projected by the EC) (PETA).

PETA’s conclusions rely heavily on hypothetical extrapolations from the meager data that was then available. Their analysis was published before the EC report, and certain of PETA’s key projections now appear to have been optimistic, especially in regard to cost savings from improved meat quality. And, in fact, the EC report cautions against making generalized estimates of economic impact based on improved meat quality.

The economic impact of animal welfare technologies is difficult to assess. On the one hand the cost of implementing such measures might be expected to be known, although in practice this will be dependent on the individual circumstances of slaughterhouses. On the other hand, the economic benefits realized through improved meat quality are harder to quantify (by equipment manufacturers, operators and other key stakeholders), although it is recognized by all actors that they do exist. (European Commission, 2007, p. 20)

The EC report goes on to note that, “[I]ncreases in the popularity of other products, for example processed wings, may change the traditional economic analysis” (European Commission, 2007, p. 21). Bruising and minor hemorrhaging are not visible on Buffalo Wings, Chicken McNuggets, frozen chicken patties, and other processed chicken products. And so bruised and hemorrhaged flesh intended for this market is shipped rather than discarded—which means that improvements in meat quality do not represent a cost saving in this burgeoning segment of the market. Bruising and hemorrhaging that occur during slaughter are more of an esthetic than a human health concern, since such bruises typically do not involve a break in the skin that would allow pathogens to enter.

In part, the PETA analysis bases its estimate of how long it will take operators to recover the cost of conversion to a CAS system on a 2006 telephone conversation between a PETA staff member and Temple Grandin (PETA). But we have just seen that Professor Grandin regards “high installation and operating costs” as “a major disadvantage” of controlled atmosphere systems—suggesting that her analysis of the data is less sanguine than PETA’s. Finally, if PETA’s projections are realistic, it is hard to understand why operators are not tripping over one another in a mad dash to install CAS systems.

Several years ago, The Humane Society of the United States posted on its website a report arguing that conversion to controlled atmosphere killing would result in significant cost savings for slaughterhouses. In 2006, HSUS took the report down from their website at the request of its author, who said that after further research s/he no longer believed it was accurate.

The following comment from HSUS President Wayne Pacelle’s blog of November 29, 2010 suggests that HSUS does not, in fact, believe that CAK/CAS results in lower operating costs for slaughterhouses:

With opinion polls showing that consumers are willing to pay more for higher welfare products, the response of major producers should be to shift to more humane methods [he is referring specifically to CAK/CAS, NP], not to do things the same way and simply rebrand the same old product (Pacelle, 2010).

**Where Price Is Unimportant: The Anomalous Cases of Foie Gras and Veal**

*Foie Gras*

Foiegras is a diseased organ, the liver of a goose or duck who has consumed far more fat than she can metabolize or eliminate; as a result, she has developed a pathology known as steatosis, in which her liver swells to more than six times its natural size, a painful and debilitating condition. Since it is virtually impossible to induce geese and ducks to consume voluntarily enough fat to cause steatosis, nearly all producers—including all large commercial producers—force feed their birds by inserting a tube down their throats and pouring directly into their stomachs corn that has been boiled in fat. The process is inherently cruel and there is no apparent way to make it less so. Attempts in recent years to produce “humane foiegras,” have either not been shown to inflict less suffering than traditional methods or have not proven feasible on a scale that could accommodate the global market (Glass, 2007). And so, for all practical purposes, foiegras remains an all-or-nothing proposition.

*Veal*

Veal, long prized by gourmands for its tenderness and white color, is the flesh of a young calf—most often the male child of a dairy cow who must be repeatedly impregnated if she is to continue giving milk. Taken from their mothers when they are no more than three days old (so the farmers can take the milk that otherwise the calves would drink), veal calves have historically been confined in “tethered stalls”—also known as “veal crates”—so tiny that they cannot turn around, where they are fed a liquid diet that contains inadequate iron (or no iron at all) until they are slaughtered at 16 weeks. Veal is tender because the calf was unable to exercise and strengthen his muscles; it is white because he suffered from iron deficiency anemia.

Over the last fifteen years or so, producers have moved away from veal crates to larger stalls or group housing (i.e., several calves living in a confinement shed with an open floor on which they are able to move around). Two decades ago, all veal calves were raised in crates; today 35% of veal calves are raised in some form of group housing and, according to the American Veal Association, by 2017 all veal calves will be raised in group housing (Norwood and Lusk, 2011, p. 144; Wren, 2011). With few exceptions, however, veal calves are still fed a liquid diet (which in recent years may contain at least some iron).

Because veal has always been such a small part of the American meat market and because veal production has declined dramatically in recent years, the cost impacts of welfare reforms have not been established with any certainty or consistency. What seems likely is this: cattle, even very young cattle, are better able to fend for themselves than other farmed animals such as pigs or chickens. Hence, group housing, or even pasture access—which some veal producers are experimenting with—would likely lower production costs due to decreased expenses for equipment and labor—but at the cost of making the veal tougher and pinker than the veal prized by epicures and wannabe epicures, who have always been the bulk of the market—thereby lowering the price that consumers would be willing to pay. Even so, the largest single cost factor in raising veal calves is their food—typically based on some combination of whey and soy—and so the cost of producing veal fluctuates with the price of whey and soy regardless of the type of housing employed (Wren, 2011).

Campaigns against veal crates and the iron-deficient diet, which began in the 1970s and gained serious traction in the 1980s, have arguably been the most successful of any campaign conducted by the American animal rights movement. Never a staple of the American diet, veal consumption declined from 5.2 pounds per person in 1960 to 0.4 pounds in 2008 (Norwood and Lusk, 2011, p. 141). By comparison, beef consumption, which has been declining for nearly a decade, is expected to be approximately 55 pounds per person in 2013 (Economic Research Service, 2013). Since veal’s primary consumers are affluent and image-conscious, the veal market is less sensitive to price increases and more sensitive to societal censure than are the markets for other animal products, with the exception of luxury items like foiegras, caviar and fur. Thus, the dramatic decline in veal consumption should be attributed to two factors: the negative public image of veal production created by animal welfare campaigns, and the degrading—as a result of welfare reforms intended to overcome this negative image—of the qualities most favored by consumers of veal: tenderness and whiteness.

In this connection, it is important to note a crucial difference between the industrial production of foiegras and veal on the one hand and the industrial production of all other animal products on the other. The industrial production of all animal products except foiegras and veal has as its primary purpose the maximization of profits through increases in productivity. By contrast, foiegras and veal are produced by industrial methods because these methods are essential to producing the product (foiegras) or to producing a product with the peculiar qualities that are desired by affluent, status-conscious consumers (veal).4

**Some Observations About Welfare Reforms**

1. The history of animal agriculture since World War II has been the story of dramatic increases in productivity brought about by technology, chemistry, and the application of rigorous management techniques to the business of raising animals.
2. These increases in productivity have brought about equally dramatic decreases in the unit cost of production—and therefore in the retail price—of meat, eggs and dairy.
3. These productivity increases—and the resultant low prices—have been achieved at the cost of catastrophic increases in the suffering of farmed animals. Modern animal agriculture involves a direct trade-off: cheap animal products for horrific cruelty.
4. The gravamen of most welfare reforms is to abandon or moderate the techniques and technologies that have increased the productivity of animal agriculture and move toward some compromise between industrial farming methods and traditional “free-range” farming. This nature-oriented category of reforms—which includes group housing for breeding sows and cage-free housing for laying hens—lowers productivity and raises the per-unit cost of production. The degree of economic impact varies according to the nature and scope of the reform.5
5. An alternative approach to welfare reform is to move in the opposite direction and use advances in technology, animal science, and facility design to reduce the suffering of farmed animals. Two salient examples of this approach are: 1) controlled atmosphere stunning and 2) the kinds of design and equipment modification promoted by Temple Grandin, such as her curved chute for moving cattle into slaughterhouses. Reforms in this technology-oriented category sometimes lower costs (as with Grandin’s cattle chutes) and sometimes raise them (as with CAS). But, thus far at least, they have not been shown to have a significant economic impact.

**Changing Meat, Eggs and Milk into Luxuries**

The claim that welfare reforms promote animal agriculture by increasing producers’ profits is unfounded. Some changes in equipment and facility design can lower simultaneously the stress felt by animals and the operating costs of producers, but these typically have only a small impact on the overall cost of production and even less impact on retail prices. Given the fact that animal agriculture will not be abolished for decades—perhaps centuries—the welfare benefit to animals would appear to outweigh any marginal economic benefit to farmers.

As a general rule, however, welfare reforms increase operating costs, they do not lower them—although the precise amount of increase cannot always be projected with certainty until producers have more experience with reforms. Norwood and Lusk sum up the issue this way:

Improving animal welfare will certainly increase production costs at the farm. People who argue otherwise are necessarily asserting that farmers are either too ignorant or too malevolent to improve animal welfare at no cost to themselves. (Believe it or not, there are people who assert that improving animal welfare will lower costs; these beliefs are without merit.) Another fact of which we are certain is that increases in farm production costs will cause food prices to increase… Regulations requiring improved animal care will impose some economic burden on the farmer *and* the consumer. Even food processors, wholesalers and retailers will be adversely affected. (Norwood and Lusk, 2011, p. 355, italics in original)

It is also true—again as a general rule—that the greater the benefit, and the more animals who are benefited, the higher the cost to producers. *The problem with modern animal agriculture is not that it is inefficient. The problem with modern animal agriculture is that it is an extremely efficient industry in which efficiency equates to cruelty.*

In this regard, it is important to recognize that animal agriculture has become efficiency-dependent. The easy availability of essentially infinite supplies of cheap animal products has created a market that can only be satisfied by industrial agriculture. Large-scale animal agriculture can remain profitable only by maintaining a level of efficiency that allows it to produce an unprecedented volume of food that sells on the retail market at historically low prices. The survival of America’s animal-based diet depends upon producers maintaining levels of animal cruelty that are without historical antecedent.

*We can have cheap, plentiful animal products or we can have major, large-scale improvements in the welfare of the billions of animals who are enslaved and slaughtered for their flesh, eggs, or milk. We cannot have both. The arithmetic simply does not work.* Old-fashioned free-range farms cannot produce enough food to feed the human population an animal-based diet at a cost that consumers will be willing (or able) to pay.

The question facing producers is not, “Will welfare reforms increase the cost of production?” That issue is settled. The important questions for producers are: “*How much* will welfare reforms increase the cost of production?” and, “Will consumers pay the higher prices necessary to offset the increased cost?”

Thus, Seibert and Norwood offer this comment on a remark by Trent Loos, a columnist for the industry journal *Feedstuffs*: “Mr. Loos asked the correct question: are we willing to pay the higher price associated with increased farm animal welfare?” (Seibert and Norwood, 2011a).

Before his death in 2008, Bruce L. Gardner served as Distinguished Professor of Agricultural and Resource Economics at the University of Maryland, College Park. Speaking at a conference for industry executives sponsored by the U. S. Department of Agriculture in 2003, Professor Gardner was unequivocal that the lower costs associated with factory farming make possible America’s abundant supply of cheap food from animals. Professor Gardner went on to say, “The issue that arises with respect to costly changes in livestock production practices is just the converse of cost decreases due to productivity gains. Kindness to animals may well cause productivity losses and cost increases. Who then would bear these costs?” (Gardner, 2003). The bulk of these added costs, Dr. Gardner believed, should be borne by consumers rather than producers on the grounds that consumers have been the principal beneficiaries of the cost reductions brought about by industrial agriculture.

It is not only producers who should be considering the cost increases associated with welfare reforms; this issue should also be near the top of the animal rights agenda. At the present time, one of the most effective ways to attack animal agriculture is to attack its productivity. Every welfare reform that reduces productivity and increases operating costs by even a small amount nudges animal agriculture away from its present posture as provider of vast quantities of cheap food to the masses and toward a shrunken role as purveyor of expensive delicacies to a small, affluent, elitist market. Over time, welfare reforms—in conjunction with an ever-expanding variety of other strategies, including vegan and abolitionist advocacy, flexitarianism, and the promotion of plant-based analogs—have the potential to turn meat, eggs and dairy into the diet of the one percent, at which point it may become politically feasible to abolish animal agriculture entirely.

Writing in 2011, Norwood and Lusk argued that, “In thirty years, cage egg production might be a relic of the past … [due] to the activism of concerned consumers and the interest groups they support” (Norwood and Lusk, 2011, p. 318).British newspaper columnist Martin Samuel, describing the impact in the United Kingdom of the European Union’s ban on battery cages, gives us this glimpse at a cage free world.

On January 1, [2012] the European Union banned battery cages, to widespread public support. Within three months egg prices went through the roof, with the product close to disappearing from supermarket shelves… To the consumer, the initial price hike will be around 20p per dozen, but that will grow; and the rise in the past year already stands at around 70p. Eggs are heading back to the luxury items aisle. You will no longer go to work on an egg. You’ll save up for one at Christmas. (Samuel, 2012)

Although Samuel’s closing sentence is a bit of hyperbole—for the foreseeable future, the British public will not have to save up for an egg at Christmas—his argument is valid. Welfare reforms move animal products away from being staples for the general public and push them—in some cases, slowly, almost imperceptibly, in other cases, more rapidly—in the direction of becoming luxuries for the affluent. A year after the reforms went into effect, egg prices in England were 40% higher than they had been before the ban—an increase that is attributed to the reforms coupled with high prices for the soy that laying hens are fed (Gray, 2013).

In the late summer of 2013, the cost-price squeeze on egg producers remains severe throughout the European Union. In August, farmers in Brittany, the major egg-producing region of France, destroyed 5 percent of one day’s production, 100,000 eggs, in an action aimed at publicizing the bind that the ban on battery cages has put them in. Consumers are refusing to pay the higher prices that would be necessary to offset increased production costs, and this means that prices are falling while production costs have risen. Yves-Marie Beaudet, president of the trade association for meat and egg producers in Brittany, has called for a two-year freeze on new egg facilities. The new economics of egg production demands that the number of laying hens be reduced, not increased (Du Guerny, 2013).

As prices rise and the customer base shrinks, campaigns against the cruelties unique to factory farming contribute directly to the objective of liberating animals from being born into lives of slavery leading to slaughter. An intermediate goal of the animal rights movement should be to turn beef into veal, eggs into caviar, and milk into champagne. The long-term goal, of course, must remain the abolition of all animal agriculture.

**Notes**

Land grant universities were originally created in 1862 by federal legislation (the first Morrill Act) “which established new public institutions in each state through the grant of federal lands. The original mission of these new institutions was to teach ‘agriculture, military tactics, and the mechanic arts as well as classical studies so that members of the working classes could obtain a liberal, practical education’” (APLU, 2010). The land grant university system has been much expanded over the years and now comprises 74 land grant universities and 25 state university systems, many of which have large and prestigious schools of agriculture, including Auburn, Purdue, Florida A&M, Iowa State, Kansas State, Oklahoma State, the University of Maryland, College Park, Cornell, Ohio State, Texas A&M, and the University of Virginia (APLU).

2 The first steam tractors appeared in the 1870s and the first gasoline tractors at the turn of the 20th century. But tractors did not become popular until the 1920s, after Henry Ford, in 1922, sharply reduced the price for his small, practical “Fordson” model, which had been introduced about five years earlier (White, 2010).

3 A “finished pig” is one who has reached a weight of 240 to 260 pounds, at which point he is sent to slaughter.

4 Foie gras and veal are produced by methods that predate the industrial revolution in agriculture. But these methods are at least proto-industrial in that they rely on technology (the stomach tube) and facility design (the veal crate).

5 By “the scope of the reform,” I mean the percentage of animals in the flock or herd that are affected. Eliminating gestation crates for breeding sows has a narrow scope; eliminating battery cages for laying hens has a wide scope.

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***Geschlecht*, Speciesism,and Animal Rights in Leopold von Sacher-Masoch**

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***GESCHLECHT*, SPECIESISM,AND ANIMAL RIGHTS IN LEOPOLD VON SACHER-MASOCH**

**Abstract**

The term *Geschlecht* plays a central role in Leopold von Sacher-Masoch’s fiction, especially in relation to his thoughts on human/animal interaction. *Geschlecht* is most often translated into English as sex; however, in German it also means kind or species. According to Sacher-Masoch, any just ethical/political philosophy demands transcending the *Krieg der Geschlechter*, war of the sexes/species/kinds. Whereas scholars have often addressed Sacher-Masoch’s “war of the sexes,” this paper interrogates what it would mean to end a “war of the kinds.” Via an exploration of the author’s overt treatment of human/animal relationships, the article sketches a theory of animal rights from Sacher-Masoch’s work.

**Introduction**

Within literary circles, Leopold von Sacher-Masoch is most famous for lending his name to an essential component of Freudian ego formation, masochism. The term “masochism,” first coined by Richard Freiherr von Krafft-Ebing in *Psychopathia Sexualis* (1886), refers less to the author’s works, which consistently employ plotlines wherein men willingly subjugate themselves to women for sexual satisfaction, than to the author’s own life. Sacher-Masoch was known, after all, for finding it erotic to be humiliated before the women he loved, and this sexual lifestyle, along with the moral and medical judgments that society makes about it, has contributed mightily to the ways in which his works have been read, disseminated, and translated.1 “The readers who associate the writer’s name exclusively with the themes of erotic gratification linked to the experience of submission to the will of another person,” Vitaly Chernetsky warns, “might be surprised to learn that there were historical periods and national cultures that saw Sacher-Masoch very differently” (2008, p. 471). The sexual, to be sure, is the principle plotline for Sacher-Masoch; but readers focusing too narrowly on the war of the sexes risk underappreciating Sacher-Masoch’s wider scope of concern regarding difference. For Sacher-Masoch, to be alive is, in its most widely understood form, to engage in a constant struggle against other kinds. The word that I am loosely translating here as “kind” or “type” is *Geschlecht*, which Sacher-Masoch’s translators generally render as race or sex, depending upon context. Sacher-Masoch believes that all kinds, species, types of animals—*die Geschlechter—*“rely on the death of others” in order to live; that “existence is a kind of penance, a painful test, a sad pilgrimage; and that everything that lives, lives from death, from the exploitation of others” (Sacher-Masoch, 2003d, p. 5). The war of the sexes, which Sacher-Masoch describes as a war in which “each struggles to subjugate the other, to make the other into a slave” (Sacher-Masoch, 2003d, p. 7), is simply, for him, the cruelest manifestation of this “*Krieg der Geschlechter*”2 (Sacher-Masoch, 1991, p. 12). Because Sacher-Masoch’s work, like most other literature, is thoroughly anthropo- and androcentric in its content and plotlines, it is no surprise that readers encounter the war between human sexes, classes, races, etc. far more often in his writing than they do the struggle between human and other “kinds” (animals, most notably). But this does not mean that the Galician author did not attend to the problems faced by animal kinds. On the contrary, and as this article contends, he was thoroughly concerned with the plight of animal *Geschlechter*. The article proceeds by first developing how his defining work, a series of stories and novellas that make up *The Legacy of Cain*, is prefaced by a story, “The Wanderer,” that defines *Geschlecht* expansively. *Geschlecht*, and thus the *Krieg der Geschlechter* (war of the kinds/sexes), will explicitly include animals. I continue byexplicating Sacher-Masoch’s fairly complex and often schizophrenic (to borrow a term from Gary Francione’s works on animal rights) stance on the ethical treatment of animals. I conclude with a brief sketch of the potential contributions that a philosophical system of animal rights derived from Sacher-Masoch’s position should have for animal rights policies and activism today.

***Geschlecht* in Sacher-Masoch**

As one can glean from my introduction, this paper hinges on the meaning of the German word *Geschlecht.* Generally, *Geschlecht* is translated into English as sex. Thus, to write that Sacher-Masoch was concerned with relations between *die Geschlechter* seems like common sense. But *Geschlecht* also carries with it the meaning of “race” or “kind,” and in many instances this is its primary sense. For example, the best translation of [*das*](http://dict.tu-chemnitz.de/deutsch-englisch/das.html)[*menschliche*](http://dict.tu-chemnitz.de/deutsch-englisch/menschliche.html)[*Geschlecht*](http://dict.tu-chemnitz.de/deutsch-englisch/Geschlecht.html) is the human race/kind. In Sacher-Masoch’s “The Wanderer,” readers get a strong sense of how neatly the author knitted *Geschlecht*’s senses of sex and race into his philosophy of humankind. That this happens in “The Wanderer” is significant. This short piece acts as the prologue to Sacher-Masoch’s major cycle of stories/novellas, *The Legacy of Cain.* Michael O’Pecko describes *Legacy* as “the ambitious, uncompleted cycle of Novellen [in which] Sacher-Masoch intended to portray ‘all of mankind’s greatest problems, all the dangers of existence, all of humanity’s ills’” (2003, p. 181). Sacher-Masoch’s plan for *Legacy* was for each of its six volumes of six novellas/stories to address one of humanity’s major woes: love, property, the state, war, work, and death. “The Wanderer” serves as the prologue to this cycle, framing humanity’s ills almost entirely within the context of the *Krieg der Geschlechter*. “The Wanderer” contextualizes this war not through an erotic man/woman relationship narrative, but through a hunting scene in which a man shoots an eagle.

“The Wanderer” begins with an unnamed figure, who, one can presume, is the same unnamed protagonist who appears throughout the stories of *Legacy*, on a guided hunt in a Galician forest. The gamekeeper accompanying the protagonist sights an eagle, takes aim, and shoots it dead. When the bird’s carcass hits the earth, a wandering holy man appears, calling the hunters “Cain!” in “a voice as stern and mighty as the Lord” (2003d, p. 2). This wanderer, with the appearance of a “creature of superhuman wildness and strangeness,” has the following exchange with the hunting party:

“What have you profited by this Cain?” the wanderer turned to me and said after some time had passed, “Is your murderous lust stilled; are you satiated with the blood of your brother?”

“Isn’t the eagle a predator?” I quickly replied. “Doesn’t it murder the smaller and weaker members of its race [*Geschlechts*]? Isn’t it more a good work to kill him?”

“Yes, it is a murderer,” the peculiar old man sighed. “It spills blood like all creatures that live, but must we therefore do the same? I don’t murder, but you – yes – yes – you are of the race [*Geschlechte*] of Cain. I know you; you have the mark.” (2003d, p. 3)

In this exchange, the central question posed to the children of Cain is how to relate to other *Geschlechter.* In this case, *Geschlechter* clearly includes animal kinds.

The wanderer continues to use metaphors of animal exploitation (yokes and whips) to describe his own experience as a child of Cain:

[…] I have understood how to live at the expense of others, from the sweat of my brothers, whom I have degraded into being my slaves, my tools, and I have not hesitated to pay for my pleasures and entertainments with the blood of strangers. But I have worn the yoke more than once, felt the whip, labored for others (2003d, p. 3).

The killing of an animal incites the wanderer’s initial admonition. Is it merely figurative? If it is, then Sacher-Masoch’s thoughts on animals are perhaps not very interesting; perhaps he is merely emphasizing that he was “treated like an animal.”3 The yoke and the whip are often metaphors for oppression; but Sacher-Masoch is careful to qualify the problems involved with using these and like metaphors. He does so in order to remind readers that human/animal oppression is just as much a part of the legacy of Cain as intrahuman oppression is. For example, further on in “The Wanderer” Sacher-Masoch writes,

[A]s soon as the right to exploit lower organisms is permitted by necessity, by the drive for self-preservation, it’s not just restricted to man harnessing animals to the plow or killing them; it’s the stronger exploiting the weaker, the more talented the less talented, the stronger white race the colored races, the more capable, more educated, or by virtue of a benevolent fate, more developed peoples the less developed (2003d, p. 9).

In this instance it is clear that the harnessing of animals to the plow is really one of the first steps toward justifying the exploitation of one group of humans by another. So the yoke and the whip should not be read merely as harmless metaphors for intrahuman oppressions; instead they act in a synecdotal way: the whip and the yoke are parts of a real oppression, human/animal oppression, that signify and even justify the entirety of oppression. Significantly for our understanding of Sacher-Masoch, the entirety of oppression begins with arguments justifying the exploitation of non-human animals by human ones. So although many thinkers support animal liberation as a subset of other liberation movements that target human liberation, Sacher-Masoch understands animal liberation as a necessary condition for building a society devoid of human oppression of other humans.

So at the beginning of “The Wanderer,” *Geschlecht*’s primary usage is in terms of race or kind, and there is some evidence to suggest that animal liberation is one of the topics foreshadowed by *Legacy*’s prefacing tale. Sacher-Masoch’s thoughts on relations between *die Geschlechter* develop as an assertion that Nature has instilled in each living thing an instinct to “propagate the race [*Geschlecht*]” (2003d, p. 6) at the expense of others. Only once the wanderer introduces this natural, violent drive does love between a man and woman enter the picture. He describes love as a transcendental illusion designed, by “Mother” Nature, to compel propagation of the species. Interestingly, during this discussion of men and women, Sacher-Masoch uses a synonym for *Geschlecht*: *Gattung*.

It is a shameful insight for us that nature has placed this yearning in us only to make of us its blind, willing tools, for what does it care about us? It wants to propagate the race [*Geschlecht*]! When we’ve done carrying out nature’s intention, provided for the immortality of the race [*Gattung*], we can go to ruin, and nature has equipped woman with so much charm only so that she can force us to put on her yoke and say to us: ‘Work for me and my children.’ (2003d, p. 6)

Here, readers discover that Sacher-Masoch’s *Geschlecht* is desensualized. In fact, one could argue that man’s eroticization and politicization of his relationship to other *Geschlechter* serves to blind him to the (sad) fact that Nature has no concern for any individual; all Nature cares about is propagation of the *Gattung* or type. The individual, especially the individual who wants to believe in personal freedom, eroticizes this relationship to escape the deterministic manner in which one is driven to serve the biological drive to reproduce one’s kind. This, I see as precisely Sacher-Masoch’s point throughout his “women-with-whips” stories—the erotic is a tool or illusion used to keep others from recognizing starkly oppressive relationships.4

In *The Man Who Re-Enlisted*, this philosophy is summarized by the narrator, Frinko Balaban, who speaks as the voice of Sacher-Masoch, attempting to demystify the erotic relationship:

These days, people are always talking about what humans have in common with animals, aren’t they?

Well, I’m telling you, relationships between men and women are about nothing but the struggle to survive, like everywhere else. (2003a, p. 109)

Here again, Sacher-Masoch frames the mark of Cain, the natural drive to oppress another being in the very act of embracing one’s own life, in terms of human-nonhuman animal relationships. Like the murdered eagle of “The Wanderer,” here the animal – or better, the concept “animality” or “the animal” – represents the unthinking desire to live at the expense of others. *Geschlecht* is a term that demystifies the man/woman relationship so that the individuals can see it for what it is—a fiercely combative, *brutal* relation. Further on in *The Man Who Re-Enlisted*, such a comparison reappears when Balaban describes the man who marries without honest love as an “animal.” “The animal” world is then a world in which the starkness of the war amongst kinds is allowed to manifest itself either without the illusion (“honest love”) that generally conceals it *or* when the human animal willfully ignores Nature’s employment of these illusions (love, the state, death, etc.) to justify the oppressive relationships that a human is in or about to enter.

**Human Exceptionalism**

Sacher-Masoch’s position that belief in everlasting bonds, like love or marriage,5 merely mask “the animal” is itself interesting, as these values are generally used to differentiate the human from the animal world. But what is more interesting is that because the human animal is the only animal biologically determined to create such ideals, humans become most “animal,” most biologically human, at precisely the time that they let themselves be blinded by their own ideals. So human ability to see beyond the *Krieg der Geschlechter* does not oppose humans to animals; instead, it allows humans to see the political work performed by the phrase/concept “the animal” in its most “animalistic” form. What I mean by this, is that the speciesist use of the phrase “the animal,” according to Sacher-Masoch, enables humans to justify their biological, (i.e. animalistic), drive to create concepts and use them to oppress others. So uttering “the animal” as a way of distinguishing oneself from other *Geschlechter* is perhaps the most “savage,” “brutal,” “animalistic” form of living off the blood of others.

It is not “the human” that makes the human exceptional in relation to the binary term “the animal.” Instead, the human become exceptional only because it can recognize how one’s love of life and the ideals one holds in it produce the deaths of others. To Sacher-Masoch, the human does not gain special status in the cosmos because of this. Although human exceptionalism, especially since Descartes, is the principle most frequently invoked to justify human domination of animals, Sacher-Masoch asserts an alternative perspective. For Sacher-Masoch, the special human power of creating abstractions masquerading as timeless ideals is the human’s most *animalistic* trait in that it functions keep us in predator/prey relations. Only with this recognition can humans renounce fighting in the name of their kind and become distinct/ special in kind. This recognition, rather than making humans superior to other animals, prohibits oppression of other animals, positing them as our brothers and sisters, or “kin.” In sum, humans become distinct/ special/ exceptional once they stop living through the deaths of other *Geschlechter*.

Sacher-Masoch often uses readers’ sympathy for animals to indicate the problematic nature of Nature itself.In *Moonlight*, for example, Olga comes to understand the need to fully embrace her being as a child of Cain only after she kills five birds on a pleasure hunt. Further on, Olga expresses her freedom as a child of Cain by hosting a rabbit chase. Sacher-Masoch describes Olga during the hare’s final moments:

She laughed like a child that watches a ball fly through the air when the greyhounds finally tossed the animal, screaming with the fear of death, into the air. In all eyes, there was admiration for the bold horsewoman. Her vanity celebrated a new orgy, and it was, of course, only a poor hare that breathed its last at her feet. (2003b, p. 147)

In *The Man Who Reinlisted*, Sacher-Masoch even uses the common Victorian image of the helplessly beaten horse to establish the morally superior position of Balaban, who steps in to end the beating (2003a, p. 99). So Sacher-Masoch has what appears to be a rather ambivalent relationship to “the animal.” On the one hand it is “the animal” who lives heartlessly off the life, work, and death of others; on the other, the animal is the being through whom humans can come to understand something about moral goodness in the face of a blind, cruel Nature. Understanding the difference between the conceptual work of the term “animal” and animals themselves unwinds this ambivalence to demonstrate that Sacher-Masoch remains critical of the animalistic, brutal, etc. (all that “the animal” entails), opening a space for thinking of real, non-violent relationships with living animals.

Sacher-Masoch’s animal is not, and I stress this, merely an emblem or a figure representing an idyllic relation between human and human. In short, the non-human animals of his literature are not mere allegorical figures. Animals are in no uncertain terms a real, living things for Sacher-Masoch, at least as real as the other human. Remember that Sacher-Masoch believed that the desire to justify the subjugation of another life form ultimately leads humans to rationalize that the stronger human could oppress the weaker or the richer the stronger. So if anything, humans’ relationships with other humans constitute a romanticized construct based upon the human’s real, and currently violent, relationships with animals. In Sacher-Masoch’s work, learning to “do one’s duty” or “rely upon the work of your own hands”—in short, the supreme virtues for Sacher-Masoch—begins with reassessing one’s relationship to other animals, or even learning how to have such relationships. For example, Balaban, after fighting to liberate the people from feudal law, returns home to “do his duty.” This includes setting up a bee garden (and studying bees’ behavior), and raising two wolf half-breeds and a tomcat that he pulled out of the water (2003a, p. 107). In a more overtly philosophical way, the conversation between Olga and Vladimir after the incident at the rabbit hunt forces reassessment. Immediately following Olga’s rapture at the hare’s death scene, Olga encounters the disapproving stare of Vladimir Podolev, *Moonlight’s* voice of Sacher-Masoch. Vladimir accuses her of being “either completely heartless or completely unthinking” for delighting “in the death struggles of an animal” (2003b, p. 147). Olga, humiliated by the accusation of thoughtlessness, asks Vladimir to explain, by posing the following question, “Do you believe that man has no right to kill animals?” Vladimir’s response is most telling:

I wasn’t talking about killing, but about hounding and tormenting. In general one shouldn’t talk about rights in this world; necessity is all that matters, for it rules everything. In the end, man must live and kill in order to live. If he lives off plants, he kills them, too, for even plants have life. He must kill animals, but he should do no more than is necessary, he shouldn’t torment them, for animals have a will, feelings, and a mind like we do. They think, if not as sophisticatedly as we do, and to delight in their torment is not much better than slaughtering gladiators at the circus. (2003b, p. 148)

Olga’s response to this chiding is to wrap “herself sullenly in her fur” and roll “up like a spider whose net has been torn” (2003b, p. 149).

The fur and spider analogy here is significant. Whose fur is it that she curls up within, and how did she acquire it? Having just read an admonishment to be thinking about animals, the reader can only regard these metaphors as harmless by asserting the logic of speciesism6 or by intellectually disconnecting fur from its source. The animalistic Olga’s reactions to Vladimir indicate that human cruelty is what is “animal” about humans. While Olga admittedly is an animal no longer bound within the cage of biological determinism, insofar as she rejects all illusions and decides for a nihilistic form of domination, she will become crueler than any “animal” can be. The narrator reveals that Olga’s response was to make Vladimir “her prey”; he would “be surrounded by nets and then pursued like a fox” (2003b, p. 149). So by donning furs, Olga literally becomes animal, not necessarily in Deleuze’s sense of this phrase, but in the sense that she is about to take on the mark of Cain as her own, to adopt all of the stereotypical meanings of “animal.” She will become “the animal” that she is: the cruel human huntress. These furs also indicate that neither she, nor the reader who reads them as symbolic objects, has gained the animal consciousness Vladimir tries to provoke. Instead, Vladimir’s comment in the name of animals elicits the response of the human-animal attacked, “the animal” whose web of ideals has been torn, whose flesh shows under her fur. Human *Geschlecht* is attacked by Vladimir’s statement; and Olga, in the name of her kind, becomes animal, readies herself to live off of another.

Sacher-Masoch’s position is clearly that animals are to be thought of as fellow travelers, perhaps even companions, in an otherwise cruel state of Nature. There might be some temptation to claim that the author’s use of the animal as a metaphor for savagery contradicts his own message that we should respect them, but as I have demonstrated, Sacher-Masoch explicitly claims that animals are not to be treated cruelly, that they can and should be viewed as companions, and that they possess a faculty akin to consciousness. In his own day, these positions would have placed him amongst the most progressive animal rights activists. In spite of this, there is no question that Sacher-Masoch does believe that human beings are exceptional. This human specialness is twofold. First, humankind manifests itself with special cruelty, and second, humans are the only kind of animal that can renounce *Geschlecht* altogether. Humans generally experience Nature’s cruelty as disappointment when certain transcendental ideals, like love and marriage, fail. In their failure, these uniquely human ideals disclose that they only exist to trick us into propagating the human race. The human is exceptional in its unique ability to renounce its defining trait, the ability to create ideals; a renunciation that begins, for Sacher-Masoch by disavowing allegiance to “kind,” whether understood as species or gender or clan. The old man from “The Wanderer,” Balaban of *The Man Who Reenlisted,* and Vladimir from *Moonlight* are exemplary characters who adopt this moral position. Unfortunately, because these works are little read or commented upon outside the German-speaking world, these examples have been largely overlooked by animal rights proponents and activists.

**Moral Responsibilities, Rights, and Animals**

Human *Geschelcht*, insofar as it can renounce the moral relevancy of kinds or types, is exceptional and assumes special responsibilities as a result. To use Tom Regan’s language, Sacher-Masoch’s humans have a certain “agency” that most animals do not have—they can renounce their biology. Introducing language from animal rights discourses is helpful for illustrating Sacher-Masoch’s argument. For him, most animals are moral patients. The argument the hunter of “The Wanderer” implicitly makes in calling the eagle a murderer is that the eagle, insofar as it does not respect moral law, deserves no moral consideration from the hunter. In *The Case for Animal Rights*, Regan formulates a response to this argument that resembles Sacher-Masoch’s. Regan differentiates between moral agents and moral patients. A moral agent is capable of doing right or wrong because of its rational agency—its capacity to recognize and make rational choices. A moral patient, a being without rational agency, though capable of performing acts that, if performed by a moral agent, would be considered wrong or criminal is not strictly capable of doing right or wrong. Regan formulates his argument as follows:

Moral patients cannot do what is right or wrong, we have said, and in this respect they differ fundamentally from moral agents. But moral patients can be on the receiving end of right or wrong acts of moral agents, and so in this respect resemble moral agents. A brutal beating administered to a child, for example, is wrong, even if the child herself can do no wrong. […] Unlike the case of the relationship that holds between moral agents, then, the relationship that holds between moral agents, on the one hand, and moral patients, on the other, is not reciprocal. (2004, p. 154)

Moreover, for Sacher-Masoch at least, moral patients are capable of acting in ways that are undesirable and would be wrong if performed by a moral agent. So the eagle can innocently carry out an act, such as killing, for which we would otherwise blame a moral agent, like the hunter. Moreover, the fact that the eagle must kill does not make killing any more or less desirable. Killing is wrong insofar as every moral agent who can deliberately avoid killing is required to do so. On this important point, the wanderer and Vladimir differ. The wanderer apparently knows how to live without killing (assuming that we can take him at his word); but Vladimir, who suggests that everything must kill in order to live, does not appear to know this. Vladimir’s comments imply that when killing is necessary, the human, who is usually a moral agent, reverts to becoming a moral patient, even when the thing killed has morally relevant traits like thoughts or feelings. This echoes Kant’s famous “ought implies can” principle, which asserts that one can only be held morally responsible for acts that are practically possible (in Sacher-Masoch’s case, biologically possible) to perform. So Sacher-Masoch’s argument is that (1) killing7 is always undesirable, (2) killing is morally wrong when performed by a moral agent, (3) one is a moral agent whenever one deliberately chooses between killing or not killing (4) one who kills becomes a moral patient only when killing is necessary for life, and (5) the best moral state is living without killing. Sacher-Masoch’s humans become exceptional precisely because they can recognize that (1) combined with their moral agency means they are morally responsible for killing whenever that killing is unnecessary. The truly exceptional human aspires to (5) because this allows for moral agency at all times.

One of the advantages of Sacher-Masoch’s argument is that it accounts for what appears to be a selective blindness regarding animals in his work. As much as Sacher-Masoch is a proponent of animal welfare, at times he seems to abandon this position. Even his most noble characters are clothed in sheepskin and furs and regularly eat meat and utilize work animals. This appears to be an exemplary case of what Francione characterizes as humans’ “moral schizophrenia” regarding animals. Of this, Francione writes, “There is a profound disparity between what we say we believe about animals, and how we actually treat them. On the one hand, we claim to take their interests seriously. […] On the other hand, our actual treatment stands in stark contrast to our proclamations about our regard for their moral status” (2000, pp. xix-xx). Sacher-Masoch’s argument about moral agency shields him against much of the force of Francione’s charge, because the vast majority of his characters have no access to a historical position that would allow them to transcend their local cultural norms regarding how to dress, eat, and work. Moreover, few of them have access to the economic means to create the changes necessary to implement such lifestyle changes, even if they wanted to, and many of the means by which some people currently limit animal use and cruelty (meat substitutes, machines, etc.) were simply not available in 19th-century Galicia. The upshot is that most of Sacher-Masoch’s characters become moral patients under premise (4) in his argument. Because they cannot live without exploiting or killing, they fall under the Vladimir clause: killing is allowed when it fulfills the basic needs of life, and then one is resigned to adopt the mark of Cain.

At this point, it is helpful to be reminded that the action of a moral patient may, when viewed from the perspective of agency, itself be wrong or undesirable even if it is performed by a moral patient. For example, if a toddler, who is a moral patient, tortures a frog, we allow that the toddler is not morally reprehensible. This however does not mean that we condone frog torture; nor does it mean that we should not try to keep this toddler away from frogs once we know that it is likely that he will torture them. This reconciles Vladimir’s position with that of the wanderer, who claims that killing and exploitation are always wrong and that permitting them on the grounds of necessity is the first step toward permitting humans’ oppressions of other humans. It would seem that Sacher-Masoch, if we are to create a functional position from his various mouthpieces, must never condone animal cruelty or killing even if the responsible actor cannot be accused of animal torture or murder on grounds of moral patient status. So he seems to have his cake and eat it too. He can at once say that killing is always wrong, while simultaneously allowing killing for the sake of survival. This position, though pessimistic, fits well with Sacher-Masoch’s sentiments regarding existence as a whole, which he describes as a perpetual penance, leading Helen Zimmern to conclude that “his pessimism is resigned idealism” (1879, p. 201).

*The New Job* suggests that this reconciling of the wanderer’s and Vladimir’s positions is consistent with Sacher-Masoch’s overarching view of animals. Published in 1878, *The New Job* recounts the life of the peasant Theofil Pisarenko. The reader follows Theofil’s story from serfdom to his liberation and ascent to bourgeois freedom. Of importance in regard to animal rights, his story, as recounted by the narrator, is also bookended by his associations with animals. At the sounds of Theofil’s birth, “the cow bellowed, the horse pawed and neighed and the cock lifted himself, flapped his wings, and crowed” (1891, p. 4) to herald Theofil’s arrival in the world. Even as a child he showed great concern for animals and their welfare. He and his playmate Xenia

[…] looked at ants and bees who worked so indefatigably about them, or watched a drone who, with his little black head peeping out of his yellow fur jacket, his brown legs shimmering in the sun, would bury himself in a little calyx, suck the honey, then buzz over the flowers, sip from this one, flutter over that, all in the greatest hurry and confusion. […] They would build houses in the water of the large stones, cover them with branches, and let the little fish which they caught live in them. They told each other stories about their pets; Xenia praised her lambs, Theofil his horses. (1891, p. 8)

The passage continues to describe how carefully Xenia and Theofil protected their pets from the sun and insects while they grazed in the fields. Toward the end of the novel, the narrator points out that Theofil and his wife, during their twilight years, “would sit under the large apple tree—a spot filled with bitter memories—and watch their grandson as he sits astride the wolf-dog” (1891, pp. 265-266). This description is important not only because it suggests that his posterity will have a unique relationship with animals, but also because it subtly reminds readers that Theofil never forgot that he buried his dog Brytan, a dog whom the narrator introduces as one of Theofil’s only three true friends (1891, pp. 201-204), beneath this very apple tree.

In many ways, Theofil’s entire life is marked by his relationship to animals. This is explained in the final lines of the novel, where Theofil says that the Galician “peasants were treated worse than brutes” (1891, p. 270). In retrospect, many of *The New Job*’s uses of animals are meant to reinforce this sentiment. For example, in one scene the lord of the manor uses his riding whip to drive a young Theofil and the other children from the school house, then forces the schoolmaster to teach the lord’s hunting dogs “the famous tricks that wise dogs learn” (1891, p. 13) instead. The lord emphasizes the animal-like nature of the peasant children by asking, “What do these curs need to be taught?” (1891, p. 13). In another example, Sacher-Masoch recounts “the days when noblemen treated their servants like cattle, when Marina Tartakowska wished to hunt and, there being no game, she would have skins of bears, wolves, lynxes, and other animals put on her peasants and then set the dogs upon them to hunt them to death” (1891, p. 100).

Generally, when people say that they were treated like an animal they are claiming that they were treated cruelly; but almost never is this phrase intended to prompt the persons addressed to reconsider their treatment of animals. For Sacher-Masoch, however, as seen in the above examples, human characters are literally interchangeable with animals. There is almost too little distance between animals and peasants to warrant a claim that the relationship is merely metaphorical. In *The New Job*’s most overt comparison of the peasant to the brute, Theofil must actually bear the yoke and plow the lord’s field. Saborski, the lord of the manor, decided to “turn poor Pisarenko’s life into a living hell” (1891, p. 140) by forcing him to plow his fields day after day. Eventually, one of Theofil’s horses goes lame, leaving only one, who has fallen sick, to plow. Once Theofil recognizes that the remaining horse is too sick to work, he wonders to himself, “How should he who could be so cruel to his fellow-creatures [Saborski] have mercy for the brute?” (1891, p. 141). Theofil, who has empathy for the horse, seems to be applying the ought-implies-can principle here. Since Saborski cannot understand why mercy is in order, Theofil surmises that the situation makes it impossible for him to unhitch the horse. The horse eventually becomes so sick that it can no longer work. Saborski then delivers “two heavy blows” to the horse as it dies and forces Theofil to harness himself to the plow to finish the job. It is at this point that rights are invoked: “‘You have no right to treat a man so,’ said an old peasant” (1891, p. 142). In spite of this protest, Theofil is forced to plow the field for five days. This treatment only ends when Saborski finds out that a committee is coming to town to investigate this mistreatment of his peasants. After being unyoked, Theofil returns home, immediately sets to caring for his lame horse, then stretches himself out in the hay of the stable.

There are several significant implications of this scene. At the level of plot, the investigating committee orders Saborski to pay Theofil two thousand gulden, which the pastor invests on Theofil’s behalf. Twenty years later, Theofil receives the money with the interest it has earned, and this effectively ends his life as a peasant. With his new wealth, he is able to transform the life of the local peasantry through thriftily taking advantage of two new inventions: the railroad (described by Sacher-Masoch as the “carriage that travels without horses” [1891, p. 235]) and the steam plow. It is notable that the consequence of Theofil’s taking the place of the horse, his wealth, puts him in a position in which he is able to relieve the horse of two of its most important and difficult duties: drawing carriages and cargo over long distances and plowing the field.8 So whereas the one who claims, metaphorically, to have been treated like an animal generally has no concern for animals, Theofil’s literally being treated like an animal seems to have encouraged him to welcome the technologies that make it possible for him to not treat animals “like animals.” In light of this, *The New Job*’s closing paragraph, which suggests that the days of peasants being treated like brutes is behind them, should be read to suggest the dawning of an age in which animals too might not be treated “as animals.”

The second major consequence of Theofil’s treatment like an animal is a glimpse into a way in which something like animal rights might be conceptualized by Sacher-Masoch. The peasant’s appeal to the concept of rights frames this scene by suggesting that the lord is unjustified in claiming a positive right to put Theofil into a situation that might compromise his dignity/interests. This echoes Vladimir’s argument against tormenting animals: “he [man] shouldn’t torment them, for animals have a will, feelings, and a mind like we do. They think, if not as sophisticatedly as we do, and to delight in their torment is not much better than slaughtering gladiators at the circus” (1891, p. 148). Animals should not be tormented because they, like humans, have a subjective experience of events that needs to be acknowledged.9 This means that to Sacher-Masoch, animals have morally relevant characteristics, making them objects of concern for moral agents. As being tormented is never in one’s interest, here is another instance in which one might be tempted to claim that no one has a “right” to torment animals. However, Vladimir’s comment is prefaced by the caveat “one shouldn’t talk about rights in this world.” This casts animal rights in an interesting light, because “rights,” as used by both the old peasant and Vladimir, refers to what Steven Wise (2004), following Wesley Hohfeld, calls a liberty right, or the right to do as one pleases. The peasant claims that Saborski is not at liberty to act as he does, just as Vladimir claims that humans should not appeal to a liberty right to excuse their killing of animals. In Vladimir’s case, he believes that humans can simply claim the necessity of eating animals and leave rights out of the equation. Bringing to light the absence of this liberty right, moreover, underscores that there is something wrong with the action (in the one case, harnessing a man to a plow, in the other case, tormenting animals) that instigated the discussion. Like Steven Wise, one might be tempted to suggest that this sense of something wrong with these actions implies that the wronged has rights (such as immunity rights or autonomy rights). However, Sacher-Masoch does not go that far. He simply posits something problematic and morally reprehensible in claiming a right to treat another (human or animal) “like an animal.” He gives rights to neither Theofil nor animals in the process.

But Theofil does seem to learn from this experience that there is significant value in creating a world in which education and scientific advancements make it no longer necessary to kill, debase, or torment. Here I would like to position something like animal rights in Sacher-Masoch’s worldview. Once technology and economic progress make it possible for Theofil to replace the horse with steam, Theofil becomes a moral agent concerning the exploitation of animals for extremely difficult work. At that point, he can no longer appeal to “necessity,” for it is no longer necessary to use the animal like an “animal.” Indeed, it is as though Theofil’s time in the harness has taught him to find a way to make such an act unnecessary, even for a horse. His money, along with technological ingenuity, makes it possible for him to transition from a moral patient to a moral agent. This recognition that one *can* change something that ought to be changed is precisely the point where moral duty enters the equation, and thus a moral duty toward animals is established.

This duty, however, does not grant animals universal protection. After all, Theofil can only act as a moral agent in relation to animals because of his education and wealth. Many peasants of Galicia would have neither the imagination nor means to warrant the claim that they can live without exploiting nonhuman animals, and perhaps also human animals. Hence, they remain moral patients in regard to killing (at least) animals. How can Sacher-Masoch get around this? I would turn to the closing “moral” of *Venus in Furs* for a solution. There, Severin summarizes the upshot of his story:

The moral is that woman, as Nature has created her and as she is currently reared by man, is his enemy and can be only his slave or his despot, *but never his companion*. She will be able to become his companion only when she has the same rights as he, when she is his equal in education and work. (2003c, p. 119)

Here, Sacher-Masoch discloses that rights are positive protections designed to enable companionable relations. In the case of *Venus*, the rights to education and work are the necessary conditions by which woman can become man’s moral companion. This gives us the first hint at Sacher-Masoch’s theory of rights: They are legal instruments used to create the minimum conditions for companionship/equality. In the case of men and women, there is little question that Sacher-Masoch shares a theory of rights that is similar to that of a noted critic of animal rights, Richard A. Posner. Posner believes that, “Legal rights are instruments for securing the liberties that are necessary if a democratic system of government is to provide a workable framework for social order and prosperity” (2004, p. 57). Granted, Sacher-Masoch’s companionship goes slightly beyond Posner’s “social order and prosperity,” but the idea that rights are instruments designed to help moral agents (and patients) to prosper is something both would certainly agree upon. The reason that I bring in Posner here is that he pokes great fun at the notion of granting animals rights. He rightly asks questions such as, “When human and animal rights collide, do the former have any priority?” and “What is to be done when animal rights collide with each other, as they do with laws that by protecting wolves endanger sheep?” (2004, p. 57). These are important questions that, when rhetorically posed, create a real challenge for anyone who wants to acknowledge something like animal rights. But these are only problems if we think of animals as agents who employ their rights as moral agents do. For Sacher-Masoch, nonhuman animals are always moral patients, and moral patients, because they cannot act rightly or wrongly, are not able to exercise a right to their own ethical benefit or detriment. So to claim that Sacher-Masoch’s “animal rights” position demands that we legally protect an animal’s ability to act in a certain way might be misguided.

But what if we thought, as Tom Regan (2004) does, of giving animals rights as moral patients? There is no evidence that Sacher-Masoch believes we should do this in the sense that we currently do—as when the law provides certain legal protections to children, the mentally disabled, etc. However, there are other ways of thinking about these rights. Returning to the idea of work and education, the two rights named in *Venus*, what would it mean to allow something like work or education to be *devoted to* something rather than, or in addition to, *granted to* it? Above, I claimed that humans become moral agents in regard to animals precisely when they can no longer claim that they must eat them, kill them, be entertained by them, etc. (Even Theofil used his horses, one to the death, because he had no other feasible option but to work them so.) What if granting rights to education to the animal, as a moral patient, meant not teaching it how to build steam engines or to adopt alternative eating habits, but instead meant that we devoted education to them by teaching humans alternative ways of acting and working, ways that replaced humans’ current habits of action and mind that exploit animals? What if it meant that those who know it is not necessary to kill animals for food or fight them as entertainment have an ethical responsibility to teach other humans how to eat without killing, how to be entertained without exploiting? What if it meant devoting significant research to finding new technologies to replace animal work or exploitation? Understood in this way, Sacher-Masoch’s animals’ right to education would morally justify humane education10 curricula; would allow researchers to devote research to making animals’ lives better without worrying about the accusation that they should be devoting their time to less trivial matters; and would function to make education a far less anthropocentric endeavor. Most importantly, it would end the claim that animal rights is merely a Eurocentric discourse whose proponents have no more right to push on others than a whale- or cat-eating culture has to evangelize its beliefs about a proper diet. Animals would then have rights to education in that legally protected, and educationally sound pedagogical practice, would 1) emphasize respect for animals, even when others understand this as moral proselytizing, 2) teach that it is wrong to continue practices and habits that are exploitive of animals when alternative practices are possible, 3) design life-skills curricula that help those who cannot envision the feasibility of these alternative practices to do so (such as vegetarian cooking or the use of computer simulators to reduce the need for animals in research), 4) de-anthropocentrize the mission of educational institutions, and 5) discount any unnecessary piece of knowledge gained at the expense of animals’ welfare (e.g., performing cruel experiments on animals so that we can better understand maternal bonds or the effects of sleep deprivation) as unworthy of academic attention.

Of course, one should look at a list such as this with suspicion. Would this all not amount to a form of cultural or ethical imperialism? Wouldn’t this fortify other unsound forms of cultural elitism and paternalism, especially amongst Europeanized cultures, that would in turn improperly justify other forms of exploitation? There is no question that many individuals view their ability to exploit animals less than others as a form of moral superiority, one that Harold Fromm characterizes as “a futile metaphysic of virtue and self-blamelessness” (2010). But this is not what I am suggesting about Sacher-Masoch’s position. For him, those who view the use and exploitation of animals as necessary—whether that necessity is real, merely economic, or just strongly apparent does not matter—must be treated as moral patients in regards to animals. There is no question that this will lead to or at least be perceived as paternalism by those designated moral patients. Simultaneously though, the moral agent cannot claim moral superiority because the moral patient is simply acting in the realm of necessity. Blaming a peasant for continuing to use oxen instead of a tractor that he could nowise purchase nor maintain would be no different than blaming a cat for eating a wren. And while many would read this comparison of a peasant to a cat as degrading and dehumanizing, I would suggest that that is only so within a set of speciesist hierarchies that, as I demonstrated in the *Geschlecht* section of this paper, Sacher-Masoch’s position would force one to reject. Unquestionably, criticism of this position as bordering upon imperialistic or paternalistic should not be taken lightly, for the position certainly opens the door for many other abuses; yet this possibility for animal rights should not be dismissed merely because it smacks of other historical indiscretions. As Sacher-Masoch sees it, animals do have significant, morally relevant interests. Intervening in the name of these is a far cry from arbitrarily imposing a set of one’s own cultural norms upon another. And since he understands the arguments for the exploitation of one human group by another as logical consequences of arguments justifying one life form’s domination by another, the claim that cultural imperialism is wrong, insofar as this *assumes* that one group of people should not dominate another, should only be taken seriously if it is uttered by one who is already willing to give up dominating other life forms wherever possible.

While I believe one could outline a similar list of moral responsibilities to animals in regard to the right to work, presenting only this justification for humane education is enough to demonstrate that Sacher-Masoch’s position on animals, when expanded in systematic fashion, offers us a unique way of thinking animal rights and our own responsibilities toward animals. Rather than offering animals rights as legal protections that we extend to them regardless of circumstances, Sacher-Masoch’s (animal) rights would call us to focus on creating the conditions wherein we could identify unnecessary animal exploitation and eliminate it, work to change conditions such that animal exploitation becomes unnecessary where it is currently necessary (e.g., some forms of animal research), and force us to reassess many of our obviously exploitive practices, asking if they really are necessary for our continued existence. These rights would also, in a resignedly idealist way, allow for the continued “exploitation” of animals where it is necessary for individual humans’ survival or where the conditions are such that humans cannot see the possibility of adopting alternative, non-exploitive practices. To the animal liberationist, it might be more expedient to simply give animals the same rights that we give to humans and be done with it. Yet I would argue that Sacher-Masoch’s position ultimately has more argumentative applicability, primarily because of how well it coheres with moral orthodoxy11 when compared the liberationist stance.

For those who read Sacher-Masoch in English, it is unfortunate that his most widely read English-language work, *Venus in Furs*, does not include many interactions between living human and nonhuman animals. However it does quite openly discuss the problem of *Geschlecht,* and a significant number of important interactions between humans are mediated by the skins of animals (furs and leather), their products (silk), and the implements of their torture and servitude (whips, yokes, ropes, etc.). With the expansive notion of *Geschlecht* detailed in the first part of this article, many new questions are opened regarding even *Venus*. If we read *Venus* only as addressing the war of the sexes, we may miss how the whips and the furs indicate not-so-invisible traces of real human oppressions, and fail to understand them as something more than fetish objects. Moreover, *Venus’* “moral” regarding the management of human relationships via rights to work and education may provide a unique model for thinking about animal rights, models tentatively sketched in the final pages of this paper. And just as human domination of animals provides the justification for intrahuman oppression, perhaps *Venus’* answer to the question of how men and women can be companions might afford us new ways to think about animal rights and companionship. In short, Sacher-Masoch has much to teach us about animals, oppression, and exploitation. Unfortunately, many readers, primarily due to psychoanalysis’ influence, focus attention too narrowly on the sexual side of *Geschlecht* in his work.

This article offers only a fraction of Sacher-Masoch’s thoughts on the significance of this term, especially in regard to animals, calling attention to the consistent concern that Sacher-Masoch displayed for animals and the animal rights position that might be gleaned from his work. But there is much more to be thought regarding the animal in Sacher-Masoch. For example, his minor works provide much evidence of a fairly complex philosophy of companionship that begins with befriending animals. As naïve as this might sound, naïve because of our own speciesist attitudes, his model for interspecies relationships deserves full consideration as an ethico-political philosophy; for it certainly would represent a unique alternative to the psychoanalytic ethic of masochism that holds such firm sway in Sacher-Masoch scholarship.

**Notes**

This should not be surprising as several of his works, including his most widely read one, *Venus in Furs*, are semi-autobiographical.

2 Sacher-Masoch: “Have you ever seen greater hatred than between people who were once united in love? Have you anywhere found more cruelty and less mercy than between man and woman?” (2003d, p. 7)

3 To argue that one treats animals improperly because the phrase “treated like an animal” denotes inhumane treatment is a very limiting argument. J. M. Coetzee employs a variation of this argument in *The Lives of Animals* and, though sympathetic to it, offers a fairly cutting critique (1999, p. 49). An analogous argument would be to substitute “like a bowling ball” for “like an animal.” No one would allow that a child should be treated like a bowling ball. However, from that one cannot conclude that we need to shutter bowling alleys. Moreover, thinkers such as Kant and Locke had, previous to Sacher-Masoch, overtly suggested that we need to treat animals well because our relations to animals were analogues to our relations to humans. But they were merely analogues; Kant thought that we had no direct duties toward animals because they lacked reason. Sacher-Masoch’s position on this phrase will be treated further on in this paper.

4 For a full discussion of Sacher-Masoch’s treatment of the nature in relation to the individual, see Sean Kelly’s “Leopold von Sacher-Masoch and Human Rights,” in *Modern Austrian Literature* (2010)*.*

5 Sacher-Masoch: “You are blind, mad fools! You’ve created an everlasting bond between man and woman as if you were capable of changing nature, capable with your ideas and fantasies, of commanding the plant to bloom and never to wither or bear fruit” (2003d, p 7).

6 Peter Singer defines speciesism as “a prejudice or attitude of bias in favor of the interests of members of one’s own species and against those of members of other species” (2002, p. 6). I am using it in an expansive sense – to fail to take another species that might have morally relevant qualities into account in one’s ethical decision making merely because of its species.

7 One can substitute “cruelty,” “oppression,” or “exploitation” for “killing,” and the argument would work the same for Sacher-Masoch.

8 One could make the argument that the engineering advances of the 19th century were a necessary condition for the beginnings of the animal rights movement, as many of these machines replaced the work horse.

9 The fact that Vladimir qualifies animals as having “a will, feelings, and a mind” is vital here. What he is claiming is that animals have qualities that place them within the scope of human moral concern. Without this qualification, animals would be no different than the plants that he mentions in the preceding sentence. By making this distinction, Sacher-Masoch avoids something like what Paul W. Taylor (1986) would call a “biocentric” or life-centered ethical approach.

10 Here, I am using “humane education” in the technical sense. The Institute for Humane Education defines it as a form of education that “instills the desire and capacity to **live with compassion, integrity, and wisdom**, but also provides the **knowledge and tools to put our values into action** in meaningful, far-reaching ways” (Institute for Humane Education n.d.). In general, humane education is more often associated with animal welfare than with human or environmental concerns.

11 Robert Garner does an excellent job of laying out the consequences of the moral orthodoxy position in *Animal Ethics.* He defines it as follows: “Animals have an interest in not suffering but this can be overridden to promote the greater good of humans who are autonomous agents” (2005, p. 15). The most significant difference between this definition and Sacher-Masoch’s would be that “to promote the greater good of humans” would need to be replaced with “when it is necessary for survival.” Garner does go on to explain, “Even if moral orthodoxy is accepted there are few uses of animals which are necessary” (2005, p. 15). Here Sacher-Masoch should agree.

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**Suffering Humanism, or the Suffering Animal**

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**SUFFERING HUMANISM, OR THE SUFFERING ANIMAL**

**Abstract**

Within the animal rights movement as well as the currently burgeoning field of animal studies, the capacity for suffering has largely displaced the capacity for reason or language as the ultimate criterion for defining the ethical subject. However, while the concept of suffering certainly seems to undermine any ethical philosophy based on the ostensibly human capacity for reason or language, it nonetheless remains attached to a more radical form of humanism based on the capacity for ethics itself. In this critical reading of the concept of suffering in Peter Singer’s *Animal Liberation*, Jacques Derrida’s *The Animal That Therefore I Am*, Jeremy Bentham’s *An Introduction to the Principles of Morals and Legislation*, and Emmanual Levinas’s *Humanism of the Other*. I pose the following questions in relation to these four very different texts: Does the concept of suffering entail a philosophical recourse to humanism? Does the discourse of animal rights remain dependent on this humanist concept of suffering? Is the “suffering animal” none other than the classical subject of humanism, even if the capacity for suffering has now been extended beyond the human being to the animal as such?

**The Ethical Question of the Animal: Singer, Derrida, Bentham**

Within the animal rights movement as well as the field of animal studies—a currently burgeoning academic field whose debt to the animal rights movement remains to be calculated—the capacity for suffering has largely displaced the capacity for reason or language as the ultimate criterion for defining the ethical subject. The discourse of animal rights has thus called into question the ethical project of humanism, inasmuch as this project is based on the classical philosophical definition of the human being as a “rational animal.”The human being might now be defined as a “suffering animal,” but this is a capacity that humans share with other animals. Through the concept of suffering, then, animal rights discourse has accomplished nothing less than the very redefinition of who or what counts as an ethical subject. Yet this discourse also seems, even in its most radical articulations, to rely on some form of humanism – perhaps not the classical rationalist brand of humanism that we have all come to know and critique, but another type of humanism that is based on the concept of suffering itself. This new type of humanism extends the capacity for suffering to the animal, but continues to privilege the human’s experience of it. Compassion or empathy is readily granted to the animal, but only insofar as it is identifiable or recognizable to the human. The animal is rendered subject to ethical consideration, but the human still occupies the position of the sovereign ethical subject who dispenses this consideration. What I am claiming, then, is that humanism has survived the critique of rationalism that distinguishes the more radical quarters of contemporary ethical theory, including animal rights discourse. Although humanism has been closely associated with the classical philosophical tradition of rationalism for many centuries, it is an ethical project that is both older and newer than rationalist philosophy, having preceded the advent of rationalism and now following along in its wake. Presupposing the exceptional status of the human being in relation to the animal, nature, or the world, as the case may be, the ethical project of humanism provides the ground for all subsequent philosophical disputes between rationalism and empiricism, idealism and materialism, or individualism and structuralism. Humanism is plainly a kind of speciesism, but more to the point, it is a kind of speciesism that has rigorously determined the economic, political, and cultural relations between the “human” and the “animal,” these terms themselves having been determined by its governing logic of exclusion.

In this paper, I want to pose some questions of my own on the concept of suffering in the discourse of animal rights—certainly not with any intention of rejecting animal rights discourse altogether, but rather in the hopes of further pursuing the line of questioning that this discourse has already opened for us.1 *Does the concept of suffering entail a philosophical recourse to humanism? Is the discourse of animal rights dependent on this humanist concept of suffering? Must we suffer humanism in the name of the animal?* These questions complicate the concept of suffering, or to put it better, they broach its irreducible complexity. As the title of my paper suggests, the concept of suffering suffers itself, undergoes a strange bifurcation into at least two divergent yet indivisible forms, the transitive and the intransitive, doubling and redoubling on itself. On one hand, there is “suffering” as in the experience, sensation, or feeling of pain, while on the other, there is “suffering” as in endurance, forbearance, or indeed, subjection as such. One form of suffering seems to center or recenter the experience of the human being, while the other seems to decenter this experience by calling attention to the precarious constitution of the ethical subject. This divided concept of suffering which has figured so prominently in animal rights discourse thus harbors an ineradicable ambivalence around the status of the human. The questions that I am posing, then, do not only ask whether this discourse remains strapped or caught within the snare of humanism, but they also ask whether it is necessary or even possible to escape. After all, animal rights discourse has already made a radical intervention into contemporary ethical theory precisely by inhabiting or parasiting the humanist discourse of “rights,” not to mention the very concept of the “animal.”Perhaps the discourse of animal rights cannot afford to simply abandon the ethical project of humanism, even if it were possible to do so. In any case, these questions are not to be discarded too easily without considering their implications for animal rights activists as well as animal studies scholars who are interested in dislodging the human subject from its privileged ethical status.

I want to pursue this line of questioning on the concept of suffering as it bears on, or rather, as it is borne by two philosophical texts, Peter Singer’s *Animal Liberation* and Jacques Derrida’s *The Animal That Therefore I Am*, two very different texts by two very different philosophers who have nonetheless both taken up the ethical question of the animal—two philosophical texts, moreover, which I would not hesitate to call two of the most important such texts on this question. Singer is an Australian philosopher who, it seems, remains one of the last champions of utilitarianism, a school of thought founded by the British philosopher Jeremy Bentham in the late eighteenth century. *Animal Liberation: A New Ethics for Our Treatment of Animals* was one of Singer’s first works, and its remarkable success among academic and popular audiences alike played no small part in determining the trajectory that the rest of his work would follow. Originally published in English in 1975 and republished in a revised and expanded edition in 1990, Singer’s *Animal Liberation* galvanized the animal rights movement as few other philosophical texts have ever galvanized contemporary social justice movements, fully earning its admittedly dubious title as the “bible” of the animal rights movement. Derrida was an Algerian-born French philosopher who is probably best known as the founder of deconstruction, although he himself resisted any claims to having founded a school of thought at all. *The Animal That Therefore I Am* was one of Derrida’s last works, based on a ten-hour address that he delivered in 1997 at the third of four Cerisy conferences that were eventually dedicated to his work. Although some parts of this address were published during his lifetime, Derrida’s *The Animal That Therefore I Am* was only published as a complete monograph in French in 2006, some two years after he had passed away, providing a substantial albeit late contribution to his previously established body of work.

While Singer’s *Animal Liberation* was largely responsible for establishing animal rights as a central issue of concern within the field of philosophical ethics in the last decades of the 20th century, Derrida’s *The Animal That Therefore I Am* is now one of the key sources of reference in the interdisciplinary field of animal studies that has emerged during the first decades of our current century. It is also fair to say, however, that while Singer’s utilitarian approach to ethics is generally considered anachronistic if not completely outmoded by his philosophical contemporaries even as his work on animal rights in particular continues to enjoy a popular readership, Derrida’s deconstructive approach has recently drawn an increasing interest within contemporary ethical theory although his work appears to attract amore academically specialized audience.

For all their philosophical and political differences, the concept of suffering thus marks a curious point of intersection between Singer and Derrida’s respective texts. Not only do they both cite Bentham’s famous question on the capacity for suffering among animals, but they also make the argument that this capacity is not simply one capacity among others. Rather, for Singer as well as for Derrida, suffering is a singular capacity that defines or in some sense conditions all other capacities. In the first chapter of *Animal Liberation*, Singer cites an extended passage from Bentham’s text, *An Introduction to the Principles of Morals and Legislation*:

The day *may* come when the rest of the animal creation may acquire those rights which never could have been withholden [*sic*] 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 the legs, the villosity of the skin, or the termination of the *os sacrum* are reasons equally insufficient for abandoning a sensitive being to the same fate. What else is it that should trace the insuperable line? Is it the faculty of reason, or perhaps the faculty of discourse? But a full-grown horse or dog is beyond comparison a more rational, as well as a more conversable animal, than an infant of a day or a week or even a month, old. But suppose they were otherwise, what would it avail? The question is not, Can they *reason*? nor Can they *talk*? but, Can they *suffer*? (Bentham cited in Singer, 2002, p. 7, emphasis in original)

Singer’s appeal to Bentham is not surprising, of course, since he bases his own argument for animal liberation—and not for animal rights—on the ethical principles of utilitarianism. Distancing himself from the philosophical discourse of rights, Singer recalls that Bentham himself “described ‘natural rights’ as ‘nonsense’ and ‘natural and imprescriptible rights’ as ‘nonsense upon stilts’” (Singer, 2002, p. 8). Indeed, Singer claims to have circumvented the entire debate on animal rights by basing his argument directly on what he calls Bentham’s “formula” for moral equality: “Each to count for one and none for more than one” (Singer, 2002, p. 5). Taking up Bentham’s question on the capacity for suffering, then, Singer explains that this capacity provides the sole precondition for all ethical or moral interests:

The capacity for suffering – or more strictly, for suffering and/or enjoyment or happiness – is not just another characteristic like the capacity for language or higher mathematics… The capacity for suffering and enjoyment is *a prerequisite for having interests at all*, a condition that must be satisfied before we can speak of interests in a meaningful way… The capacity for suffering and enjoyment is… not only necessary, but also sufficient for us to say that a being has interests – at an absolute minimum, an interest in not suffering. (Singer, 2002, pp. 7-8, emphasis in original)

For Singer, this original capacity for suffering defines the ethical subject. Any subject that is capable of suffering before it is capable of thinking or speaking deserves our ethical or moral consideration. The capacity for suffering thus constitutes an original capacity in its most radical sense, a pre-original capacity that not only precedes the capacity for reason or language, but that creates the very possibility for any such capacity. Suffering is the capacity for having other capacities.

Similarly, in the first chapter of *The Animal That Therefore I Am*, Derrida repeats Bentham’s question on the capacity for suffering without, however, formally citing Bentham’s text. Indeed, Derrida reduces Bentham’s question to its most highly condensed form: “‘Can they suffer?’ asks Bentham, simply yet so profoundly” (Derrida, 2008, p. 27). But what might seem like Derrida’s passing reference to Bentham is nonetheless surprising. For although Derrida offers no more than a very loose reading of Bentham’s text—an uncharacteristically loose reading for those who are acquainted with Derrida’s close and notoriously dense readings of other philosophical, literary, and cultural texts—not only does it remain his only reference to the Anglo-American philosophical tradition in the entire text, but more importantly, Derrida’s appeal to Bentham signals a pivotal point in his argument, no less than it does in Singer’s case. It is not surprising that Derrida also distances himself from, as he puts it, “what is still presented in such a problematic way as *animal rights*” (Derrida, 2008, pp. 26-27, emphasis in original). What is surprising is that he traces his own argument back to Bentham’s question itself. Derrida explains that Bentham did not merely propose another question on the animal, but moreover “proposed changing the very form of the question regarding the animal that dominated discourse within the tradition, in the language both of its most refined philosophical argumentation and of everyday acceptation and common sense” (Derrida, 2008, p. 27). Derrida argues that this question on the capacity for suffering foregoes the very concept of capacity, capability, or power, suggesting instead a radical form of passivity:

The *first* and *decisive* question would rather be to know whether animals *can suffer*…

Once its protocol is established, the form of this question changes everything… [It] is disturbed by a certain *passivity*. It bears witness, manifesting already, as question, the response that testifies to a sufferance, a passion, a not-being-able. The word *can* [pouvoir] changes sense and sign here once one asks, “Can they suffer?” Henceforth it wavers… “Can they suffer?” amounts to asking “Can they *not be able*?” (Derrida, 2008, pp. 27-28, emphasis in original)

For Derrida, it is not a capacity as such that defines the ethical subject, but the capacity for suffering, which is to say, an incapacity. Suffering marks an absolute openness or vulnerability to others rather than the possession of some particular faculty. It is precisely the subject’s powerlessness to defend or protect itself that commands our ethical attention. The capacity for suffering, then, indicates an incapacity, an inability, or a radical passivity that is prior to all capacities, an incapacity that problematizes every recourse to reason, language, or any other capacity that would presumably distinguish the human from the animal.

Singer and Derrida’s common appeal to Bentham is especially remarkable in so far as they both extend Bentham’s question on the capacity for suffering in much the same direction, it seems to me, well beyond Bentham’s own argument. Bentham’s question appears in one of his first works, *An Introduction to the Principles of Morals and Legislation*, originally published in English in 1789 and republished in a revised edition in 1823. Although Bentham is widely considered to have established the earliest philosophical foundations for the animal rights movement as well as the field of animal studies—his rightly famous question on the capacity for suffering among animals commanding the attention of philosophers as different from each other in all other respects as Singer and Derrida themselves—his own attention to this question is somewhat limited. As its title only partly indicates, *An Introduction to the Principles of Morals and Legislation* is primarily concerned with the philosophical theory of penal legislation or criminal law. Certainly, it is safe to say that at least among readers of 20th-century continental philosophy, Bentham is less famous for his question on the capacity for suffering among animals in this text than he is infamous for his architectural design of the Panopticon, the prison model that Michel Foucault analyzes so trenchantly in *Discipline and Punish*.

In any case, while Bentham presents a detailed outline of the ethical principles of utilitarianism in the first few chapters of his text, his discussion of animals remains cursory at best. Indeed, his question on their capacity for suffering only appears in a long footnote to the last chapter of his text on the delimitation of penal jurisprudence. In the first part of this chapter, Bentham sets out to delimit ethics from legislation in general, or what he calls “private ethics” from “the art of legislation” (cf. Bentham, 1996, p. 281). In a passage that marks a significant departure from the classical philosophical tradition of humanism, Bentham argues that all humans as well as nonhuman animals are to be considered ethical subjects or moral agents:

Ethics at large may be defined, the art of directing men’s [*sic*] actions to the production of the greatest possible quantity of happiness, on the part of those whose interest is in view.

What then are the actions which it can be in a man’s [*sic*] power to direct? They must be either his own actions, or those of other agents…

What other agents then are there, which, at the same time that they are under the influence of man’s direction, are susceptible of happiness? They are of two sorts: 1. Other human beings who are styled persons; 2. Other animals, which on account of their interests having been neglected by the insensibility of the ancient jurists, stand degraded into the class of *things*. (Bentham, 1996, p. 282, emphasis in original)

Bentham attaches a long footnote to the end of this passage in which he defends his claim for the ethical agency of animals by posing his deliberately rhetorical question on their capacity for suffering.2However, having established that humans alone are to be considered legal subjects or “persons,” he does not mention animals in his text again. Moreover, and perhaps even more importantly, while Bentham makes frequent use of the concept of suffering throughout his text, he does not offer a definition of this concept as such. Basing the ethical principles of utilitarianism on the mutually opposed concepts of pain and pleasure in the very first sentence of his first chapter (Bentham, 1996, p. 11), he appears to use the concept of suffering synonymously with the concept of pain in some passages of his text, but differently in many others. Bentham comes closest to defining the concept of suffering itself in his distinctions among the four concepts of coercion or restraint, apprehension, sufferance, and sympathy or connection (Bentham, 1996, p. 163, 223, 287). But this definition of sorts only suggests that he considers suffering one particular form of pain. What all this is to say is that Bentham’s argument in *An Introduction to the Principles of Morals and Legislation* does not offer a philosophically rigorous or even thematically consistent concept of suffering. Notwithstanding his immensely productive question on the capacity for suffering among animals, there is little if any indication in Bentham’s own text that this capacity constitutes what both Singer and Derrida argue is, in a much more radical sense, the singular precondition for all other capacities.

Yet this point of intersection between Singer’s *Animal Liberation* and Derrida’s *The Animal That Therefore I Am* marks not so much a meeting between these two very different philosophers and their texts as a parting of ways. For although there is arguably only a slight difference between Singer’s concept of suffering as an original capacity on one hand and Derrida’s concept of suffering as an incapacity on the other, Singer proceeds to ground his concept of suffering on a decidedly anthropocentric analysis of pain, while Derrida goes on to ungroundthe philosophical foundation of the human subject altogether. Still within the first chapter of *Animal Liberation*, just a few paragraphs following his citation and discussion of Bentham’s question, Singer anticipates the inevitable objection to his argument, namely that “[n]on human animals have no interests… because they are not capable of suffering” (Singer, 2002, p. 9). Astonishingly enough, he immediately concedes that “[nonhuman animals] are not capable of suffering in all the ways that human beings are,” quickly moving on to address instead the “more sweeping” yet “less plausible” objection that “animals are incapable of suffering in any way at all” (Singer, 2002, pp. 9-10). It is at this point in his argument that Singer switches out the concept of suffering for the concept of pain, doing so without noting this switch himself, or perhaps, without even noticing it. Of course, he might have very well defended this switch in his text by appealing to Bentham again who, after all, appears to use the concept of suffering synonymously with the concept of pain in certain passages of his own text. However, Singer’s more radical argument that the capacity for suffering constitutes a precondition for all ethical or moral interests should have complicated any such simple substitution on his part. By switching out the concept of suffering for the concept of pain, it seems to me that Singer reduces what he previously claimed to be the original capacity for suffering to merely one capacity among others.

It is little wonder, then, that Singer ends up resorting to such anthropocentric criteria in his analysis of pain. He begins this analysis, quite rightly, by questioning the capacity for pain among humans as well as nonhuman animals: “Do animals other than humans feel pain? How do we know? Well, how do we know if anyone, human or nonhuman, feels pain?” (Singer, 2002, p. 10). Singer argues that the individual human subject experiences pain, but only infers pain in other humans from their expression of it: “We know that we ourselves can feel pain… from the direct experience of pain that we have… But how do we know that anyone else feels pain? We cannot directly experience anyone else’s pain… [We] can only infer that others are feeling it from various external indications” (Singer, 2002, p. 10). Singer thus proceeds to question the capacity for pain among nonhuman animals by comparing their behavior and physiology to human behavior and physiology, affirming their basic similarity despite what he freely admits is the greater capacity for reason among humans:

If it is justifiable to assume that other human beings feel pain as we do, is there any reason why a similar inference should be unjustifiable in the case of other animals?

Nearly all the external signs that lead us to infer pain in other humans can be seen in other species, especially the species most closely related to us – the species of mammals and birds. The behavioral signs include writhing, facial contortions, moaning, yelping or other forms of calling, attempts to avoid the source of pain, appearance of fear at the prospect of its repetition, and so on. In addition, we know that these animals have nervous systems very like ours, which respond physiologically as ours do when the animal is in circumstances in which we would feel pain: an initial rise of blood pressure, dilated pupils, perspiration, an increased pulse rate, and, if the stimulus continues, a fall in blood pressure. Although human beings have a more developed cerebral cortex than other animals, this part of the brain is concerned with thinking functions rather than with basic impulses, emotions, and feelings. These impulses, emotions, and feelings are located in the diencephalon, which is well developed in many other species of animals, especially mammals and birds. (Singer, 2002, p. 11)

Obviously, what Singer is trying to establish in this passage is the conclusion that the pain experienced by nonhuman animals is no more questionable than the pain experienced by other humans: “If we do not doubt that other humans feel pain we should not doubt that other animals do so too” (Singer, 2002, p. 15). Furthermore, he calls specific attention to mammals and birds in this passage in preparation for his extended discussion on scientific experimentation and factory farming in the following two chapters of *Animal Liberation*, both practices of which are based largely on the systematic exploitation of precisely these animals. Yet, by basing his analysis of pain on the specific criteria of human behavior and physiology, Singer seems to suggest that the ethical or moral interests of nonhuman animals are ultimately determined by their ability to be identified or recognized as such by humans themselves. By reducing his concept of suffering to the capacity for pain, then, Singer forecloses the possibility of an ethics that would not invariably center itself on the human subject.3

Meanwhile, in the first chapter of *The Animal That Therefore I Am*, once again just a few paragraphs following his discussion of Bentham’s question, Derrida proposes to trace an itinerary between all three Cerisy conferences that had been dedicated to his work so far. This itinerary would follow “another logic of the limit” (Derrida, 2008, p. 29), which he names “limitrophy”: “*Limitrophy* is therefore my subject. Not just because it will concern what sprouts or grows at the limit, around the limit, by maintaining the limit, but also what *feeds the limit*, generates it, raises it, and complicates it. Everything I’ll say will consist, certainly not in effacing the limit, but in multiplying its figures, in complicating, thickening, delinearizing, folding, and dividing the line precisely by making it increase and multiply” (Derrida, 2008, p. 29, emphasis in original). Derrida thus declares that he has no intention of questioning the limit or line that is typically drawn between humans and animals. He even appears to accept what he calls “the thesis of a limit as rupture or abyss” (Derrida, 2008, p. 30), the rupture or abyss that so deeply separates humans from animals:“To suppose that I, or anyone else for that matter, could ignore that rupture, indeed that abyss, would mean first of all blinding4oneself to so much contrary evidence; and, as far as my own modest case is concerned, it would mean forgetting all the signs that I have managed to give, tirelessly, of my attention to difference, to differences, to heterogeneities and abyssal ruptures as against the homogeneous and continuous” (Derrida, 2008, p. 30). However, Derrida goes on to argue that this limit or abyssal rupture not only defies any simple opposition between humans on one hand and animals on the other, but also disbands the very concept of the animal. Playing on the French term *bêtise* meaning “stupidity” but carrying connotations of animality or bestiality, he even goes so far as to accuse any philosopher who employs the term “animal” as a generic category for all nonhuman animals—which is to say, more or less, all philosophers—of stupidity, or what has been translated rather liberally into English as “asininity”:5

Beyond the edge of the *so-called* human, beyond it but by no means on a single opposing side, rather than “The Animal” or “Animal Life” there is already a heterogeneous multiplicity of the living, or more precisely (since to say “the living” is already to say too much or not enough), a multiplicity of organizations of relations between living and dead, relations of organization or lack of organization among realms that are more and more difficult to dissociate by means of the figures of the organic and inorganic, of life and/or death. These relations are at once intertwined and abyssal, and they can never be totally objectified. They do not leave room for any simple exteriority of one term with respect to another. It follows that one will never have the right to take animals to be the species of a kind that would be named The Animal, or animal in general. Whenever “one” says “The Animal,” each time a philosopher, or anyone else, says “The Animal” in the singular and without further ado, claiming thus to designate every living thing that is held not to be human… he [*sic*] utters an *as inanity* [bêtise]. (Derrida, 2008, p. 31, emphasis in original)

Later in the same chapter, Derrida coins the French term *l’animot* precisely in order to reinscribe the singular form “animal,” *l’animal*, with the plural form “animals,” *les animaux*, as well as to recall the word for “word” itself, *le mot*, the possession of which, as language or *logos*, is so commonly held to distinguish humans from animals (Derrida, 2008, pp. 41, 47-48).This attention to the limit, then, fractures not only the concept of the animal, but also its human counterpart. By resisting the imperative to define the human subject by any one capacity—whether it is the capacity for reason, language, or suffering itself—Derrida opens up the possibility that Singer seems to foreclose, the possibility of an ethics that would not invariably entail the philosophical recourse to humanism.

Yet I do not want to conclude my reading of *Animal Liberation* and *The Animal That Therefore I Am* by simply pitting Singer against Derrida. And I certainly do not want to suggest that Singer’s rather crude concept of suffering has been outmoded or superseded by Derrida’s more refined concept of suffering, either. What I would suggest instead is that Singer’s argument on the capacity for suffering as an original or pre-original capacity in its most radical sense offers an important antecedent to Derrida’s own argument. Indeed, Singer even anticipates Derrida’s argument by attending to the limit or abyssal rupture between humans and animals himself in the preface to the original edition of his text, deconstructing, we might say, the very concept of the animal:

We commonly use the word “animal” to mean “animals other than human beings.” This usage sets humans apart from other animals, implying that we are not ourselves animals – an implication that everyone who has had elementary lessons in biology knows to be false.

In the popular mind the term “animal” lumps together beings as different as oysters and chimpanzees, while placing a gulf between chimpanzees and humans, although our relationship to those apes is much closer than the oyster’s. (Singer, 2002, p. xxiv)

However, Singer’s argument on the capacity for suffering in *Animal Liberation* does indeed seem to ultimately recenter itself on the human subject, even if this subject is no longer defined by the capacity for reason as much as it is defined by the capacity for ethics itself. In the last chapter of his text, Singer attempts to address some likely objections to his general argument. In response to the objection that humans are morally justified in killing nonhuman animals for food inasmuch as nonhuman animals kill each other for the same reason, Singer argues that only humans are capable of making ethical or moral choices: “[N]onhuman 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” (Singer, 2002, p. 224). Quite aware of the apparent contradiction in his argument, Singer defends his claim on the distinctly human capacity for ethics—or more specifically, the capability of making ethical or moral choices among those he calls “normal adult humans” (Singer, 2002, p. 225)—by appealing to Bentham once again, modifying his famous question on the capacity for suffering:

My point is not that animals are capable of acting morally, but that the moral principle of equal consideration of interests applies to them as it applies to humans. That it is often right to include within the sphere of equal consideration beings who are not themselves capable of making moral choices is implied by our treatment of young children and other humans who, for one reason or another, do not have the mental capacity to understand the nature of moral choice. As Bentham might have said, the point is not whether they can choose, but whether they can suffer. (Singer, 2002, p. 225)

But in this case, given that Bentham considers humans as well as nonhuman animals ethical subjects or moral agents, Singer’s argument on the distinctly human capacity for ethics seems significantly less radical than Bentham’s argument. Singer thus continues to privilege the human subject in his own argument on the capacity for suffering, recasting the rational subject of classical humanism as the ethical subject of another, more contemporary form of humanism. The question still remains for us, then, whether it is the concept of suffering itself that ultimately provides the philosophical foundation for this new type of humanism.

**The Other Humanism: Derrida, Bentham, Levinas**

Derrida’s reading of Bentham’s question on the capacity for suffering in *The Animal That Therefore I Am* is just as surprising for its brevity as it is for its generosity. In a passage from this text that I will risk citing once again in my paper, Derrida argues that Bentham’s question circumvents the concept of capacity altogether:

The *first* and *decisive* question would rather be to know whether animals *can suffer*…

Once its protocol is established, the form of this question changes everything… [It] is disturbed by a certain *passivity*. It bears witness, manifesting already, as question, the response that testifies to a sufferance, a passion, a not-being-able. The word *can* [pouvoir] changes sense and sign here once one asks, “Can they suffer?” Henceforth it wavers… “Can they suffer?” amounts to asking “Can they *not be able*?” (Derrida, 2008, pp. 27-28, emphasis in original)

For Derrida, then, the capacity for suffering indicates an incapacity, an inability, or a radical form of passivity that precedes all capacities as such. Yet this very brief reading of Bentham’s question—what some of Derrida’s more avid readers might even call a cursory reading, however generous it may well be—finds little support in Bentham’s own text, *An Introduction to the Principles of Morals and Legislation*, in which this question was first posed. Indeed, what I want to suggest is that Derrida’s reading of Bentham’s question owes less to Bentham himself than it does to the Lithuanian-born French philosopher Emmanuel Levinas.

This claim might seem especially contentious given that Derrida’s reading of Levinas in *The Animal That Therefore I Am* is far less generous than his reading of Bentham, presenting what is arguably Derrida’s least generous reading of Levinas over the course of his work. The text of *The Animal That Therefore I Am*itself is organized around Derrida’s reading of the concept of the animal within the philosophical tradition extending, as he says, “from Aristotle to Lacan, and including Descartes, Kant, Heidegger, and Levinas” (Derrida, 2008, p. 32), a remarkably consistent and essentially dogmatic concept of the animal that only betrays what Derrida calls these philosophers’ own *bêtise* or “asininity” (Derrida, 2008, p. 31). In his reading of Levinas toward the end of the second chapter of his text, a reading that is much closer and more careful than his brief reading of Bentham in the first chapter, Derrida accuses Levinas of “a profound anthropocentrism and humanism” (Derrida, 2008, p. 113) that is “more significant than all the differences that might separate Levinas from Descartes and from Kant on the question of the subject, of ethics, and of the person” (Derrida, 2008, p. 106), adding that “Levinas also remains profoundly Heideggerian” (Derrida, 2008, p. 110) on the question of death. Derrida insists that what might appear to be Levinas’s radical reformulation of the ethical subject in terms of the “face” is still caught within the same philosophical tradition that it was intended to escape, clearly reinscribing the discourse of humanism as well as the unabashedly gendered discourse of fraternalism:

[E]ven if Levinas inflects what he inherits, even if he inverts what could be described as the traditional and ontological tendency concerning the subject, even if he does that in a strong, original, and let’s say, subversive manner… even if he submits the subject to a radical heteronomy, even if he makes of the subject a subject that is subjected to the law of substitution, even if he says about the subject that it is above all a “host”… even if he reminds us that the subject is a “hostage”… this subject of ethics, the face, remains first of all a fraternal and human face… If, in his new heteronomous and ethical definition, the human subject is a face, according the animal or the *animot* any of the traits, rights, duties, affections, or possibilities recognized in the face of the other is out of the question. (Derrida, 2008, pp. 106-107)

As Derrida goes on to demonstrate, Levinas himself asserted that this phenomenon of the “face” which defines the ethical subject belongs exclusively to the human being, maintaining a strict distinction between the human and the animal on this matter, despite all biological evidence to the contrary: “The human face is completely different [from] the face of an animal” (Levinas cited in Derrida, 2008, pp. 107-108). Derrida thus concludes his close reading of Levinas with a harsh indictment against the ethical project with which Levinas claimed to surpass the philosophical tradition of rationalism itself: “It is, therefore, not sufficient for an ethics to recall the subject to its being-subject, host or hostage, subjected to the other, to the wholly other or to every other. More than that is required to break with the Cartesian tradition of an animal without language and without response” (Derrida, 2008, p. 118).6 It certainly seems, then, that Derrida rejects Levinas’s reformulation of the ethical subject entirely, inasmuch as this subject firmly reinstates the fundamentally human subject of the classical philosophical tradition.

And yet, Derrida’s reading of Bentham’s question on the capacity for suffering is deeply indebted to Levinas’s particularly idiomatic formulation of the ethical subject in many of his later texts, but most notably, in his essay “Without Identity.” Derrida does not mention this text by Levinas at all in *The Animal That Therefore I Am*, even though he would probably have been well acquainted with it. In any case, returning to his reading of Bentham’s question in which he associates the capacity for suffering with an incapacity, inability, or radical passivity, Derrida further associates this capacity with vulnerability, anguish, and what he calls a “non-power”:

And what of this inability [*impouvoir*]? What of the vulnerability felt on the basis of this inability? What is this non-power at the heart of power? … Being able to suffer is no longer a power; it is a possibility without power, a possibility of the impossible. Mortality resides there, as the most radical means of thinking the finitude that we share with animals, the mortality that belongs to the very finitude of life, to the experience of compassion, to the possibility of sharing the possibility of this non-power, the possibility of this impossibility, the anguish of this vulnerability, and the vulnerability of this anguish. (Derrida, 2008, p. 28)

This chain of associations between suffering, incapacity, inability, passivity, vulnerability, anguish, and non-power in *The Animal That Therefore I Am* recalls Levinas’s idiomatics in “Without Identity” so strongly that it might indeed be tempting to speculate that there is some sort of disavowal if not repression operating within Derrida’s text.

Of course, any such disavowal would require little justification on Derrida’s behalf, at least as far as I am concerned. For “Without Identity” forms part of a series of texts in which Levinas attempts nothing less than acclamation of humanism from the various currents of anti-humanism within 20th-century continental philosophy and social, cultural, and literary theory. Originally published in the journal *L’Éphémère* in 1970, “Without Identity” also appeared in Levinas’s volume of essays published in 1972, *Humanism of the Other*. In his foreword to the volume, Levinas announces what he emphatically calls his “*inopportune*” (Levinas, 2003, p. 3, emphasis in original) philosophical project: “The three essays in this small volume… mark the stages of an ‘out of date consideration’ that is not yet or no longer frightened by the word *humanism*” (Levinas, 2003, p. 3). He goes on to affirm that this humanism precludes any consideration of the human subject on the biological basis of its purported animality: “[H]umanity is not a genre like animality” (Levinas, 2003, p. 7). In the second essay of the volume, “Humanism and An-archy,” Levinas states his own position in relation to anti-humanism, appealing to what he calls “the pre-original responsibility for the other” (Levinas, 2003, p. 56) that distinguishes the human subject as such in terms of the “saying”: “Modern anti-humanism is undoubtedly right in not finding in man [*sic*] taken as individual of a genus or an ontological reason—an individual like all substances persevering in being—a privilege that makes him [*sic*] the aim of reality… [But] [m]odern anti-humanism may be wrong in not finding for man, lost in history and in order, the trace of this pre-historic an-archic saying” (Levinas, 2003, pp. 56-57). “Without Identity” thus stands as a crucial text in Levinas’s ongoing formulation of the ethical subject that personifies his “humanism of the other,” both extending and expanding on the idiomatics that he had already introduced in some of his previous texts.

But what makes this text particularly germane to Derrida’s reading of Bentham’s question is Levinas’s attention to the concept of suffering itself. In “Without Identity,” Levinas mounts a defense of humanism, metaphysics, and subjectivity alike against the combined onslaught of Heidegger and what he calls “the social sciences,” presumably referring to structuralism (Levinas, 2003, p. 58 ff.). In the third section of his text, which is aptly named “Subjectivity and Vulnerability,” he sets out to present his reformulation of the ethical subject. Elaborating on the concept of the opening,7 Levinas argues that the vulnerability of this subject takes precedence over any ontological analysis of being, even coining the title of his last major work, *Otherwise Than Being*, in this passage:

Opening is the stripping of the skin exposed to wound and outrage. Opening is the vulnerability of a skin offered in wound and outrage beyond all that can show itself, beyond all that of essence of being can expose itself to understanding and celebration. In sensibility “is uncovered,” is exposed a nude more naked than the naked of skin that, form and beauty, inspires the plastic arts; nakedness of a skin offered to contact, to the caress that always, even ambiguously in voluptuousness, is suffering for the suffering of the other. Uncovered, open like a city declared open to the approaching enemy, sensibility beneath all will, all act, all declaration, all taking stands – is vulnerability itself. *Is* it? Doesn’t its being consist in divesting itself of being; not to die, but to alter into “otherwise than being”? Subjectivity of the subject, radical passivity of man [*sic*] who elsewhere poses himself [*sic*], declares himself being and considers his sensibility an attribute. Passivity more passive than all passivity, sent back into the pronominal particle *se*, which has no nominative. The Ego from top to toe and to the very marrow is – vulnerability (Levinas, 2003, p. 63, emphasis in original).

Levinas explains that this radical form of suffering, this “suffering of the other,” is not an intentional suffering that is willed by the self, the ego, or consciousness, but rather a prior vulnerability or opening to the other that the subject is powerless to control. Citing the *Book of Lamentations*, he argues that this form of suffering is irreducible to either humiliation or submission:

“Opening” of the sensibility cannot be interpreted as simple exposure to the affection of causes. The other *by whom* I suffer is not simply the “stimulus” of experimental psychology and not even a cause that, by the intentionality of suffering, would by whatever rights be thematized. Vulnerability is more (or less) than passivity receiving form or shock. It is the aptitude – that any being in its “natural pride” would be ashamed to admit – for “being beaten,” for “getting slapped.”As admirably expressed in a prophetic text: “He turns his cheek to the one who slaps him and is satiated with shame.” Without introducing any deliberate seeking of suffering or humiliation (turning the other cheek) it suggests, in the primary suffering, in suffering as suffering, a hard unbearable consent that animates passivity, strangely animates it in spite of itself, whereas passivity as such has neither force nor intention, neither like it or not. The impotence or humility of “to suffer” is beneath the passivity of submission. (Levinas, 2003, pp. 63-64, emphasis in original)

It seems to me that it is precisely this “primary suffering” or “suffering as suffering,” as Levinas puts it, from which Derrida himself principally draws in his reading of Bentham’s question on the capacity for suffering among animals. Despite his rejection of Levinas’s blatantly anthropocentric concept of the face, Derrida refers us to a whole host of concepts associated with Levinas’s essentially humanist ethical project—first and foremost among which is the concept of suffering itself—in order to deconstruct the concept of the animal within the classical philosophical tradition of humanism. Of course, the paradoxical force of such an effort is not unfamiliar to those who are already acquainted with Derrida’s work. Yet Derrida’s lack of attention to this paradoxical effort on his own part is curious, to say the least.

To be clear, I am not suggesting that Derrida simply should not have attended to the concept of suffering, or that he should not have followed Levinas so closely, however surreptitiously, in his reading of Bentham’s question. After all, it would have been difficult for Derrida to state his differences with Levinas in any less uncertain terms, if not in his reading of Bentham’s question as such, then certainly in his reading of Levinas’s formulation of the ethical subject insofar as it regards the animal, or rather, insofar as it entirely disregards the animal.8 What I am suggesting is that the concept of suffering itself remains deeply indebted to the ethical project of humanism, notwithstanding the very centrality of this concept to both the animal rights movement and the field of animal studies. Even in its most radical articulations, in Singer’s *Animal Liberation* as well as in Derrida’s *The Animal That Therefore I Am*, the concept of suffering betrays its attachment to the human subject, even if the capacity for suffering has now been extended beyond the human being to the animal or *l’animot*, as the case may be. The concept of suffering in the discourse of animal rights, then, always runs the risk of being reappropriated in the service of humanism—whether in the service of a more classical, rationalist brand of humanism or another type of humanism altogether—a risk that must be run by any concept in ethical theory. Suffering and pain, vulnerability and anguish, or indeed, radical passivity and openness can always be reclaimed as the defining characteristics of the human being. And this is just what Levinas has done in what I would gladly concede is his radically original ethical project.

For better or worse, the concept of suffering in animal rights discourse thus finds itself strangely dependent on a most unlikely source. The triangle formed by the intertextual relationships among Singer, Derrida, and Bentham open supor unfolds itself into a square, bringing Levinas into these relationships as well, but only as a silent or mute partner:

**Singer Derrida**

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**Bentham** Levinas

**Figure 1: The semiotic square or open triangle of suffering**

Figure 1 shows a semiotic square or open triangle that constitutes a heterogeneous field of relations in which each one of these relations is irreducible to the others. These multiple relations among Singer, Derrida, Bentham, and Levinas encompass a variety of attitudes—the serious engagement, the casual encounter, the secret liaison, and mutual repugnance among others, only some of which I have traced out in this paper.9 But the point I want to make does not concern these philosophers and their texts themselves as much as it concerns the concept of suffering that binds them all together. For while this concept of suffering certainly seems to undermine any ethical project that is based on the ostensibly human capacity for reason or language, it is nonetheless attached to a more radical form of humanism that is based on the capacity for ethics as such. Again, the concept of suffering suffers itself, not only split apart but drawn and quartered between suffering as in the feeling of pain and suffering as in subjection, human suffering and animal suffering.

What exactly this all means for animal rights activists and animal studies scholars alike, is that despite the obvious gains to be won by extending the capacity for ethics or morality from the human to the animal—a capacity that is grounded on radical suffering, absolute openness, and the irrevocable bond to others—there are limits to this strategy. Now, it appears that this strategy is becoming increasingly popular not only within animal rights discourse, but also within contemporary culture more generally, with very good reason. Attesting to the growing lure of this strategy, a number of trade books based on the discipline of ethology or animal behavior have recently been published, demonstrating the evidence for compassion or empathy among various nonhuman animals. These important works seem even more radical than Singer’s *Animal Liberation*, the grand manifesto of the animal rights movement itself, insofar as they suggest that animals might be considered ethical subjects or moral agents in their own right.10 And yet, even when the purported “nature” of human morality is not the explicit focus of attention in these books – a “nature” that nonhuman animals are presumed to somehow embody or incarnate—the capacity for ethical behavior among animals is inevitably rendered in terms that are easily assimilable to humans’ own experience of compassion or empathy. In other words, human ethics remains the model for animal ethics. It is thus no coincidence that those nonhuman animals who are most readily recognized as ethical subjects themselves (apes, dolphins, and dogs among a few others) are the same non human animals who have previously been supposed to display some evidence of the capacity for reason or language. Meanwhile, those nonhuman animals who are exploited on a mass scale in the practices of factory farming and scientific experimentation (cows, chickens, and rats among many others) appear much less likely to be awarded such recognition, remaining strangely opaque to humans for whatever reason. My point, of course, is not to say which nonhuman animals suffer more than others, or to say which forms of suffering are worse than others. Rather, my point is that extending the capacity for ethics to the animal has its limitations as well as its own particular strategic benefits.

The question that finally remains, then, is whether it is ethics itself—a concept that is practically synonymous with humanity, humaneness, or humanitarianism—that ultimately distinguishes the human from the animal. *Is the suffering subject of ethics fundamentally human?* If so, then the question of the animal, rather than constituting merely another ethical question, threatens to expose the very limits of ethical discourse. And as for the radical ethical discourse of animal rights, perhaps it is finally condemned to suffer humanism, precisely in the name of a suffering animal, the only animal that has ever suffered the name “animal,” which is to say, the human.

**Notes**

1 Although Singer, Derrida, and Benthamall reject the philosophical concept of “rights” for various reasons, I am proceeding as if their respective works addressing the ethical question of the animal formed part of the discourse of “animal rights,” simply leaving aside for now the daunting task of charting the problematic relationship between the philosophical discourse on animals and the political movement for animal rights.

2 Aside from Singer’s and Derrida’s common appeal to his question on the capacity for suffering, Bentham’s entire footnote is surely worth a close reading in itself, not only for his complimentary remarks on both Hinduism and Islam and his sharp criticism of African slavery in the colonies, and not only for his opinion on animals’ incapacity to anticipate the future and his recourse to the idea of a cruel and indifferent “nature,” but also for what I have called the strange dehiscence or bifurcation that the concept of suffering suffers itself:

Under the Gentoo [*sic*] and Mahometan [*sic*] religions, the interests of the rest of the animal creation seem to have met with some attention. Why have they not, universally, with as much as those of human creatures, allowance made for the difference in point of sensibility? Because the laws that are have been the work of mutual fear; a sentiment which the less rational animals have not had the same means as man [*sic*] has of turning to account. Why *ought* they not? No reason can be given. If the being eaten were all, there is very good reason why we should be suffered to eat such of them as we like to eat: we are the better for it, and they are never the worse. They have none of those long-protracted anticipations of future misery which we have. The death they suffer in our hands commonly is, and always may be, a speedier, and by that means a less painful one, than that which would await them in the inevitable course of nature. If the being killed were all, there is very good reason why we should be suffered to kill such as molest us; we should be the worse for their living, and they are never the worse for being dead. But is there any reason why we should be suffered to torment them? Not any that I can see. Are there any why we should *not* be suffered to torment them? Yes, several… The day has been, I grieve to say in many places it is not yet past, in which the greater part of the species, under the denomination of slaves, have been treated by the law exactly upon the same footing, as, in England for example, the inferior races of animals are still. The day *may* come, when the rest of the animal creation may acquire those rights which never could have been withholden [*sic*] 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 come one day to be recognized, that the number of the legs, the villosity of the skin, or the termination of the *os sacrum*, are reasons equally insufficient for abandoning a sensitive being to the same fate?[*sic*] What else is it that should trace the insuperable line? Is it the faculty of reason, or, perhaps, the faculty of discourse? But a full-grown horse or dog, is beyond comparison a more rational, as well as a more conversible [*sic*] animal, than an infant of a day, or a week, or even a month, old. But suppose the case were otherwise, what would it avail? the question is not, Can they *reason*? nor, Can they *talk*? but, Can they *suffer*? (Bentham, 1996, pp. 282-283, emphasis in original)

3 Singer resumes his anthropocentric analysis of pain in the fourth chapter of his text on vegetarianism, placing nonhuman animals along a hierarchically ordered “evolutionary scale” beginning at the top with mammals and birds, proceeding downward with reptiles and fish, and ending at the bottom with crustaceans and mollusks, all the while retaining human behavior and physiology as the very measure of this scale:

In my earlier discussion of the evidence that nonhuman animals are capable of suffering, I suggested two indicators of this capacity: the behavior of the being, whether it writhes, utters cries, attempts to escape from the source of pain, and so on; and the similarity of the nervous system of the being to our own. As we proceed down the evolutionary scale we find that on both these grounds the strength of the evidence for a capacity to feel pain diminishes. With birds and mammals the evidence is overwhelming. Reptiles and fish have nervous systems that differ from those of mammals in some important respects but share the basic structure of centrally organized nerve pathways. Fish and reptiles show most of the pain behavior that mammals do. In most species there is even vocalization, although it is not audible to our ears…

When we go beyond fish to the other forms of marine life commonly eaten by humans, we can no longer be quite so confident about the existence of a capacity for pain. Crustacea – lobster, crabs, prawns, shrimps – have nervous systems very different from our own. Nevertheless… if there is some room for doubt about the capacity of these animals to feel pain… they should receive the benefit of the doubt.

Oysters, clams, mussels, scallops, and the like are mollusks, and mollusks are in general very simple organisms. (There is an exception: the octopus is a mollusk, but far more developed, and presumably more sentient, than its distant mollusk relatives.) With creatures like oysters, doubts about a capacity for pain are considerable… But while one cannot with any confidence say that these creatures do feel pain, so one can equally have little confidence in saying that they do not feel pain…

This takes us to the end of the evolutionary scale, so far as creatures we normally eat are concerned… (Singer, 2002, pp. 171-174)

4 This note simply marks the space for a future task that would not only yield a close reading of Derrida’s own rich discourse on blindness throughout his work, but also precipitate a critical confrontation between the discourses of animal studies and disability studies.

5 This liberal translation of the French term *bêtise* by the neologism “asininity” appears to have been derived from crossing the two English terms “asininity” and “inanity” together, even though “asininity” as such would have provided a more effective translation, it seems to me, not only for its lexical proximity to *bêtise* itself but also for its widespread currency and grammatical functionality—all of which is to take for granted, of course, that “asininity” has not simply been misspelled.

6 Derrida also delivers a very pointed if not barbed commentary on Levinas’s account of the dehumanization of Jewish prisoners of war in Nazi Germany:

[I]t is not sufficient to subvert the traditional subject by making it a subject-host or hostage of the other in order to recognize in what continues to be called “the animal”… something other than a deprivation of humanity. The animal remains for Levinas what it will have been for the whole Cartesian-type tradition: a machine that doesn’t speak, that doesn’t have access to sense, that can at best imitate “signifiers without a signified”… a sort of monkey with “monkey talk,” precisely what the Nazis sought to reduce their Jewish prisoners to. (Derrida, 2008, p. 117)

7 Levinas reclaims the concept of the opening from Kant as well as Heidegger and the social sciences:

All that is human is outside, say the social sciences. It is all outside and everything in me is open. Is it certain that subjectivity, in this exposure to all winds, is lost among things or in matter? Doesn’t subjectivity signify precisely by its incapacity to shut itself up from inside? Opening can in fact be understood in several senses.

First it can signify the opening of all objects to all others, in the unity of the universe governed by the third analogy of experience in [Kant’s] *Critique of Pure Reason*.

But the term *opening* can designate the intentionality of consciousness, an ecstasy in being. Ecstasy of existence, according to Heidegger, animating consciousness that, by the original opening of the *essence* of being (*Sein*), is called to play a role in this drama of opening…

However, *opening* can have a third sense. No longer the essence of being that opens to show itself, not consciousness that opens to the presence of the essence open and confided in it. (Levinas, 2003, pp. 62-63, emphasis in original)

8 Derrida’s disavowal of Levinas’s particular formulation of the ethical subject in “Without Identity” is perhaps most apparent in his general discussion on Levinas’s concept of nudity, which as he rightly points out, remains circumscribed by the twin discourses of humanism and fraternalism:

The word *nudity*, which is used so frequently, which is so indispensable for Levinas in describing the face, skin, and vulnerability of the other or of my relation to the other, of my responsibility for the other when I say “here I am,” never concerns nudity in its sexual difference and never appears within the field of my relation to the animal. The animal has neither face nor even skin in the sense Levinas has taught us to give to those words. There is, to my knowledge, no attention ever seriously given to the animal gaze, no more than to the difference among animals, as though I could no more be looked at by a cat, dog, monkey, or horse, than by a snake or some blind protozoon. (Derrida, 2008, p. 107)

9 For more on the semiotic square, cf. Greimas, 1987; for more on the open triangle, cf. Derrida 1981.Certain elements of the avunculate system (cf. Lévi-Strauss, 1963) and the L schema (cf. Lacan, 2006) may be detected in this hybrid structure as well.

10 Fora small but significant sample of these works on the capacity for empathy among animals, cf. Bekoff, 2007; de Waal, 2009.

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**Refusing to Speak: The Ethics of Animal Silence and Sacrifice in Coetzee and Derrida**

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**REFUSING TO SPEAK: THE ETHICS OF ANIMAL SILENCE AND SACRIFICE IN COETZEE AND DERRIDA**

**Abstract**

J.M. Coetzee's Elizabeth Costello interprets animal silence as a form of resistance to human exploitation. This essay interrogates Elizabeth Costello's interpretation of animal silence by exploring the role of such silence in the construction of the human subject via its constitutive finitude. I consider three textual speaker/protagonists—Elizabeth Costello in *The Lives of Animals*, Derrida in *The Animal that Therefore I Am*, and David Lurie in *Disgrace*—who are interested, and even invested, in the relationship between the particular resistant potential of animal silence and their own mortality as autobiographically-speaking human beings. I argue that the intersection between nonhuman silence and human mortality should be understood through the concept of sacrifice, which, as my reading of Derrida demonstrates, destabilizes any interpretation of animal silence as autonomously resistant. Through this relationship between silence and sacrifice, I seek to resituate the ethics of *Disgrace*, and especially to decentre the speaking voice of David Lurie as the ethical heart of the narrative, presenting a significant revision to previous readings of the novel. While much critical attention has proposed that the seeming expansion of Lurie's sympathetic imagination in his interactions with dogs signals his development as an ethical being, my argument locates the ethic of the novel not in the speaking voice of David Lurie, but rather in the many significant silences, both human and animal, contained within the text.

In *The Lives of Animals,* Coetzee’s Elizabeth Costello declares, “Animals have only their silence left with which to confront us. Generation after generation, heroically, our captives refuse to speak to us” (Coetzee, 1999, p. 25). Costello draws attention to the “generation” and re-generation of animals as suffering objects of human possession; at the same time, she anthropomorphically codes animal silence as “heroic,” casting the position of the animal outside of human language as an active resistance to domination. For Costello, the animal does not lack language; rather, the animal “refuses” to enter into a relationship with human language in which it would inevitably be cast as inferior. While this idea of the nonhuman animal's “heroism” offers a sense of agency rather than passivity to the oppressed and exploited animal, Costello's dependence on silence in constructing heroism is ethically problematic. In this essay, I argue that the intersection of nonhuman silence and human language should be understood through the concept of sacrificial exchange, and that this sacrificial economy destabilizes any interpretation of animal silence as autonomously resistant.1 The three texts I consider, *The Lives of Animals*, *The Animal That Therefore I Am*, and *Disgrace*, are centrally concerned with the ethical stakes of textual representation and the way that representation becomes foundational for the material exploitation of nonhuman animals. The speaker/protagonists of these texts—Elizabeth Costello, Jacques Derrida*,* and David Lurie—are all interested, and even invested, in the relationship between the resistant potential of animal silence and their own mortality as autobiographically-speaking human beings. A rigorous attention to the relationship between silence and sacrifice exposed in these three texts relocates in particular the ethics of *Disgrace*. While most previous interpretations of this novel focus on the ethical development or attainment of “grace” in the protagonist, David Lurie, my analysis decentres Lurie's oppressive perspective, establishing instead the novel's many significant silences, both human and animal, as the ethical heart of the narrative.

Coetzee (1999) originally delivered *The Lives of Animals* as a series of lectures at Princeton University, challenging the expected form of the lecture by presenting, instead of a philosophical meditation, a fictional text. Within this text, Coetzee's protagonist, the novelist Elizabeth Costello, is also invited to deliver two philosophical lectures, in which she addresses the representation of nonhuman animals in philosophy and literature. Throughout *The Lives of Animals*, Costello explores ways in which textual and linguistic representation (particularly in philosophical discourse) creates and maintains the conditions for the physical oppression of animals. From her perspective, the entry of the animal into language, via this textual representation, amounts not to an inclusion, but rather to a violent exclusion of the animal through the appropriation and containment of its silence. Aaltola (2010) argues that “silence,” in *The Lives of Animals*, is a matter of not being heard, rather than not speaking.2 Thus, both the animal and the poet are heroic in their silences, because both refuse to adapt to the requirements of audiences that are deaf to their concerns (Aaltola, 2010, p. 121). Aaltola's reading suggests that animality functions in the novel as a trope for artistic creation, and that this representation of animals, rather than embodied animal lives, has been Costello's subject all along. Is the silence of nonhuman animals, then, a mode of resistance, or does it in fact allow nonhuman animals to be cast as blank figures for textual representation? Is Costello herself silencing other animals by using them to fuel her own generative power?

Costello sees the animal rendered powerless by the physical inevitability of animal genocide, what Derrida calls the “artificial, infernal, virtually interminable survival” of the livestock animal in the industrialized conditions of human consumption (Derrida, 2008a, p. 26). Costello's idea that animals “confront us” with their silence suggests that language, and the animal as defined by language, are intimately entwined with the horrific “generation”—“generation after generation”—of animal bodies. As a result of this entanglement of human language with the physical oppression of nonhuman animals, silence is the animal's only available form of resistance. The problematic nature of this construction is exposed, however, when we connect this “interminable” generation with the argument, frequently expressed in Western philosophy, that the animal cannot die, that the animal's lack of language prevents it from experiencing finitude, the self-conscious living toward death that, in turn, comes to define the human in opposition to the nonhuman animal. In his *Electric Animal*, Lippit (2000) provides a thorough genealogy of this undying animal.3 Although his opening premise is that animals are “no longer sacrificial” but “spectral” and “undead” (Lippit, 2000, p. 1), Lippit acknowledges that the constitution of the human subject, as defined by its finitude, requires the *sacrifice* of the animal (p. 8). Animals appear in *Electric Animal* as a kind of technology for defining the human; although Lippit imagines this technology as having a fragmenting or interruptive effect on human language (p. 183), it is in fact linguistic representation that creates the opposition between the undeath of the animal and the finitude of the human. As Lippit observes, “by tracking the animal across the philosophical spectrum, one discovers the systemic manner in which the figure of the animal comes to portray a serial logic: the animal is incapable of language; that lack prevents the animal from experiencing death; this in turn suspends the animal in a virtual, perpetual existence” (p. 7). Elizabeth Costello's connection between language and oppression suggests that defining a lack that excludes the animal from death occurs *in* language, so the only recourse for the animal is a resistant silence that in turn defines the animal, for language, as undying; this relationship of generation to silence uncovers the tautological foundation of the distinction between human and animal death. Human finitude is based on the suspension of the animal, and this suspension is founded on the animal's silence. The philosophical denial of finitude to the animal may be the reason that, in Coetzee’s title, animals can only have lives—life after life, without recognizable deaths.

Human death is the corollary subject to animal life in *The Lives of Animals*. In the performance of the lecture, Costello herself confronts her audience with a silence: the silence of the decaying, gendered body, the silence of a movement towards death that might elude narrativization. Costello’s hope for herself (as an author who exists, finally, in the generation and regeneration of her works), and for the animal, is to stand, silently, outside the spectralizing logic of representation. Costello's perception of her own bodily mortality thus shapes her conceptualization of animal silence. In Durrant's (2006) analysis, the decay of Costello's body, as figured throughout the text, is part of her “sacrifice” to the animal; he argues that she is literally walking “flank to flank” (Coetzee, 1999, p. 65) with the dying animal body (Durrant, 2006, p. 132). What is missing in Durrant's reading is that livestock animals are never permitted to live out their corporeal lives; they are not in the process of dying, but instead are being herded to their deaths. Killed as juveniles, replaced by another generation of juveniles, with bodies perfected for consumption by antibiotics and genetic engineering, animals do not live toward death in the same way Elizabeth Costello does. I do not mean to suggest that Costello herself is not an animal; rather, I want to point out that she enjoys a privileged relationship to her own individual animality that is denied to most nonhuman animals by the conditions of their material and discursive oppression. Human awareness of the changes wrought by time upon a single body requires a degree of individuation reserved for human beings and, to a lesser extent, companion animals. Costello's decaying body is a privilege of being human, a fact that complicates philosophical and literary equations between animality and corporeality.

Costello herself is not immune to this uncritical association between animality and embodiment; her concept of the sympathetic imagination calls us to recognize our shared embodiment with animals. She equates the state of being “full of being” (the fullness that, she argues, allows human beings to imagine themselves in the positions of others through an exercise of the “sympathetic imagination”) with “embodiedness” (Coetzee, 1999, p. 33). Kafka, she claims, felt like an animal-human hybrid because his brain or consciousness was (like Red Peter's) “mounted inexplicably on [a] suffering animal [body]” (Coetzee, 1999, p. 30). Despite her insistence on animality as a form of full embodiment that human and nonhuman animals share, the only living bodies that appear in *The Lives of Animals* are human. Costello's concern is clearly to engage with the nonhuman animal as a representational figure—rather than a material body—and to expose how the nonhuman animal as a figure (and particularly as an *undying* figure) supports the human ability to represent or narrativize its own embodiment and bodily mortality. Bodily change, decay, and degeneration are, in a sense, narrative movements; they are part of the privilege of self-narration, of autobiography. Against these movements, we can set the suspension of the nonhuman animal: multiple rather than individual, eternally young, eternally “healthy” animal bodies in industrial agriculture are held in a state of undeath. The sacrifice of nonhuman animal bodies for human use is thus not only the sacrifice of their lives, but also the sacrifice of their life narratives, their movements of living and dying. This static condition is chillingly literalized by such devices as gestation stalls and veal crates, which, preventing any movement, hold the animal body in a condition that can be termed neither life nor death.

Against this undeath of the nonhuman animal, human beings can achieve a relationship of finitude to their own mortality. Elizabeth Costello aligns the figure of the writer—and, by extension, herself—with the animal not by linking body to body, in a shared experience of embodied mortality, but by linking the writer to the animal spectre to spectre, in an experience of undeath. *The Lives of Animals* suggests that Costello is afraid of *not* dying. As a public figure, and in her writing, Elizabeth Costello is generated and regenerated. Yet despite her ability to narrate, the technologies of reproduction that perpetuate the existence of her words function, in fact, to suspend her narrative, rendering silent her autobiographical voice. In this undeath of the author, writing and animality are linked: both animals and writers sacrifice their finitude to a consuming audience.4 Costello's insistence on the embodied nature of nonhuman animal experience, then, is also an insistence on her own embodied experience and sense of her own exploitation, and on her own desire to live toward her death.

If to be silent, in these lectures, is not to be heard, both the suspension and the silences of the writer and the animal are aligned; silence perpetuates the state of undeath, since to speak and to be understood is to narrativize oneself, to change one’s self over time, in short, to autobiographize. Throughout the text, we see the audience's resistance to understanding Elizabeth Costello, as we can imagine an audience resisting Coetzee's challenge to the form of the lecture. To speak about one's life or experiences and to be understood presupposes the ability to live towards a death, to move, age, and decay; it presupposes the capacity to experience finitude. Finitude is not only consciousness of mortality, but also the ability to narrativize one's mortality, an ability dependent upon the freedom to experience one's own mortal body. This experience is what is denied to nonhuman animals in the industrial conditions of generation and regeneration against which Costello speaks; finitude, most often figured as something that animals constitutively lack, is in fact something they are denied, not only in literary or philosophical representation, but also in the material conditions of their exploited lives.

Elizabeth Costello's plea for the ethical consideration of animals relies on two central assumptions about animality: first, that animals are constitutively silent, and that this silence can be interpreted as a form of resistance, and second, that animals are properly associated with embodiment. Exploitation, according to Costello, denies the corporeality of animals by denying their embodied suffering, a form of suffering that a new ethics, drawn from poetic discourse and based on the sympathetic imagination, should seek to recognize. In his series of lectures, collected in *The Animal That Therefore I Am,* Jacques Derrida exposes how these same representational tropes enact a sacrifice of the animal that enables humans to experience their own bodily decay. One morning, naked, in his bedroom, Jacques Derrida is confronted, “frontally,” with the silent animal in the form of his cat (Derrida, 2008a: 4). As Elizabeth Costello might hope, the animal’s silence “shame[s]” the philosopher in this moment of interspecies encounter (Derrida, 2008a, p. 4), when each is confronted with the material, individual, body of the other. Of this materiality Derrida is careful to assure us: the animal “is a real cat [...]. It isn’t the figure of cat. It doesn’t silently enter the bedroom as an allegory for all the cats on the earth, the felines that traverse our myths and religions and fables” (2008a, p. 6). Again, a few pages later, Derrida emphasizes that the cat “does not appear here to represent, like an ambassador, the immense symbolic responsibility with which our culture has always charged the feline race” (2008a, p. 9). Derrida is too sensitive a reader not to recognize his own paranoiac repetition. His disavowal of his cat’s relationship to the cats of human culture functions as a reminder that, in fact, she enters the scene of her encounter with him as a figure always already predetermined in his mind by representation. It thus becomes clear that, like Costello, Derrida is concerned with the construction of animal *figures* in philosophical discourse. Derrida's body, rather than the cat's, is his focus in narrating their opening encounter, and his body speaks the text of the lecture. Although like Costello, Derrida attempts to use cultural representations to dismantle anthropocentric conceptions of the animal, his text is skeptical about the emancipatory potential of recognizing mutual animal-human embodiment. The fact that his cat is at once both a “real” cat and a cultural figure, rather than a simply and fully embodied being, is one of the ways Derrida highlights his consciousness of the relations of power and the weight of culture, both of which determine in advance the course of any discussion of the animal. I am, then, in agreement with Shukin (2009), who finds the cat a spectral, rather than an embodied or material presence in the text (p. 37). I do not agree, however, that Derrida's discussion, as a result, ignores the difference between figurative and corporeal life, nor, in my view, does he disregard the relations of power, such as the “material institutions of pet ownership” (Shukin, 2009, p. 38), that inform his meeting with the cat. On the contrary, Derrida's encounter foregrounds how an embodied relation with the material animal is made impossible by just the institutions that Shukin names, by relations of power that are rendered first and most influentially in human language. The spectrality of the animal figure, and the way it creates and sustains structures of power based on species, is the very subject of Derrida's discussion. This spectrality, while it enables the process of deconstruction, is in itself disturbing and problematic to Derrida, as indicated by his references to the conditions of industrial slaughter.

The clearest indication in Derrida’s text that he is, through this staged encounter, engaging with a full cultural history of the animal in the Western tradition is his focus on the gaze. When Derrida encounters the animal through her “gaze,” he does so as a consequence of the repression of other sense experience in the construction of the human.5 Derrida's encounter occurs when he is “caught naked, in silence, by the gaze of an animal” (2008a, p. 3). His attention to the gaze does not, however, belie an unconscious anthropocentrism.6 The deliberateness of this focus is clear in his repetition of “animal” sense-language—”sniff the trace” (2008a, p. 32); “to track, to sniff, to trail, and to follow” (2008a, p. 33)—and by his explicit observation of the effacement of smell in philosophy and literature (2008a, p. 55). At the moment of the encounter, then, when Derrida recognizes, through “the gaze called 'animal' [...] the abyssal limit of the human” (2008a, p. 12), he indicates that what is at issue is the human itself. The gaze is what humans use, from the confines of their own sensory limitations, to imagine (as Elizabeth Costello does) a resistant place outside of language in which the animal might stand, not smelling but looking, “just to see” (Derrida, 2008a, p. 4)7

This desire to place oneself fully inside one's body, to experience being “full of being,” can be seen in Costello's idealistic conception of animal embodiment. While Costello employs representational tropes that code animality as a form of pure embodiment, Derrida attempts to subvert them. The form of the lecture makes the lecturer's body the most “real” embodied presence in the room. Coetzee, of course, complicates this form by performing the lecture in the character of Elizabeth Costello, a performance that Laura Wright has identified as a kind of “drag” (2006, p. 100). This complication marks Coetzee's consistent preoccupation with the authority of the speaker or the focal consciousness in fiction, the voice that shapes the reading or interpretation. In *The Lives of Animals*, the layering of performances draws deliberate attention to both Coetzee’s and Costello's refusal to obey the generic requirements of the philosophical lecture. As readers of the text, we can only imagine the jarring experience of hearing Elizabeth Costello, voiced by Coetzee, begin the lecture again, after eighteen pages have already elapsed: “'Ladies and gentlemen,' she begins” (1999, p. 18). The insertion of such a conventional opening into this unconventional text wryly destabilizes the idea that the lecturer is present, as a speaking body who speaks for, and by extension *of*, herself/himself, something Coetzee consistently refuses to do. This layering of voices and bodies in *The Lives of Animals* functions similarly to Derrida's encounter with his cat: the spectrality of the figures (cat, Costello) destabilizes the very idea of “full” embodiment. In the act of performance, these lecturers’ ability to appear as speaking, self-narrating bodies depends upon the spectral, undying figures of animals. Asserting that humans and animals are linked by a shared sense of embodiment merely utilizes an existing trope of animality in order to constitute the “fullness” of human experience. The existence of nonhuman animals as corporeal beings is sacrificed to the human need self-consciously to narrate individual human bodily experience, the subjective experience of living-toward-death. As Derrida argues in *The Gift of Death*, death itself confers singularity, or “irreplaceability,” upon the subject (2008b, p. 42). This human autobiographical discourse holds nonhuman animals in place, as spectral figures, so that humans can move forward in time, can experience their own singular finitudes.

Derrida’s representation of the silent animal gaze exposes the limitations of Elizabeth Costello’s construction of silence as a locus of resistance. For Derrida, the idea of the animal’s silence supports and reinforces the conceptual violence of representation, which, in turn, supports and reinforces material violence against animal bodies. From Derrida's perspective, therefore, silence cannot function as the animal’s resistance to domination by language. The task of *The Animal That Therefore I Am* is to uncover the trace of the animal *within* language, not to place animal silence on the opposite side of an abyss from human speech. The exposure of the animal's trace reveals the sacrifice that allows the human to occur as an autobiographical (that is, a self-narrating) subject. In Derrida's autobiographical lectures as in *The Lives of Animals*, an audience faces the silence of the decaying body. In his nudity, during the opening encounter, Derrida indicates that his body—particular, male, aging—will be a concern for this text. Towards the end of the four talks included in the volume, Derrida indicates a plan for his future work on the question of the animal; he says, “I’ll do it, I hope, if I have the time and strength” (2008a, p. 159). This awareness that time is escaping him arises directly from the sacrifice of animal finitude. Derrida indicates that to speak about the animal, in its discursive undeath, is to be haunted by mortality: the undying animal makes possible both the lecture as a speaking-towards-death and human living-towards-death. In their bodily mortality, neither Derrida nor Costello gains a sense of the animality of their decaying bodies. Rather, it is under the silent gaze of the animal that the human body is configured as mortal, and that the apprehension of that mortality creates the finitude that is the autobiographical condition. Nonhuman animals -- out of time, out of death, out of language -- can only, through their silent gaze, exist in a supplementary, and sacrificial, relationship to this human autobiographical narrative.

If the animal is sacrificed to an eternal undeath in order that the human may die, a corollary sacrifice can also be performed: the animal can be killed so that the human may become immortal. This relationship is the basis of what I will, drawing from Derrida's *The Gift of Death*, call the “sacrificial economy”: put simply, this economy turns upon the exchange of death for life, and life for death. Thinking broadly, we can see that this unequal trade supports a vast range of relationships between human and nonhuman. Certain cultural traditions of representing human consciousness, civility, achievement, and morality depend to a certain extent on a sacrifice of the animal as an unconscious, uncivil, backward, amoral being. This definition of human life in opposition to animal life rests upon metaphorical animal death: the animal is dead to consciousness, dead to civility, dead to progress, and dead to morality. In more material ways, animal death supports human life, with meat consumption being only the most literal manifestation of a broader carnophal logo centric economy.8 Both meat consumption and (self-) consciousness, however, point to the ways in which animals must *live* in order for the human to die: by feeding the body (a process that necessarily recalls the body's vulnerability to decay) and by being conscious of one's own embodiment, one's own movement through a life, the human establishes its sense of finitude. In *The Animal That Therefore I Am* and *The Lives of Animals*, we see this latter manifestation of the sacrificial economy in two speakers whose performances connect animal silence with a human ability to experience finitude.

What happens, on the other hand, when a human being, supposedly fully self-conscious, wants to escape his own finitude, to live forever, to stop his mortal progress, to render himself undead? Coetzee's novel *Disgrace*, published in the same year as *The Lives of Animals*, depicts just such a subject, a subject desperate to escape his own mortality. *Disgrace* is the story of a literature professor, David Lurie, who, after refusing to apologize for his sexual exploitation of a student, retreats from his urban life to his daughter Lucy's remote homestead. Although it is written in the third person, the narrative is focalized exclusively through Lurie, creating a claustrophobic, insular, and solipsistic perspective. To approach the intersection of silence and sacrifice in *Disgrace*, it is necessary to recognize thatthe protagonist David Lurie's self-consciousness is dependent upon silences. From the beginning of the novel, women are the silent figures through which Lurie constructs his image of himself. Lurie “hear[s] no female voice” (Coetzee, 2000: 52), despite the fact that women are trying to speak to him; he does not hear the prostitute Soraya, who rebuffs his incursion into her life, nor does he hear his student Melanie, who tries to prevent him from raping her (indeed, he even refuses to read her statement). Women, nevertheless, refuse to remain silent: despite the ways in which Lurie's narrative attempts to contain and control the voices of women, they insistently interrupt the text, demonstrating the limits of Lurie's insular and solipsistic world. Silences are the foundation of Lurie's selfhood; he, however, is only interested in two silences: his own, in front of the committee, and Lucy's, on the subject of her rape. Lucy's silence is indeed a way of resisting Lurie's domination of the narrative (although, with regard to her position as a whole, her decision not to speak is more complex): she will not allow him to take her story. While Lurie views Lucy's silence as wrongheaded, he sees his own as almost heroic.In both instances, the novel problematizes the idea of silence as resistance. Lucy's silence is clearly an attempt to navigate between passivity and resistance, atonement and autonomy; her silence is not a pure act of resistance, but rather a negotiation of priorities and desires to which the tight focalization through Lurie allows us no access. Lucy's silence results from a need to reconfigure a shattered self. Lurie's silence, by contrast, allows him to maintain his autonomous self-perception, and his narrative of himself as a wronged lover; his refusal to engage in any mutually responsive conversation about his actions is a manifestation of his extreme solipsism and his desperate attachment to autonomous selfhood. His narrative allows us to see how “speech” -- with Lurie as the logocentre of the novel -- appropriates the silence of the other. When Lurie begins to encounter animals, and animal silence, then, the ground has already been laid for an exploration of the limits of the human sympathetic imagination in relationships in which one party is voiced and the other is silent.

Lurie's decaying body obsesses him: he views himself as becoming “unlovely” (Coetzee, 2000, p. 44) and “old” (Coetzee, 2000, p. 190). One of the central questions of *Disgrace* is clearly whether Lurie will accept the fact of his embodiment, whether he can accept the movement of the autobiographical narrative by learning how to die. Citing the change in Lurie's physical and material life, much of the criticism of *Disgrace* relies on an equation of animality with abjection: Lurie, through the “reduction” of his circumstances, becomes increasingly abject, until he has “nothing,” a fact that, in turn, allows him to connect with his own animality and to sympathize with nonhuman animals (Boehmer, 2002, pp. 343, 346; 2006, p. 137; Durrant, 2006, p. 129). This reading rests, however, on some problematic ground. First, Lurie in no way relinquishes his position of privilege. While it is true that he is no longer a professor, that he has been physically injured, and that he has fewer material possessions than he once did, he is nevertheless still a white male in a place where, despite a (slowly and incompletely) shifting social order, white maleness is the ultimate position of power. As Boehmer (2002, p. 349) notes, David Lurie remains a subject, in the classical sense; at the end of the novel, he is still a speaking “I.”9 That Lurie is never “abject” is indicated by his continued hold on the narrative, colonizing and dominating the voices of others. His repeated assertion that he has been “enriched” by his relationships demonstrates, for example, his appropriation of the perspectives of women into his own narrative (Coetzee 2000, pp. 56, 70, 192). Although, as McDunnah observes, there are striking moments when his control falters (2009, p. 21), Lurie continues to guide and construct the text through its conclusion. His undeniable power over the narrative, and his position of privilege over a reader who is trapped inside his point of view, problematizes any reading of him as a figure of abjection or reduction.

This idea of reduction brings us to the second point that has been central to some interpretations of Lurie's development: the idea that an animal is reducible to a body, and any human awareness of embodiment (hunger, pain, etc.) necessarily connects to the animality of that human body. A nonhuman animal is a figure of silent bodily suffering, and Lurie, because he suffers physically, is “reduced” to an animal; this reduction is the source of what these readers see as Lurie's expanded sympathies with other species (O'Neill, 2009, p. 203; van Heerden, 2010, p. 56; Wright, 2010, p. 162). What Derrida teaches us, however, is that we should be suspicious of tropes of animality, and this idea of the body as “animal” is one of the most persistent tropes in Western culture. If Lurie sees himself becoming animalized and abject through his experience, there is no reason to trust his interpretation; he has given us enough reason to question his self-representations, despite Attridge's strange assertion that “we have no reason to doubt” Lurie's “own account” (2000, p. 104). The first act of the novel, before Lurie leaves Cape Town, clearly establishes his vice-grip on the narrative (with, as Myrtle Hooper perceives, the limited third person serving as a block to any reader response, any “you” to complement the speaking “I” [2010, p. 143]), as well as the demonstrable faults in his interpretations of other characters, especially in his encounters with Melanie Isaacs. Like Rosemary Jolly, I contend that the novel carefully avoids endorsing the “objectifying discourse” that defines the body as “animal” (2006, p. 153). What we can see, however, is that Lurie *himself* draws the association between his own physical mortality and that of the animals around him.

Lurie, as a “city boy” (Coetzee, 2000, p. 218), has long been estranged from living animals. As Tom Herron observes, animals in the first section of the novel appear only as food and metaphors, and Lurie's narrative is not particularly attentive to them (2005, p. 475). When he moves to Lucy's farm, however, physical contact with animals is unavoidable, and animals begin to appear regularly in his line of sight. In particular, after the attack in which Lurie is burned, the dogs are killed, and Lucy is raped, Lurie becomes more attentive to the animals around him. This widening of his gaze has been read as the development of Lurie's respect for the lives of other species, and as evidence of his deeper understanding of his kinship with other animals (Aaltola, 2010, p. 129; Donovan, 2004, p. 79; Herron, 2005, pp. 471, 478; van Heerden, 2010, p. 56). The observable change in Lurie's view of other species does arise directly from the coincidence of his physical contact with animals and his experience of his own bodily vulnerability, but this shift in his thinking is not a deepening of compassion or sympathy, but rather an awakening to the possibilities of the sacrifice.

Derrida observes that “at the heart of all these discourses [through which philosophy defines the animal] *sacrifice* beats like a vital impulse” (2008a, p. 90, emphasis in original). One of the central paradoxes of the sacrificial economy is that the animal must be *unlike* the human in order to be sacrificed in place of the human, but enough *like* the human for that sacrifice to have value. This sacrificial economy emerges as the crux of both conceptual and material relationships between human and nonhuman animals in *The Lives of Animals* and *The Animal That Therefore I Am.* Both texts concern representations of animals that rely upon the undeath of the animal, upon the animal as a figure, rather than as a body. The logic of these representations then expands and extends, governing, as both Costello and Derrida note, the practices of “generation” that support intensive agriculture. David Lurie, in the urban context of the first part of *Disgrace*, is engaged with similar kinds of representation. The animal appears as object (meat) and as metaphorical figure, manifestations that both rely on the suspension of animal lives and deaths. In the rural setting of the second part of the novel, however, physical contact with animals makes animal life and death “real” for Lurie. His movement from the city to the country signifies a turn from one method of sacrificial exchange— animal life for human death—to another—animal death for human life. “Real” animals are thus folded into the sacrificial economy in a way that does not require humans to confront their own failure of sympathy; rather, the inverse logic allows the conventional power relation between human and nonhuman to flow smoothly between urban and rural spaces. At a time when Lurie is becoming increasingly aware of his own mortality, he finds, in his exposure to animals, a way that he may be able to maintain the integrity of his selfhood. He imagines that he can perpetuate his existence as his own image of himself through the sacrifice of the animal.

It is through Lurie's relationship with dogs that the text exposes this shift in his thinking. Having once asserted that animals are categorically different from human beings, and having expressed his relationship to animals solely in terms of his carnivory, Lurie begins to believe that the dogs he helps to euthanize at Bev Shaw's clinic possess both “a body and a soul” (Coetzee, 2000, p. 161). In the clinic yard where Lurie attempts to compose an opera about Byron and his mistress Teresa, a dog whom he calls Driepoot is apparently affectionate towards him: “Arbitrarily, unconditionally, he has been adopted; the dog would die for him, he knows” (Coetzee, 2000, p. 215). Lurie’s “knowledge” of the dog’s devotion to him echoes his similar ascription of feelings and motivations to the novel’s female characters; the convenient difference, here, is that there is no human language to resist Lurie’s dominating voice.10 I would like to draw particular attention to the moment when, hearing Lurie's banjo, “the dog smacks its lips and seems *on the point of* singing too, or howling” (Coetzee, 2000, p. 215, my emphasis). Lurie asks himself if he would “dare” to “bring a dog into the piece” (Coetzee, 2000, p. 215). Something, however, stops the dog from giving voice at the crucial “point,” and Lurie does not mention his interspecies opera again. In displaying the desire to sing, but not singing (or not being *allowed*, by Lurie, to sing), Lurie’s dog—that is, the dog that exists in his interpretation—becomes an object fit for sacrifice.

The final scene of *Disgrace* is the subject of much critical debate. As Rita Barnard admits, this moment presents a “strenuous interpretive challenge” (2003, p. 221). Geiger compares the ending of *Disgrace* to “an open wound” (2010, p. 159); this fitting analogy calls into question any redemptive reading of Lurie's decision to euthanize (or, rather, to ask Bev to euthanize) Driepoot. It may be that, as Donovan and Barnard have argued, the death of Driepoot can be seen as an acknowledgement, on Lurie's part, of the sheer insurmountable scale of animal suffering (Barnard, 2003, p. 222; Donovan, 2004, p. 88), a reading that would align with Derrida's conclusions about sacrifice in *The Gift of Death* (2008b, p. 71). This kind of gesture, however, does not seem consistent with Lurie as we have seen him. What *is* consistent is his appropriation of another's voice, of another's life, in service of his own desires. In sacrificing Driepoot, Lurie makes an attempt to save himself from his own mortality by asserting the substitutable finitude of the dog. Lurie brings the dog to Bev, “Bearing him in his arms like a lamb” (Coetzee, 2000, p. 219), evoking sacrifices in the Christian tradition. We should remember, in this moment, Melanie Isaacs, who has also been “borne” in Lurie's arms; her name now appears as a clear reference to Abraham's sacrificial gesture. I draw attention to this connection not to make a simple equation between Melanie and Driepoot, or exploited woman and exploited animal, but rather to demonstrate the referential texture that the novel uses to signal its ambivalence about Lurie's action, an ambivalence that complicates, if not entirely forestalls, any redemptive reading of Driepoot's death. The final words of the novel are Lurie’s: “Yes, I am giving him up” (Coetzee, 2000, p. 219). Had this sentence not featured the fatal pronoun, “I,” that has signaled the solipsism of Lurie’s narrative, it might be argued that, in fact, he has substantially developed as an ethical being; it is clear, however, that Lurie himself, and not the dog, remains the subject of this sacrifice. Once again, we see Lurie taking over the voice and the body of the other. Driepoot's life is not Lurie's to “give up”; in fact, Lurie is not “giving up” anything in this moment. Rather, he is reasserting himself as a subject through the sacrifice of the (animal) other.

Lurie's opera does not represent an ethical opening through interspecies collaboration, an act of the sympathetic imagination, or a becoming-animal; it may suggest all of these things, but, primarily, it is another instance of Lurie’s appropriation of the voice of another into his own narrative.11 By bringing Driepoot to the very edge of entering human cultural representation on his own terms, by “howling,” and then foreclosing the possibility of that voice, Lurie makes of the dog the perfect sacrifice that he could never quite make of the languaged female of his own species: the silence of the animal, accompanied here by the possibility of animal voice, is the condition of the entry of the animal into the sacrificial economy as Lurie has begun to perceive it. In order for a sacrifice to be meaningful, the animal object must have finitude; to have finitude, the animal must have (the potential for) language; in order to be sacrificed in the stead of the human, the animal must be (potentially) languaged but silent; these conditions are the necessary requirements for the sacrifice of Driepoot's life for Lurie's.12

As Marais notes, *Disgrace*, particularly through the focalization through David Lurie, demonstrates the limitation of Costello's “sympathetic imagination” (2001, p. 15). This limitation is, indeed, central to the ethic of the book, which also problematizes Costello's configuration of animal silence as a form of resistance by foregrounding the way in which Lurie appropriates the silences of others. In *Disgrace*, no easy opposition distinguishes silence from speech. Inside Lurie's consciousness, those who speak (like Melanie) can be silenced, and those who are silent (like Lucy) can be made to “speak” through his interpretation of their silence. Through this representation Lurie's dominance of the narrative displays the entrenchment of certain forms of privilege, despite the changed social structures of the “new” South Africa; in *Disgrace*, there is still no autonomous female or animal voice. This representation amounts to a powerful social critique as soon as we recognize that the principal ethical movement here is not the master narrative of Lurie's “development,” but rather the momentary interruptions of all of those imperfectly silenced non-Luries who introduce fissures into his narrative control. Coetzee is not a writer who is particularly interested in redemption, or in teleological forms of character development. It is therefore surprising that David Lurie has so often been read as someone who “develops.” Undoubtedly he changes in some respects, but the reader observes the change within the enclosure of Lurie's own perspective.

This more critical assessment of David Lurie complicates previous readings that to different extents actually adopt Lurie's perspective when interpreting the novel.13 To question the extent of David Lurie's moral awakening, redemption, or “state of grace” (Attridge, 2000, p. 112) at the end of his narrative is not to empty the novel of its ethical content; rather, it is to decentre Lurie as the text's ethical focus. This move is a crucial one, and its necessity is everywhere indicated throughout the course of the novel in the narratives to which we never have access (Melanie's statement; Lucy's experience of the rape; Driepoot's “song”). Lucy gives us a key to interpreting the novel when she tells David, “You behave as if everything I do is part of the story of your life. You are the main character, I am a minor character who doesn't make an appearance until halfway through. Well, contrary to what you think, people are not divided into major and minor. I am not minor. I have a life of my own” (Coetzee, 2000, p. 198). Lucy seems to speak, here, for all of the others, both human and nonhuman, who have “enriched” Lurie's narrative. She indicates the proliferation of possible stories, the sheer multiplicity of voices, that Lurie chooses to keep silent.14 Lucy's own insistent use of the pronoun “I” possibly indicates a parallel solipsism in her own narrative. Particularly in the context of their discussion of Lucy's pregnancy, however, Lucy’s use of first-person appears as an assertion *against* Lurie's dominant “I,” and, used quite consciously on Lucy's part, against the ethical impoverishment of Lurie's perspective. The material point is that we do not get more than a glimpse into the functioning of Lucy's “I” as a narrative centre before Lurie forecloses this possibility, calling it an “eruption” (Coetzee, 200, p. 198). He immediately cuts off her attempt to assert her own subject when he tells her, “That's enough, Lucy” (Coetzee, 2000, p. 198). What *Disgrace* suggests is that, despite the end of apartheid, despite the change in social structures, despite the emphasis on truth-telling and confession, the white male is still casting himself as “the main character” in the narrative of the nation, and he still attempts to dominate all other voices with his version of events. This entrenched privilege allows David Lurie to position himself as a victim, denying both his position of privilege and his anxiety over that position's new instability. He maintains the integrity of his self-construction by silencing all other voices, sacrificing them to the dominating speech of the white, male, carnophallogocentric subject.

When Elizabeth Costello speaks of the confrontation with animal silence, she envisions that silence as a form of resistance to human oppression. Derrida's lectures demonstrate, however, that silence itself has been appropriated by philosophical discourse to contain the animal within a sacrificial economy: silence renders the animal paradoxically deathless and, when the possibility of language is present, sacrificeable. In this doubled and contradictory relation to death, the animal can function either to bolster the immortality of the human subject, or to allow that subject the experience of finitude, access to the autobiographical narrative of living and dying, and the promise of a recognizable death. Derrida’s challenge to Elizabeth Costello's conception of animal silence as a form of resistance is affectingly realized in the narrative of *Disgrace*, in which the speaking subject's power over the silent other is encapsulated in Driepoot's sacrificial death. In *Disgrace*, nonhuman animals indicate the ethical potential that occurs between silence and speech, between the constructs of pure embodiment and pure consciousness; only by interrupting the economics of sacrificial exchange that appropriate both the voice and the silence of the other (in *Disgrace*, both nonhuman and female) can entrenched relations of power, based on race, gender, species, ability, and other categorical constructs be exposed and challenged. By thoroughly challenging the concepts of language and embodiment that so rigidly separate human from nonhuman in ways that serve human privilege, we can locate the potential for a new ethical relation between animal and human, a new relation that the material conditions referenced in each of these texts render both necessary and urgent.

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**Notes**

1 Derrida refers to an "economy of sacrifice" throughout *The Gift of Death* (2008b, pp. 10, 94).

2 As Julietta Singh also suggests in her recent article on listening and disciplinarity in *The Lives of Animals*.

3 As Nicole Shukin observes, in the end Lippit seems actually to endorse this idea (Shukin 2009, p. 41).

4 Of course, this interpretation presupposes a highly figurative understanding of the relationships between human and animal; the link between being an exploited animal and being a famous author is nonexistent in material terms. The text fully engages with this metaphorical connection, however. For example, President Garrard concludes the first day's presentation with the words: "Much food for thought. We look forward to tomorrow's offering" (Coetzee 1999, p. 45), evoking both the consumption and sacrifice of Elizabeth Costello.

5 In addition to Derrida himself (2008a, p. 55), Cary Wolfe also discusses this repression in the Freudian definition of the human at some length (2003, pp. 2-3). For Wolfe, it is necessary that we "recast the figure of vision" and "resituate it as only one sense among many in a more general -- and not necessarily human -- bodily sensorium" (2003, p. 3). Like Costello, then, Wolfe sees a productive anti-anthropocentrism in a concept of the fully embodied being (whether human or nonhuman); he does not, however, propose any escape from the fact that just such a concept of embodiment has been a constitutive part of speciesist discourse in the West.

6 This text has come in for criticism, particularly for Derrida's seeming attachment to a boundary between animal and human. Matthew Calarco finds Derrida's reassertion of this boundary both "dogmatic" and "puzzling" (2008, p. 145). It is indeed a strange moment when Derrida claims that "[e]verybody agrees on this [the existence of the animal-human boundary]; discussion is closed in advance; one would have to be more asinine than any beast [...] to think otherwise" (2008a, p. 30). This departure from his habitual style of thinking (what question is ever "closed in advance" for Derrida?), however, indicates that deliberate attention is being drawn to this moment. Derrida is at work in this text thoroughly destabilizing the meanings of "asinine" and "beast," and is engaging with *figures* that are *called "*animal" and "human," rather than actual living beings. Keeping all this in mind complicates, I think, the anthropocentrism of this statement.

7 John Berger suggests a complex relation to the animal gaze, one in which the state of being seen by the nonhuman animal has a certain power to "surprise" the human (1980, p. 5). Nevertheless, any focus on the gaze, because of its limitation to the most privileged human sense apparatus, remains anthropocentric.

8 Derrida coins the term "carnophallogocentrism" in the interview "Eating Well" (Derrida, 1991).

9 This is one reason that I find readings that suggest that Lurie "loses himself" (Marais, 2001, p. 11) unconvincing. The fact that Lurie maintains his status as a subject also calls into question the idea that his condition of disgrace can be figured as a becoming-animal, as Tom Herron's interpretation suggests (2005, pp. 471, 482).

10 As in the case of Lurie's claims about the novel's female characters, some critics also accept that Lurie is accurately reporting the emotions of Driepoot (for example, van Heerden, 2010: 57). I am not questioning the fact that dogs can communicate their emotions in ways that humans can understand; rather, I am entirely sceptical of David Lurie as a recorder of the interior lives of others.

11 Calina Ciobanu's recent essay argues that the interspecies opera opens the possibility of posthumanist representation in the novel, and provides a lens through which to read Lurie's ethical change (2012, p. 682). While this reading is a sensitive and interesting one, it does not take into account that Driepoot does not, in fact, lend his voice to the opera.

12 This moment recalls Agamben's reading of Hegel, which suggests that human language arises not from animal silence, but from the animal voice as it can only articulate itself in the moment of death (1991, p. 45). Agamben examines another philosophical strain of thinking about the nonhuman animal's relation to death and to language, one that, again, requires the sacrifice of the animal.

13 Examples include Attridge's claims that the committee is "puritanical" and "moralistic" (2000, p. 102), and that Lurie's coercive relationship with Melanie is "a singular erotic experience" (2000, p. 117), van Heerden's view that Melanie is "ignorant" and that Lurie tries "to initiate her into a deeper appreciation of art" (2010, p. 48), and Marais's contention that Lurie becomes Lucy's "keeper" (2001, p. 11).

14 Lucy's statement also goes some way towards disproving Hooper's claim that the novel uncritically adopts or endorses Lurie's perspective, particularly with regard to the female characters (Hooper 2010, pp. 140, 142-143).

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**Yoruba Ethico-cultural Perspectives and Understanding of Animal Rights**

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**YORUBA ETHICO-CULTURAL PERSPECTIVES AND UNDERSTANDING OF ANIMAL RIGHTS**

**Abstract**

While divisions between animal rights and animal welfare have preoccupied public discourse and practice concerning animal ethics in developed countries, little consideration has been accorded to non-Western framings of animal ethics. Yoruba ethno-cultural settings in Africa have displayed certain philosophical and ethico-traditional understandings of human-animal relations through activities that engage animals for food and economic purposes and in religious practices and festivals. This article raises the fundamental question: Is there is a Yoruba understanding of animal ethics? This inquiry was conducted by critically surveying the traditional framework of wise sayings, proverbs, practices, adages and relational attitudes of the Yoruba. We identify the Yoruba understanding of animal ethics by engaging these perspectives alongside the Western distinction between animal welfare and animal rights. We argue that the Yoruba understanding, including a superstitious, relational attitude toward nonhuman animals, is essential to the global discourse of animal ethics and animal liberation. This work takes for granted that the global project of animal ethics should be rooted in a cross-cultural understanding of human-animal relations, Western and non-Western, in order to forge a model for the quest of animal liberation across all cultures including the Yoruba enclave*.*

**Animal Ethics: Between Animal Rights and Animal Welfare**

The need to contextualize ‘globalized’ discourse within historical or cultural particularities to assess the universality of principles, theories and practices cannot be overemphasized. This article explores cultural particularities often taken for granted in assessing human-nonhuman animal relations, using an inquiry into the Yoruba understanding of animal ethics as a case study. Following the ‘reflective impulse’ of the Yoruba notion of human-animal relations, our study departs from the prevailing framework of animal ethics as currently pursued in intellectual circles. Despite a tendency to pose the Western intellectual perspective as a yardstick, we assert the need to include other cultural perspectives in the discourse of animal rights and animal welfare. Many non-Western perspectives do not align wholly with Western viewpoints, and accordingly, many non-Western ethico-cultural perspectives have not yet been acknowledged. In the case of the Yoruba, the central question of this article—whether the Yoruba have an understanding of animal ethics—differs from the question of whether the Yoruba *conceptualize* animal ethics in its own right. Focusing on the latter question implies that the Yoruba might hold a distinct system of animal ethics that sets them apart from the rest of humanity.1 Such a stance would create intellectual bifurcations that could obscure a common outlook, generating an us/them perspective that scholars like Anthony Appiah, Godwin Sogolo and others have argued against.2

Animal ethics describes the study of human-non-human relations. The focus on animal ethics in this article is an attempt to understand the appropriate human regard for non-human animals in Yoruba culture. Animal ethics is the umbrella under which the two camps of animal rights and animal welfare are organized, though animal ethics also includes other subject matters, such as animal law, speciesism, animal cognition, the concept of non-human personhood, human exceptionalism, and theories of justice. Animal ethics also shares a common concern with environmental ethics, as it considers animals within the purview of the reckless damages man has done to the natural environment as a whole.3 While some may consider humans to be the “apex of creation,” without other creatures (visible and invisible) in the environment, human life is incomplete—in fact, impossible (Ogunade, 2004, p. 183). This assertion presupposes that nature is not meant for human purposes alone, implying that all species should work alongside each other to ensure the health and wellbeing of nature as a whole. This stance introduces moral issues that have created a divide among animal ethicists, separating them into the camps of animal rights proponents and animal welfare proponents.

According to Barcalow (1994), moral issues arise from choices that affect the “well-being of others” (p. 4). An action becomes morally questionable when it opens alternate courses of bringing harms or benefits to oneself or others, however those “others” may be identified. Animal rights proponents hold that animals are moral persons, and they thus condemn any sort of human exploitation of other animals, including their use for food/fiber, experimentation, entertainment or sport, or as pets. They argue that human beings hold no special place in nature, and that it is ignorance for humans to think they are at the “pinnacle of creation” (Olen & Barry, 1992, p. 340). Central to this perspective is the claim that all beings/species experience pain equally. Whether the subject of feelings or pain is a human or non-human animate being, causing pain and suffering is inherently wrong.4

This camp has also argued that certain human interests are trivial and insignificant by comparison with important animal interests. Accordingly, acting on human impulses to the detriment of animals is unjustifiable, and interests such as food consumption, experimentation, or research are thus called into question. It is assumed that the only reason we humans carry on the way we do is that we are too lazy or thoughtless to change or explore other alternatives (Olen & Barry, 1992, p. 341). Animal rights proponents also contend that other animals, like human beings, have inalienable natural rights. Rights to live and to move unhindered are instances of such entitlements, since other animals, like humans, are sentient beings. Peter Singer’s notion of “equal consideration” as expounded in some of his works (Singer, 1990; Singer, 1995, pp. 55-62) according to Gruen (1993), “provides the moral foundation for this budding and boisterous animal liberation movement” (p. 343) that proceeds under the banner of animal rights. Moreover, Tom Regan’s notion of equal/moral rights is entrenched in this view in animal ethics.5 Ingrid Newkirk, cofounder and president of the animal rights organization, People for the Ethical Treatment of Animals (PETA), is fervent about this ethical point of view, asserting the following:

Instead of seeing all the other species on Earth as ours to convert into hamburgers, handbags, living burglar alarms, amusements, test tubes with whiskers, and so on, we need to respect them as fellow beings, as other individuals and families and tribes who have the same basic interests in experiencing joy and love and living without needless pain and harassment as we do.

Organizations like People for Ethical Treatment of Animals (PETA), New Jersey Animal Rights Alliance (NJARA), Animal Liberation Front (ALF) and the Humane Society of the United States (HSUS) are at the forefront of championing this ethical point of view.

Several arguments have been presented to counter what many consider as the “absolutist” thinking of animal rights proponents. Critics of animal rights question whether animals can be morally considerable, since their actions are the automatic output of innate feelings that they are likely incapable of moderating and for which they therefore cannot be held responsible. The claim is that other animals do not possess capacities equal to those of human beings in terms of intelligence, rationality, obligations, duties, moral claims or sense of virtue and vice. It has also been argued that equal treatment of animals and humans would lead to disastrous consequences, engendering economic devaluation in terms of consumption and trade patterns and loss of jobs among ranchers, farmers, fishermen, butchers and others, potentially leading to economic dependency of some nations on others. Equal consideration of other animals would also have far reaching negative effects on progressive research, such as the use of animals as test models to verify the viability of treatments of diseases and eradication of organisms detrimental to human wellbeing. The presupposition here is that holding on to the animal rights ethical standpoint in theory and practice would be inimical to public health and one-health concerns.6 In this sense, Olen and Barry (1992) have noted that “whatever good comes to non-human animals, the consequences to humans would be disastrous” (p. 342).

In theological terms, St. Aquinas and St. Augustine taught that the universe is constructed as a hierarchy in which beings at lower levels (animals) were created to serve those above them (human beings). St. Augustine maintained that “by a most just ordinance of the creator, both their life and their death are subjected to our use.”7 According to this view, it matters little that animals are used as food or as experimental tools, since they are not entitled to any form of rights. Baxter (1999), for instance, believes that rights are unique to human beings. In his view, animals do not use or understand moral judgment in conducting relationships with other species. The soundest policy, then, according to Baxter is “to take account of only the needs and interest of people, not penguins or pine trees” (p. 148). Such claims run counter to the viewpoint of animal rights proponents, as they presuppose that, after all, relationships with members of our own species are appropriately the primary moral concern for humans (Olen & Barry, p. 343).

This specieist stance has been proposed by anti-animal rightists, who regard moral consideration of other animals as a defect in rationality. The animal welfare movement, however, offers a different ethical point of view. Scholars like Francoine and Regan (1992) agree that animal welfare tenets differ from the claims of animal rights. They maintain not only that the philosophies of animal rights and animal welfare are separated by irreconcilable differences, but also that the enactment of animal welfare measures actually impedes the achievement of animal rights. They conclude that welfare reforms by their very nature can only serve to retard the pace at which animal rights goals are achieved (pp. 140-142).

The argument here is that the animal welfare position is inconsistent with and ethically unacceptable to the claims of the animal rightists, or “abolitionists” as they are often called. Prior to the inception of the movement, the welfare approach held human morality and behavior as its central concern. Combined with animal welfare movements and animal-protection legislation, the efforts of British dignitaries like Richard Martin, who championed the first Animal Welfare Organization in 1822, expanded the sense of “welfarism” to include nonhuman animals. Organizations like the American Society for the Prevention of Cruelty to Animals (ASPCA), the Massachusetts Society for the Prevention of Cruelty to Animals (MSPCA), Compassion in World Farming (CIWF) and the National Animal Interest Alliance (NAIA) among others are foremost organizations spearheading the cause of animal welfare. Unlike the Animal Rights movement, these organizations do not clamor for total abolition of the use of animals; rather, they emphasize the prevention of animal suffering, promoting animal health and projecting a just and compassionate society for the ethical treatment of animals whenever they are used for human purposes. They advocate that animals be granted proper training to enable them to live safely and comfortably in a society dominated by human standards; stray animals should be adopted and neutered and spayed to prevent overpopulation and the suffering that attends it; sick and injured animals should be given veterinary care. The United Kingdom (UK) has exerted tremendous effort to promote animal welfare. In 1979, the UK government set up the Farm Animals Welfare Council, recommending the following five freedoms or principles of animal welfare:

* Freedom from thirst and hunger
* Freedom from discomfort
* Freedom from pain, injury and diseases
* Freedom to express normal behavior
* Freedom from fear and distress8

From the standpoint of Animal Welfare groups, the observation of these freedoms amounts to moral consideration for animals and that animals like humans are morally considerable. The objective of animal welfare advocates is the humane use of animals, whatever the purpose. Unlike Animal Rights proponents, Animal Welfarists do not seek to eliminate the use or companionship of animals by humans. For the welfarist, as long as animal pain and suffering is avoided, the value of animal lives is not compromised. This is a way of saying that within the framework of Animal Welfarism, animals do not have autonomous moral rights that equal those of humans. The point of convergence between animal rights and animal welfare is that both are concerned with the status and conditions of animals’ existence, while the point of divergence lies in the degrees to which animals may be subjected to use by humans. Often times, the Abolitionist strand of Animal Rightists condemn and seek to abolish human use of animals regardless of whether that use may be termed “humane” or “inhumane,” while animal welfare emphasizes and allows only the “humane” use and treatment of animals.

Despite extensive global attention to the animal welfare-rights distinction, there remains a need to deploy cultural epistemic outlooks on the issue. In this study, we consider Yoruba perspectives on human-animal relations in an effort to discern a Yoruba understanding of animal ethics.

**Yoruba Culture: Perspectives on Human-Animal Relations**

Who are the Yoruba? What is the Yoruba conception of human-animal relations? To what extent is the Yoruba conception bound by a cultural, or collective, philosophy? Does this conception presuppose a Yoruba understanding of Animal Ethics? If it does, what moral principles and questions does this ethical system yield? Can it be affirmed as a welfarist or rightist orientation? What is the contribution of the Yoruba understanding of animal ethics to the global discourse?

For decades, scholars have acknowledged ties between African modes of knowing and interpreting reality and the influence of cultural traditions, values, religions, customs and beliefs of the people. These connections have especially attracted the interest of scholars who investigate African epistemology, logic, ethics and morality.9 The Yoruba tribe is no exception to this rule. We take it for granted that the Yoruba conception of the ideals and principles that guide human-animal relations may be accessed through the framework of oral tradition, encoded in thoughts, proverbs, adage, and wise sayings which have served as the repository of social and ethical norms and cultural expectations about the status of animals under the custodianship of the local community, elders or native heads (Adewoye, 2007, p. 53).

**Yoruba Culture and Identity**

Who and what are included in the phrase “the Yoruba and their culturally related people”? Akinjogbin attempts to describe this group broadly, via the baselines of language, common origin, similar institutions, modes of worship, beliefs, membership, customs as well as other usages (2008, p. 7), but these baselines are yet to be proven sufficient and adequate for the categorization of the Yoruba. For the purpose of this work, we define the Yoruba by geographical and cultural criteria. The Yoruba are an ethnic group located in South Western Nigeria and Southern Benin in West Africa and constitute over 35 million people in total; the majority are from Nigeria and make up 21% of its population.10 There are also accounts that the Yoruba are found in Togo, Sierra Leone, Ghana and the diasporic regions of Cuba, Brazil, Trinidad, Tobago11 and others. The Yoruba of Southwestern Nigeria (those within the geographical boundaries of Oyo, Ogun, Ekiti, Ondo, Lagos, Osun) are the focus of this study. Following Akinjogbin (2008, p. 9), it is less difficult to categorize these sects as Yoruba, as their history and ways of life confirm a continuum in terms of cultural traditions, common language, and political organization of war and peace.

The Yoruba exhibit common linkages of ancestral traits, customs, rites, beliefs and social institutions. Thinkers like Ojo (2008) and Olajubu (2008, pp. 13-46) have contributed their intellectual insights on the identity of these linkages. Ojo (2008, p. 14) notes the pervasive elements of ancestral veneration (masquerades, deities, ancestors, worship of gods like *Sango*, *Ogun* and others), rituals, artifacts, and divination system (*Ifa*), and he traces these through the process of intra and inter-ethnic diffusion among the Yoruba of Southwestern Nigeria. Focusing on the presence of oral artists (poets, priests, diviners, singers, enchanters etc.) in Yoruba land, Olajubu (2008) has identified the prevailing trend of orature (oral literature ingrained in the traditional or cultural corpus of the Yoruba view on reality as a whole) as an intrinsic virtue of the average Yoruba. He asserts that “among the Yoruba, verbal art is a specialist art and artists are special members of the society” (p. 32). Of interesting note is Olajubu’s emphasis on stereotype oral productions or appreciation (poetry, chants, panegyric—in Yoruba, *ijala*, *oriki*, *ewi*) about virtually all things among the Yoruba, including animals,12 birds, and plants (p. 38). Of particular interest to the present study is consideration of how a Yoruba cultural understanding of animals is encapsulated in this body of sayings, adages, views, proverbs, poetry, practices and so on. By analyzing Yoruba orature, we attempt to derive the ethical implications of some Yoruba perspectives on human-nonhuman animal relations.

**Yoruba Cultural Understanding of Animals**

Olusola (2006, pp. 155-172) has attempted to discern the Yoruba cultural understanding of animals, which he called Yoruba ‘ontological perceptions’ of animals (p. 155), by earmarking the classification of animals, placement of animals in the Yoruba cosmology, religion, traditions, economics (food and hunting), and interactions between humans and animals. His efforts have yielded the following insights on the existential status of animals among the Yoruba:

* In Yoruba understanding, animals are categorized by groups, habitat and physiological traits. Thus within Yoruba animal kingdom classification, we have *eran omi* (aquatic, sea or water animals), *eran ile* (land animals), *eran afayafa* (reptiles), *eran elese meji* – (bipeds), *eran elese merin* (quadrupeds), *eye* (birds), *eku* (rats), *eran ile* (domesticated animals), *eran igbe* (wild animals) (p. 156).
* The Yoruba perception of animals is complemented with taboos and mythical explanations about certain animals. These explanations are preserved through the tradition of folklore, religious beliefs and worship practices, poetry, legends, rituals and so on. Examples are taboos against the interruption of sexual intercourse among animals, prohibitions against killing or eating sacred animals like vultures, ground hornbills, and parrots. The case of *adie* *irana* (the fowl that clears the road),13 which is designated for rituals and buried along with the corpse of an extraordinary member of the society, shows that the Yoruba cosmos is filled with religious-metaphysical interpretations of animals. This reveals that some animals among the Yoruba are granted ‘divine’ rights and are revered. The myth surrounding the reverence for the river goddess *Oya* and buffalos (exempted from the category of game animals to be hunted) also illustrates this Yoruba belief (pp. 157-158). This also accounts for the Yoruba belief in the transmigration of human spirits into the bodies of animals: insects, birds, goats, deer etc. (p. 159). Though this sort of thought is mysteriously rather than scientifically grounded, it accounts for the Yoruba belief that “possessed” animals are perpetrators of both evil and good deeds.
* In ‘traditional’14 Yoruba land, both nonhuman animals and humans are perceived as agents of propitiation/sacrifices to the gods, animals are given meaningful names similar to the practice of naming human beings, and they may be the subject of panegyrics or songs of praise.
* In Yoruba cultural understanding, there are patterns of both unhealthy and healthy relationships between humans and other animals. Olushola (2006) portrays this aptly with reference to the hunting expeditions among the Yoruba. The hunting song below displays an unhealthy relationship between humans and animals:

*Omo ale lehoro ninu igbe o!* Rabbit is a bastard in the bush

*Omo ale lehoro ninu igbe o!*  Rabbit is a bastard in the bush

*Bo ba ti rode* Whenever it sees the hunter

*Ni o pale mo kia* It will quickly take to its heels

*Omo ale lehoro ninu igbe o!* Rabbit is a bastard in the bush! (p. 164)

Ajibade Olusola further hinted that some sayings, folklore and folk songs of the Yoruba illustrate healthy interactions or relationships with animals. *Mo maja leyin, o jan an nigi, emi naa lo jan nigi* – “if you beat my dog which follows me with a rod, I am the one you have beaten with the rod,” (p. 165) is an instance of such sayings. Folk songs like the following also affirm healthy relationships with animals among the Yoruba:

*Adie mi* My rooster

*Eyi ti mora* The one that I bought

*O si je lo* It went out

*O ko si koto* It fell into a pit

*Iya bami gbe* Mother helped me carry it

*Gbigbe ti mo gbe* As I carried it

*Gbigbon ni n gbon* It was shaking

*Mo wa fi yena* I put it by the fire side for warmth (p. 167)

Popular folklore, moonlit tales about tortoise, man and the squirrel15 also portray patterns of interaction between humans and animals in the Yoruba worldview (p. 166) and inform the Yoruba about the natural character and attitudinal (psychological, physiological, and biological) dispositions of classes of animals.

* The Yoruba also demonstrate an awareness of the mental consciousness of animals and their experience of pain and suffering, yet they conceive of animals as nutritional, a consumable means of promoting human health and satisfaction;

*Bi ereke omo eranko ko ba ba je, ti omo eniyan ko ni dun* – “if the cheek of the offspring of an animal is not broken, that of the humans will not be sweet”.

*Oju ni maluu n ro, obe o dara lorun* – “The cow is suffering only during the time of slaughter, knife is not something pleasant on the neck”.

*Ife ti a fe adie ko denu, ibi ki a paaje lo mo* – “Our love for roosters is not genuine; the point is to kill (and eat)16 them” (pp. 168-169)

These three sayings illustrate that the Yoruba cultural philosophy reckons that animals are sources of human food, despite human awareness that killing animals causes them pain. The consumption of animals surpasses the purpose of nutrition to include medication/treatments (healing, in Yoruba land), as animals’ bodily parts are ground alongside other curative ingredients to treat specific ailments.17

Olusola’s (2006) attempt to categorize elements of the Yoruba cultural (collective) philosophy about animals is not all encompassing, however, idowu’s (2008) collection of 1,000 Yoruba proverbs (written in Yoruba language) provides further insights into Yoruba cultural perspectives about animals. Beyond the assessment of human-animal relations via the frameworks of sayings, adages and so forth, Idowu’s collection demonstrates that the Yoruba also perceive animal-animal relations and interpret them as holding metaphorical significance for human-human relations. The following proverbs from Idowu’s collection are instances of such:

*Aguntan to baja rin yoo jegbe* (p. 12) – “The goat that frolics with dogs would definitely eat faeces.”

*Aja iwoyii lo mo ehoro iwoyi le* (p. 12) – ‘‘It is the dog of this modern time that can chase the rabbit of this modern time.’’

*Ajanaku koja, mo ri nnkan firi, ti a ba rerin, ka sope a rerin* (p. 13) – ‘‘The elephant’s passage is beholding and majestic; when we see an elephant, we should acknowledge we have seen an elephant.’’

Proverbs of this category, as suggested before, have metaphorical import for humans, but to delve into this would mean drifting into another discourse. However, it is important to note that the Yoruba perspectives do not exclude considerations of animal-animal relations, and as shown in the three proverbs above, these considerations extract from the peculiarities of particular species of animals (size, feeding habits, natural dispositions or attitudes). For instance, the proverb “the goat….faeces’’ derives from the observation of local dogs in Yoruba communities that feed on debris, human waste products and other waste, while the second proverb ‘it is the dog… times’’ is an extract of the sensitive dispositions of both animals involved in a predatory chase and survival scuffle. The last proverb derives from observations of the size of the elephant. Still other proverbs employ images of animals, yet are neutral in their implications for human-human and animal-animal relations. Such proverbs are aphorisms of warning, precaution and modesty. For instance:

*Aja tii yoo sonu, ko ni gbo fere ode* (p. 12) – “A dog destined to get lost would never heed the hunter’s whistle.”

*Asa to ba fara wegun, eyin aaro ni yoo sun* (p. 13) – “A hawk that imitates the ways of a vulture would find itself in the pot of soup.”18

*Labalaba to ba digbo legun, aso re a faya* (p. 43) – “A butterfly that perches on thorns or spikes would have its skin torn.”

Further probing of this general perception of animals from the Yoruba point of view raises the possibility of a Yoruba ethico-cultural understanding of animal ethics.

**Yoruba Ethico-Cultural Understanding: Implications for Animal Ethics**

The Yoruba tradition does not display in clear terms the sphere of its ethical viewpoint regarding human-to-animal relationships. Some sayings, proverbs and beliefs appear seductively ‘rightist’ in pattern or represent a shift from a welfarist to a rightist concern for animals. The Yoruba says *ise eniyan nise eranko*19- “the way of man/humans is also the way of animals.” Often, such sayings have dual meanings, as both metaphoric and literal expressions in reference to human and non-human situations. The saying above implies something of Singer’s emphasis on equal treatment. For Singer, the capacity to suffer is the primary criterion for considering the interest of any being, even though extending the basic principle of equality from one group to another does not imply that we must treat both groups in exactly the same way, or grant exactly the same rights to both groups (Regan, 1980, pp. 101-102; Singer, 1992, pp. 343). This saying further extends the imperative of the assertion in Yoruba that *a kimo alaja, kanaa aja re pa – “*when we know and are friends with the owner of a dog, we should not beat the dog at all or beat the dog to death” (Adewoye, 2007, p. 54); this implies that we must treat a dog in the terms we find appropriate for treatment of its (known) owner. This claim is an indicator of the Yoruba tradition against inhumane treatment of animals, which they believe is closely linked to inhumane treatment of (proximate) fellow humans.

*Akeyinje ko mope idi n ro adie* (Adewoye, 2007, p. 56) “The person who consumes the egg does not know the pains the hen passed through during the hatching process,” is also an aphorism in the Yoruba traditional worldview that opposes non-humane consideration of animals by criticizing the prevailing specieist stance of humans toward animals as well as the reckless damage and lack of empathy demonstrated by the ends (human life) to the means (animal life). This adage warns against careless human treatment of animals and the disruption of the life cycle that occurs when animals are regarded as mere commodities.

Additionally, Ingold (1988, p. 12) maintains that most cultural/traditional conceptions share classic anthropological implications of totemic practices in regard to animals. The Yoruba tradition may not be exempted from this category, as can be seen in many of the examples presented below. Totemism (or totemic practices) refers to specific meanings or beliefs that people attribute to certain images or objects. In some cases among the Yoruba, these objects may include carcasses or images of animals, which are used as symbols of religious allegiance (faith and belief). Totemic beliefs in this sense simply imply that we owe religious allegiance to animals as objects of worship and as such, we ought to revere, respect and care for them. Some animals within the Yoruba traditional corpus are revered as sacred figures of religious worship. Some of these animals include the yellow palm bird (popularly called *eye oga*), vulture (*igun*) and royal python. Any attempt to fell a tree where the decorous bird (*eye oga*) lays its eggs is to visit doom upon the society. The vulture in Yoruba land is a sacred bird and should not be used as a burnt offering, game or food. The Yoruba saying confirms this: *a ki pa igun, a ki je* *igun, a ki fi igun bori* (Adewoye, 2007, p. 54) – “We do not kill the vulture, we do not eat the vulture, we do not use the vulture as sacrifice to the gods to remedy human destiny.” This saying warns against any attempt to kill the vulture for food, or use it as sacrifice to the gods. The Yoruba tradition further encourages the preservation of animals through certain rituals, customs or taboo. A good example of this is common among some families and towns in Yoruba land. In Ondo town for instance, indigenes are forbidden to eat giant rats (*okete*). Also, the *Onikoyi* and *Alapa* family are forbidden to eat yellow palm birds or any kind of snake. In addition, certain species of animals are categorized as sacred within the Yoruba community during certain festive periods or ceremonial events like *Ogun*, *Osun* festivals. This indeed informs the preference of the Yoruba community in employing animals like doves and goats as sacrifices for societal purification or stability. Furthermore, animals like dogs are used for hunting and as pets, since they are conceived as instruments of appeasement to the gods. The wrath of the gods, manifest in accidents, unforeseen/spiritual contingencies or outbreaks of illness, follows upon the human-caused death of an animal that is a companion or favored being of a god.20 The saying that *eyele ko kin bonile je, kobonile mu, kowa dojo iku ko yeri—* “the dove does not drink and dine with its owner and on the day death beckons, it should flee”—illustrates the extent of Yoruba beliefs about the roles of these animals. According to such beliefs in Yoruba culture, a god’s wrath serves as propitiation or atonement for the individual’s life that was claimed by the god. Hence, some animals simply become totems and are regarded as sacred, enjoying a privileged place in the Yoruba community (through due feeding, care and husbandry); these animals are by human ingenuity (within the Yoruba parlance) reserved for the gods.

Beyond this, the Yoruba ethico-cultural perspective assumes a superstitious stance, not necessarily built upon religious grounds but deriving from mysterious (metaphysical) explanatory models about the unique attributes of some animals, which shape the relational attitudes of humans toward animals. For instance, the cat (*Olongbo* in Yoruba) is mystical because of its inherent agility that enables it not to land on its back no matter the altitude or the gravitational force employed in throwing the cat. Also, the unique sparkle of the cat’s bright eyes in the night informs the traditional Yoruba that this kind of creature is likely to be from the world beyond, despite scientific explanations about animal anatomy, genetics and physiology. Among the Yoruba this perception has patterned relational attitudes toward animals such as cats, owls (*Owiwi*), and even flocks of sheep and goats. In Yoruba land these animals are perceived as stakeholders in terrestrial-celestial realms,21 and as such many Yoruba stands in awe of these animals and ‘relate with them in their own right’.22 The assumption here is that even in the case of conceiving of such animals as mysterious, as observed in Yoruba ethico-cultural enclaves, it is still necessary to classify such conceptions as factors in the Yoruba’s relational attitude toward other animals if the account of Yoruba understanding of animal ethics is to be complete. An ‘outsider,’ not aware of such dispositional tendencies, upon contact with the Yoruba, may be quick to categorize such relational tendencies of human to animal relations as motivating an animal rights stance that grants autonomy to animal existence. On the contrary, it is difficult to classify such tendencies as characterizing an animal rights position, as the motivations behind the Yoruba superstitious stance differs from those of animal rights advocates. For the sake of brevity, it is appropriate to consider this perspectival factor in human-animal relationships among the Yoruba as a ‘superstitious relational attitude.’

Practices, attitudinal dispositions, sayings, aphorisms and proverbs that have bearing on the Yorubas’ traditional conception of human-animal relations are too immense to be captured here, but our concern goes beyond this to stress the salient points that distinguish the Yoruba ethical understanding of human-animal relations. The points below stand out, given the insight above.

* The Yoruba attribute feelings and pain to animals. Not only this, the Yoruba forbid cruelty/brutality to animals, as is implied in sayings like *a kimo alaja kanaa aja re* *pa* – “when we know the owner of a dog, we should not beat the dog at all/ to death” (which implies that we must treat a dog in the same terms we would treat its known owner) and *ise eniyan nise eranko* – “the way of man/human is also the way of animals.”
* The Yoruba perceive a religious connotation in animals’ status, as can easily be inferred from the totemic implications highlighted above. There is also a saying to the effect that *agbalagba to n ta roba mo eye, ti koba fisile, yoo wo ina* (Adewoye, 2007, p. 54) – “an elderly person taunting the peace of a bird relentlessly by stoning would be condemned to the gulf of fire.” The simple point conveyed here is that the Yoruba conception transcends the status of the elders (custodians) or the most eminent members of society, urging everyone to respect the inherent value of animals, regarding them and treating them as ‘beings’ in their own right.
* By virtue of these points, it may not entirely be out of place to state that the Yoruba ultimately conceive of animals as moral beings, thereby embracing an understanding of animal ethics.
* Beyond this, the Yoruba deploy the value of ‘superstitious relational attitudes’ as a grounds for ethical understanding of human-animal relations.

The moral issues underscored by the Yoruba ethico-traditional understanding of human-animal relations are not difficult to outline. As the rudiments of an ethical system that includes nonhuman animals, the Yoruba consider the principles of good deeds (doing that which is benevolent), avoidance of causing pain, respect for certain rights (like freedom of movement and survival) consecrated capacities to live (safeguarded by taboos); they also attribute consciousness and awareness to other animals and maintain superstitious relational attitudes. These principles and ideals do not explicitly disclose the ethical sphere of the Yoruba people, as it does not provide a systematic account of the possible range of moral expectations in all cases of relationships between humans and different individual animals or kinds of animals. This is probably because some common Western contexts of engagement with animals for purposes like experimentation are not common or obvious in the traditional Yoruba society. On the surface, Yoruba tradition appears neither ‘rightist’ nor ‘welfarist,’ as it does not propose eliminating the use of all kinds of animals for human purposes. Whether or not the moral issues highlighted are to be evaluated from the points of duty, virtue or consequences (as the Kantians, Consequentialists, Aristotelians, Feminists and other ethical theorists would contend) is not directly implied by the Yoruba tradition, and as such, subjecting this conception to alternating theories would be to drag it out of the boundaries of the concern here, though this is a task worthy of critical discourse in another study. The question remains: What is the contribution of the Yoruba understanding to the global discourse of animal ethics?

This examination of Yoruba cultural attitudes toward human-nonhuman relations, to an extent, has attempted to establish that the Yoruba have an understanding of animal ethics, but there is no clear-cut indication that this understanding is either welfarist or rightist in orientation. That is, the Yoruba understanding seems to occupy a synthetic position between the two. Certain moral issues, as explicated in the Yoruba ethico-cultural reality, are in line with the thematic concerns of animal ethics except for their ‘superstitious relational attitude.’ This exception might suggest the uniqueness or distinctiveness of the Yoruba ethical understanding or call for an exceptional metaphysico-ethical approach to understanding a Yoruba notion of animal ethics. By arguing for the relevance of the Yoruba understanding of animal ethics, we open up the dimension of cultural perspectives within the global discourse of animal ethics.

It could be stated that animal welfare and rights positions (within the context of the global discourse) explore animal ethics from the pivot of biological, environmental/ecological, religious, political and economic concerns. The Yoruba understanding adds that as a global inquiry, animal ethics should also recognize ‘superstitious relational attitudes’ (especially in this part of the world) along with other factors such as autonomy, obligation of care, and avoidance of pain and suffering. This is also a constant that shapes human-animal relations in the world, influencing the understanding of animal ethics in regions where this particular factor abounds. It also propels the interrogation of such tendencies in similar enclaves where it has been ignored or undermined. This factor should not be overlooked in an account of animal ethics as a cross-cultural discourse. The quintessential question remains: “Given this understanding of animal ethics, how does the value of a ‘superstitious relational attitude’ foster the purpose of animal liberation? This question calls for further critical engagement.

**Conclusion**

This work has brought to light the perspectives of a non-Western understanding of animal ethics and could serve as a reminder that inter-cultural interrogation of pertinent issues bearing on the universe’s well-being (human and nonhuman alike) should be taken as a foremost task. Subjecting the Yoruba understanding of human-animal relations to the global discourse of animal ethics (alongside the Western distinction between animal rights and animal welfare) is not excluded from the concerns of this task. Moreover, we have been able to show that the Yoruba have a synthetic understanding of animal ethics, exhibited via the array of sayings, practices, beliefs and ‘superstitious relational attitudes’ that articulate the Yoruba worldview. Even though this attempt may only minimally account for all that needs to be brought to light regarding the Yoruba understanding of animal ethics, it could serve as a springboard for broader analysis of ethical standpoints concerning human-animal relations.

**Notes**

1 This is not to deny that the Yoruba have their idiosyncracies, but our emphasis is on Yoruba commonalities with other cultural perspectives within the global sphere. When peculiarities arise in the Yoruba understanding of animal ethics, they should be evaluated in terms of their contributions to the global discourse of animal ethics, in an attempt to attain an holistic account that would engineer cross-cultural quests for animal liberation. The question of whether the uniqueness of such understandings contributes positively or negatively to the scope of animal ethics and promote or impedes the quest for animal liberation becomes another issue to intellectually grapple with.

2 The intention here is to import the views of scholars like Godwin Sogolo, Anthony Appiah and Olusegun Oladipo among others who have cautioned that in the discourse of critical issues such as animal ethics, philosophers should not limit reflective speculations to their local relevance; rather, critical discourses should be enjoined within the universal spectrum of perspectives, since the aim of intellectual exercise is to promote the unifying prospects of a flourishable humanity. As such, the epistemic undertone of philosophical inquiries should be shared on the basis of human similarities (biological, mental, cultural, ethical etc.) across cultures. This work locates the Yoruba understanding of animal ethics within this context. See Sogolo, G.S. (1993) *Foundation of African Philosophy: A Definitive Analysis of Conceptual Issues in African Thought*, Ibadan: University of Ibadan Press, p.74. See also Appiah, K.A. (1992) “Inventing an African Practice in Philosophy: Epistemological Issues,” Mudimbe, V.Y (ed.) *The Surreptitious Speech: Presence Africaine and the Politics of Otherness, 1947-1987*, p.230. Appiah, K.A. (1992), *In My Father’s House: African in Philosophy of Culture*, Oxford: Oxford UP; see also, Oladipo, O. (1998), *The Idea of African Philosophy, A Critical Study of the Major Orientations in Contemporary African Philosophy*, pp.36-40.

3 For an account of environmental ethics’ philosophical emphasis on the moral relationship of human beings and nonhuman Nature, see *The Stanford Encyclopedia of Philosophy* in plato.stanford.edu/entries/ethics-environmental.

4 This assertion is aptly captured in Richard Ryder’s ideology of Painism. Also, it is implied by Rollin Bernard this way: “one must believe that the feelings of others warrant our attention ... The attribution of mental states especially those associated with pleasure and pain, joy and misery is connected with the possibility of morality”. See Rollin, B.E (2003), “Animal Pain,” Armstrong, S.J & Botzler, R.G (eds.) *The Animal Ethics Reader*, London & New York: Routledge, pp. 86-91.

5 Both Regan and Singer are advocates of non-human animal equality, a basis upon which Animal Rights expand. See Regan, T. and Singer, P. (eds.), 1989, *Animal Rights and Human Obligations*, Englewood Cliffs, NJ: Prentice Hall.

6 One Health recognizes that humans do not exist in isolation but are a part of a large whole, a living ecosystem and that all the activities of each member affects the other. Thus, One Health considers health as a whole, humans, animals and the environment in which they exist. See http://www.onehealthinitiative.com, accessed on February 1, 2012.

7 This is the position of St. Augustine as regards human-animal relations, as noted by BBC. Network/Animals in a blog: “Religion and Ethics,”, accessed on March 7, 2009.

8 “Animal Welfare,” Wikinews. Net, *Wikipedia, the Free Encyclopedia*, accessed May 2008.

9 It is necessary to emphasize that this discourse could also be considered one of the footprints of African philosophy, pursued as a philosophical enterprise situated between critical/analytical and cultural studies, a controversy that has cast longtime skepticism on the question of whether reflections on issues addressed within the enterprise qualify as philosophical or whether they are a mere anthropological reportage on a people or community’s ways of life.

10 See “[Nigeria](mhtml:file://C:\Users\owosheni%20omosalewa\Documents\Yoruba%20people%20-%20Wikipedia,%20the%20free%20encyclopedia.mht!https://www.cia.gov/library/publications/the-world-factbook/geos/ni.html)” at *CIA World Factbook*: "Yoruba 22%" out of a population of 170.1 million (2012 estimate),” retrieved from http: en.Wikipedia.org/wiki/Yoruba\_People, accessed October 4, 2013.

11For further engagement on this, see Lovejoy, P.E (2003), *Trans-Atlantic Dimensions of Ethnicity in the African Diaspora*, Continuum International Publishing Group, pp. 92-93. See also Rucken, W.C (2006) *The River Flows On: Black Resistance, Culture and Identity Formation in Early America*, LSU Press, p.52.

12Ajibade Olusola has showcased this by presenting the oriki (panegyric) in praise of the antelope (etu) in Yoruba land:

*Etu obeje* Antelope *obeje*

*Etu osun* The one who has legs painted red with camwood

*Aritete-gbon-on-ni* The one who has thighs with which to touch dew

*Eranko ti le tiroo* The animal that put on eye lashes

*Eranko tii wa gonbo* The animal that wears *gonbo* tribal marks

See Ajibade, G.O (2006), “Animals in the Traditional Worldview of the Yoruba,” *Folklore*, 10 (30), p.161. Though we adopt Ajibade’s recitation of the panegyric on the antelope here to prove the point that Yoruba orature expounds upon the nature of phenomena, events and creatures living or dead, this basis among others on which Ajibade claims equality within the Yoruba worldview for humans and animals remains controversial. Salient features like reasonability, moral responsibility and obligation, and religiosity surpass this basis of equality of humans and animals. Moreover, if orature is granted a common place in the Yoruba worldview applicable to both animate and inanimate things, it suffices that equality could be established among all classes of things, living and non-living. In any case, Yoruba perception is not consensual about this.

13See Ajibade, G.O (2006), “Animals in the Traditional Worldview of the Yoruba,” *Folklore*, 10 (30), p.168.

14Here, ‘traditional’ is emphasized because the practice of human sacrifice is not as prevalent in modern or civil Yoruba society as it has traditionally been, and thus it could be said to be socially illegitimate, though the case of animal sacrifice remains prominent across the board in Yoruba society, Traditionalists, Islamists, Christians and others not excluded. Ajibade Olusola (2006, p. 159) also indicated that human sacrifice may not be common in contemporary society because of fundamental human rights enshrined in national constitutions.

15 The popular folktale of the tortoise, man and squirrel in Yoruba land centers on the benevolent nature of the man who acted as a mediator in the settlement of disputes between the two animals but ended up being a victim of injury inflicted upon him by the animals. While this tale is fictional, it could be deduced that the Yoruba worldview personifies animals as beings similar to human-beings, and thus it is not surprising that this sort of worldview elevates animals’ status to divine entities, ancestral accomplices of their forebears, and often as “persons” in their own right.

16 The addition here is ours; as the saying would be rendered incomplete without this and its absence would misrepresent the Yoruba intent here, which Ajibade seem to ignore.

17 See Ajibade, G.O., (2006), pp. 168-169.

18 This is correlated with the belief that in Yoruba land, the vulture is a formidable animal for food; as such, a hawk that takes the chance of getting close to a cooking pot would be added to the available meats in the pot, a risk the vulture can afford to take without fear of being harmed in traditional Yoruba society.

19This is a common saying in Yoruba society; mainly it is an oral expression, and thus it is important that it should be catalogued as one of the sayings to draw upon in fine-tuning the Yoruba understanding of human-animal relations.

20 As regards this, Ajibade Olusola (2006, p. 168) reports that the preference of these animals is not determined by the Yoruba people but by the kind of god in question. Thus, for *Ogun* (God of Iron), dogs, snails, tortoise and rams are appropriate as appeasement/propitiation materials; the Goddess of the River, *Oya* accepts goats and fowls; Esu (the Yoruba trickster deity) prefers black fowl, *Sango* (God of Thunder) is fond of ram*; Orunmila* (God of Wisdom, Knowledge and Prophesy) is fond of rats, *Osanyin* (God of herbal medicine) is fond of the tortoise;

Egungun (masquerade) is fond of rams, etc.

21 There is a Yoruba expression that supports this; *gunnugun eye okun, akalamagbo eye osa, bi o ba jowo gbe ko ma johungbe* (Idowu 2008: 31) – “the vultures of the sea, the vulture of the river, I call on you if you please, accept my offering, and do not reject my voice.” This expression shows that the Yoruba believe that animals like the vulture can traverse the terrestrial to celestial realms to convey prayer requests to the world beyond and canvass for favors or positive responses to humans in return.

22 The proof for this is found in indigenous classical Yoruba movie productions such as *Koto Aye* (Dungeon of the World – our translation), *Koto Orun* (Dungeon of the World Beyond – our translation); also, a film like *Eran Iya Osogbo* (Mama Osogbo’s Goat) is suggestive of this Yoruba superstitious outlook. See uploaded scenarios of the movies on “Babaonibaba TV,” Nollywood Yoruba movies, accessed online October 9, 2013. While these film texts may be categorized as ‘fictional,’ they are not be totally unreal or mis-representative of Yoruba superstitious beliefs about animals which determine the pattern of human-animal relations.

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**2014**

**Review: *The Ghosts in Our Machine* (2013)*,* Bullfrog Films (theater edition: 92 minutes, classroom edition: 60 minutes), directed by Liz Marshall**

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REVIEW: ***THE GHOSTS IN OUR MACHINE* (2013)*,* BULLFROG FILMS (THEATER EDITION: 92 MINUTES, CLASSROOM EDITION: 60 MINUTES), DIRECTED BY LIZ MARSHALL**

Philosopher Gilbert Ryle coined the term “ghost in the machine” to ridicule Descartes’ mind/body dualism. Ryle asserted that Descartes’ system requires some kind of ghost to explain the interaction between the distinct mind and body. Similarly hidden from view are those nonhuman beings trapped in the vast animal exploitation complex. This documentary film aims to expose the ghosts that animal abusing industries try to hide and that the public doesn’t want to see. It undertakes this task by following activist Jo-Anne McArthur as she films and photographs nonhumans imprisoned at such places as factory farms, “fur farms,” and aquatic theme parks throughout the world.

Coming across as sincere and humble, McArthur contradicts the stereotype of animal activists as preachy and self-righteous. She believes that if people could see what humanity does to nonhumans, people would demand change. However, this conviction is challenged by an exchange with representatives at Redux Pictures, an agency that helps activists place images in publications. They acknowledge that the pictures are powerful and important, but they explain that readers don’t want to see these disturbing images. This documentary, then, becomes perhaps the best opportunity for Ms. McArthur’s work to be seen.

Will the film succeed in exposing humanity’s abuse of nonhumans and, by extension, promoting animal rights? Toward these ends, it has several important strengths, but it also has some limitations. Ms. McArthur’s passion and dedication are compelling, and at several points the viewer feels Ms. McArthur’s pain. In one touching scene, she laments leaving the nonhuman victims behind after taking pictures of their tragic plight. She clearly has an intense desire to liberate them, as would any person with a minimum of empathy for nonhumans. But, she points out, this would be counter-productive to the larger campaign to end animal abuse.

Another positive feature of the film is that there are many heartwarming scenes of McArthur and other people showing love for and receiving love from nonhumans who had previously been victims of factory farms, laboratories, and other kinds of institutionalized abuse. Further, we see animals snuggle with each other and demonstrate in other ways that they have their own desires and personalities. The film often focuses on the faces, and in particular the eyes, of nonhumans. This is quite effective, as the suffering and fear of captive animals contrasts with the contentment of animals living peacefully on sanctuaries.

After showing some of the ways humans harmfully exploit nonhumans, at the film’s end several people offer perspectives on animal rights. For many animal advocates, any mistreatment of nonhumans is wrong, but most people, rightly or wrongly, do not share this view. What, then, should be our relationship with nonhumans? Living in a culture that loves some animals and murders others, many people avoid addressing this difficult question. Most agree that abusing animals for fur is trivial and wrong, but there is less consensus when it comes to killing animals for food (which many people think is important to good health) or for research (which many people think is essential for medical progress). It is understandable that the film would refrain from answering this question, since no answer fully addresses each viewer’s questions and concerns. However, I think the film might have done more to explore this question. Otherwise, many viewers will likely remain comfortable with the answers that our animal-exploiting, animal-abusing culture provides repeatedly in the news, in advertisements, and in textbooks.

Another limitation of the film, in my view, is the near absence of a plot. A story line, such as the unfolding of an elaborate plan to film the killing of dolphins in The Cove, engenders interest and excitement. The lack of a story line makes the pace of the theater version of this film feel slow and plodding, particularly for contemporary viewers accustomed to much faster-paced entertainment. The classroom version, by reducing the film’s length by about a third, is considerably easier to sit through.

Some films, such as *Earthlings*, bombard viewers with deeply disturbing images of animal abuse. These are effective for those with the intestinal fortitude to watch them, but most people shy away from such unpleasant experiences. While many of McArthur’s pictures displayed in the film showing frightened and sad nonhumans are disturbing, the film largely avoids bloody and gory images. This will likely enhance viewership, but some people might conclude that conditions are actually better than they are. Most of Ms. McArthur’s images depict fear, misery, and deprivation, but few images portray the violence that has been more often documented by people working undercover on factory farms. Such depictions of violence are deeply disturbing, and therefore more likely to persuade viewers that humanity’s treatment of nonhumans is wrong.

Of course, such undercover video is not what Ms. McArthur does, which means that at best this film shows a part of the larger picture. As such, it can complement other recent, high-quality films that have documented humanity’s mistreatment of nonhumans, such as “The Cove,” “Blackfish,” and “Project Nim.” In the context of this burgeoning area of film-making, “The Ghosts in Our Machine,” particularly the more viewer-friendly 60 minute version, is a helpful addition.

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**Review: *We Animals* (2013)**

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REVIEW: ***WE ANIMALS* (2013)**

*We Animals* is the first book by animal rights advocate and photojournalist Jo-Anne McArthur. This 200+ page hardcover collection presents a hundred of McArthur’s photographs shot between 2003 and 2013 for her ongoing project of the same name. The images depict animals in the human environment and are accompanied by McArthur’s narrative. The book is organized into six segments. In the introduction, McArthur establishes the tone of the book and sets out her aim: “to break down the mental and physical barriers we’ve built that allow us to treat our fellow creatures as objects and not as sentient beings.”1 She writes about her early interest in both photography and animals, and how her critical take on humans’ use of animals emerged, which eventually led her to develop the We Animals project, named to affirm the commonality between humans and other animals. In the next three sections, McArthur examines humans’ treatment of animals in entertainment and fashion, food production, and research. The penultimate section brings attention to the work of animal advocates and sanctuaries, while the last offers a collection of excerpts from journals McArthur kept while in the field. Ever the activist, McArthur also includes a list of resources at the end.

In *We Animals*, McArthur uses her narrative (which is both descriptive and analytic) to teach. Her text is free of judgment and misplaced emotion, and leaves the reader open to the behavioral endpoint she hopes they will one day reach. Facts are presented in a way that compels the audience to read between the lines to glean the significance of the situation and to establish their own meaning. McArthur, for example, details her experience at an alligator farm by noting that the tour guide “showed the children newborn alligators in small plastic bins—before everyone went to the gift shop, where they could buy anything from a ‘genuine alligator head’ for $19.99 to a gator cookbook.”2 Though subtle, the implications are there. Her narrative gives new depth, substance, and context to the images, including what lies outside their frame. McArthur tells the reader, for instance, that as she photographed a bald eagle at a Canadian zoo, visitors did not so much as glance up at the bird “to appreciate that he was there” but instead walked by in search of more exotic animals. She also animates scenes with details of smells and sounds and other striking elements lost in a solely visual presentation and in this way works—as Rowe (2012) stresses one must—to restore the “tangible animal, the literal killing, and all the repugnant stuff.”3

While McArthur’s narrative is cleverly nuanced, her imagery is appropriately harsh at times. She makes no attempt to shield the unpleasant from view, but rather is strategic in how she frames it. She encourages individuals to spend time with grizzly scenes by ensuring they contain “beauty and humanity” and in so doing aims to draw readers in, rather than turn them away. Jenni (2005) credits visual presentations for helping move viewers beyond a mere “pale” understanding, by enlivening their beliefs and allowing the situation to register more fully in a way that the harmed individual is no longer merely a stick figure in their mind.4 This, Jenni believes, helps block “avenues of escape” that may otherwise be used to avoid an emotionally powerful awareness. McArthur’s images strive for this, while also being a form of art, and art has the potential to engage where other methods may fall short.

While McArthur does not miss the opportunity to expose readers to the unpleasant—thought to be one of the most fruitful elements in animal rights imagery5—she also makes efforts to go beyond. Baker (2001) maintains that it is not merely distressing representations of animals that can foster change,6 and McArthur comes through on this front by introducing readers to rescued animals who serve as a critical frame for what their species is capable of in a different context.

McArthur’s narrative also exposes humans’ dangerous anthropocentrism by outlining how we make animals ours, distort their life’s purpose, and then—paradoxically—sideline their experiences. The result is that animals are at once everywhere, yet nowhere. A fitting example is McArthur’s photograph of a bullfight in Spain. The image centers on two spectators in the crowd holding a fan and a cigar, which is juxtaposed against a slain bull in a blurry background. As McArthur explains,

Each man, woman and child seemed present not merely to witness a fight, but to be part of a masquerade, where it’s more important to be seen by and with friends than focus on what’s taking place at the heart of the spectacle. In this three-act opera of death, the humans once again take centre-stage, as the animal, even though in the middle of the arena, is out of focus, an afterthought.7

The photographs in the book, along with those coming from McArthur’s wider collection, are among the most significant images in the animal rights movement. In contrast to a great deal of the movement’s imagery, McArthur’s contributions are shot using sophisticated equipment and are taken close to the animal and from their vantage point, making the scenes more intimate. Such techniques, McArthur explains, help to “draw the viewer in and let her linger on what she sees, to feel disturbed or intrigued in a way that would compel her gaze ultimately to turn inward, where questions and changes begin.”8 McArthur uses her photographs to offer an authentic depiction of each situation and in openly documenting them herself, she also adds credibility in a way that anonymous undercover investigators regrettably cannot.

Tsovel (2005) has critiqued animal rights imagery for bypassing the “animal biography” in favor of a focus on problems at the industry level. Tsovel (2005) believes the former is “by far more empathy-stimulating than are attempts to represent a mass event or an entire site of misfortune.”9 McArthur avoids the pitfall of an exclusive abstraction to the billions by relating stories of specific animals and her experiences with them, while still conveying the enormous scale of animal use and how we are conditioned to view animals *en mass*. In so doing, she draws out singular personalities and plights, though importantly she does so without anthropomorphizing—indeed she does not have to. Even in photos crowded with animals, McArthur manages to capture individuality. This is illustrated in a photograph of a group of sheep walking up a gangplank to be trucked to slaughter. As most look ahead to their fate, McArthur centers her lens on one sheep who has his or her head turned to the side as if in reflection. This technique of focusing on distinct individuals serves as a compelling way to introduce newcomers to the world of animal exploitation. For instance, the reader learns of the life of female pigs used for breeding through the story of one such pig in a gestation crate whose eyes followed McArthur as she documented the conditions in the facility; one who McArthur tells us she regrets having to leave and who has remained in her memory ever since.

A major contribution of *We Animals* is its underscoring of the range of ways humans harm animals. Readers are told of the sensory assaults, from men yelling, animals screaming, and metal rattling, to smells so piercing they linger on McArthur’s camera for weeks. They also learn how animals are separated from their family (including mothers from their offspring), and kept in conditions that bring about boredom, frustration, stress, and cannibalism. McArthur relates how solitary animals are made to be communal, while social individuals are isolated, much like Kiska, an orca who lives alone in a tank at Marineland unfittingly called “Friendship Cove.” McArthur points to the presence of fear, and also how animals are dominated, crowded, confined, and suffer indignities including sexual interference. She explains that they have their lifespan truncated, their hierarchies disrupted, their bodies manipulated, and their lives entirely predetermined. She also points out how the impoverishment becomes all the more sinister through the removal of nature, recalling animals farmed for their fur who can see and smell the forest, dolphins who perform in sight of the ocean, and slaughter-bound pigs who are kept just out of reach from the beautiful blue sky, “the cruelest sky.”

McArthur also of course depicts pain and suffering, including the inconceivable, but in many cases with a new approach. Take for example her recounting of how laying hens caged on wire attempt in vain to provide respite for their feet, “standing first on one leg, curling their toes and feet; then they lower that foot onto the wire and do the same with the other leg.”10 Even scenes of unsanitary conditions—mite infested hens or rabbits dripping with excrement from those in the cages above—are made palpable. McArthur does the same for dietary deprivation: from recounting the banality of unvaried diets, to how malnourishment, dehydration, and starvation are commonplace. She also shows that it is typical for the living to share space with the dead, and indeed that the living are effectively treated as dead. The reader also learns of the lasting trauma experienced by those who find themselves on the other side, as exemplified by Ron—a chimpanzee and former research subject who appears on the book’s front cover and is the focus of both its opening dedication and its final passage.

Not only does *We Animals* convey the variety of assaults inflicted on animals, it leaves the reader with no escape from the realization that this befalls every corner of the globe, and in similar ways. McArthur captures scene after scene from Antarctica, Australia, Cameroon, Canada, the Cayman Islands, Cuba, France, Kenya, Laos, Poland, Spain, Sweden, Tanzania, Thailand, Uganda, the UK, the US, and Vietnam. She is also holistic in her approach, covering an assortment of industries and practices from agricultural fairs, aquariums, bear bile farming, breeding farms, bullfights, circuses, and fox hunts, to fur farms, greyhound racing, poaching, reptile parks, research facilities, rodeos, zoos, and animal agriculture in its various manifestations. McArthur even manages to capture the tinniest of subjects, beginning the book with a beetle at an insectarium who lives alone and “spends much of his time circling his tank, feeling his way along the walls, looking for a way out.”11 There are few, if any, resources that cover this variation and omnipresence of animal use, let alone so powerfully, beautifully, accessibly, and ultimately, one assumes, so convincingly.

*We Animals*’ uncovering of the ways that animals are purposefully kept out of view is an example of the politics of sight—a term coined by Pachirat (2011) that refers to efforts to realize social change by bringing visibility to that which is hidden.12 The idea is that the unpalatable process of turning animals into commodities continues in part because it is largely13 kept out of view, and thus by providing a window into the socially invisible conditions under which animals are used, the process may be reconceptualized as ethically repugnant (O’Sullivan, 2011). Like Pachirat (2011), McArthur acknowledges that “much of what is done to animals in our name is deliberately hidden—either physically from sight or verbally in our euphemisms.”14 In response, she uses *We Animals* to bring visibility to animal issues by encouraging her readers not only to look but to *see* and in so doing to recognize their complicity.

Yet there may be a danger in the politics of sight. As Pachirat (2011) notes, efforts to make the once invisible visible may lead to the opposite effect whereby exposure brings about an increased tolerance. Indeed, Acampora (1998) has written that zoo animals are “degraded or marginalized through the marketing of their very visibility.”15 McArthur shares a scene of a bullfight in Spain that could serve as a case in point for how sight can be co-opted. McArthur recalls,

Wounded and weakened, the bull lay bleeding in the warm light of the late afternoon as the matador moved in for the kill. The audience around me leaned forward on the edges of their seats, cheering. The connoisseurs of the *corrida* waved their white handkerchiefs. It was a gesture that served as a petition to the matador to cut off one or both of the bull’s ears—a signal that they thoroughly approved of the way he’d “fought” the animal. The matador then paraded around the arena with the bull’s ears—one in each hand, his hands held high. The audience showered him with flowers. In response, he threw first one ear, and then the other, to children in the audience. The ultimate prize.16

To the extent that empathy is in danger of being diminished through sight, McArthur appears to take steps to limit this outcome. To generate moral concern, Aaltola (2014) argues that “images of nonhuman suffering need to walk hand in hand with a narrative that positions nonhuman beings as morally valuable individuals”17 which is something that McArthur carries out in striking fashion.

The book is brought to a close with excerpts from the journals that McArthur kept while in the field. These notes give insight into the lengths she went to capture some of the scenes, including the risk both to her physical security—names, places, and other identifying information is blackened throughout—and to her emotional wellbeing. Indeed McArthur has been public about her time with post-traumatic stress disorder. Her journals also show how she works for balance by appreciating small comforts in her off-hours, whether companionship, food, or a safe place to rest. While McArthur’s tone is careful earlier in the book, the snippets from her journal are less reserved, more colloquial, and even angry at times. This approach would not have worked in the body of the book, but its inclusion near the end is very smart and together both parts serve as the perfect balance of McArthur herself.

*We Animals* aligns with critical animal studies in a number of ways, including its focus on activism, commitment to liberation, critical perspective, and disruption of the social construction of animals. Given its holistic, novel, and educational approach to animal issues, *We Animals* has the potential to serve as an invaluable work for the animal right movement. It not only has the capacity to instruct and invigorate existing advocates, but also—and more importantly so—to reach a wider audience in a transformative way.**Notes**

1 Jo-Anne McArthur. *We Animals*, p. 9.

2 Jo-Anne McArthur. *We Animals*, p. 106.

3 Bradley D. Rowe. Food, habit, and the consumption of animals as educational encounter, p.

217.

4 Kathie Jenni. The Power of the Visual.

5 Steve Baker. *Picturing the Beast: Animals, Identity and Representation*.

6 Ibid.

7 Jo-Anne McArthur, *We Animals*, p. 48.

8 Ibid, p. 10.

9 Ariel Tsovel, What Can a Farm Animal Biography Accomplish? The Case of *Portrait of a*

*Burger as a Young Calf*,” p. 247.

10 Jo-Anne McArthur. *We Animals*, p. 119.

11 Ibid, p. 14.

12 Timothy Pachirat. *Every Twelve Seconds: Industrialized Slaughter and the Politics of Sight*.

13 As O’Sullivan explains, although animal invisibility is increasing, some animals remain more

visible than others. Siobhan O’Sullivan, *Animals, Equality and Democracy.*

14 Jo-Anne McArthur. *We Animals*, p. 134.

15 Ralph R. Acampora. Extinction by Exhibition: Looking at and in the Zoo, p. 1.

16 Jo-Anne McArthur. *We Animals*, p. 51.

17 Elisa Aaltola. Animal Suffering: Representations and the Act of Looking, p. 27.

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**JCAS: Submission Guidelines**

**Editorial Objectives**

The Journal for Critical Animal Studies is open to all scholars and activists. The journal was established for the purpose of fostering academic study of critical animal issues in contemporary society. While animal studies are increasingly becoming a field of importance in the academy, much work being done under this moniker take a reformist or depoliticized approach that fails to mount more serious critique of underlying issues of political economy and speciesist philosophy.

JCAS is an interdisciplinary journal with an emphasis on animal liberation philosophy and policy issues. This journal was designed to build up the common activist’s knowledge of animal liberation while at the same time appealing to academic specialists to address the important topic of animal liberation. We encourage and actively pursue a diversity of viewpoints of contributors from the frontlines of activism to academics. We have created the journal for the purpose of facilitating communication between the many diverse perspectives of the animal rights movement. Thus, we especially encourage submissions that seek to create new syntheses between differing disputing parties and to explore paradigms not currently examined.

**Suggested Topics**

Papers are welcomed on any area of animal liberation philosophy from any discipline, and presenters are encouraged to share theses or dissertation chapters. Because a major goal of the Institute for Critical Animal Studies is to foster philosophical, critical, and analytic thinking about animal liberation, papers that contribute to this project will be given priority (especially papers that address critical theory, political philosophy, social movement analysis, tactical analysis, feminist, activism and academia, Continental philosophy, or post-colonial perspectives). We especially encourage contributions that engage animal liberation in disciplines and debates that have received little previous attention.

**Review Process**

Each paper submitted is initially reviewed for general suitability for publication. All submissions will be read by at least two members of the journal’s editorial board.

**Manuscript Requirements**

JCAS is currently reviewing its style guide requirements. Please contact the editorial board for further information. The manuscript should be in MS Word format, in 1.5 line spacing and 12 point Times New Roman. Good electronic copies of all figures and tables should also be provided. All manuscripts should conform to American English spelling.

As a guide, we ask that regular essays and reviews be between 2000-8000 words, and have limited endnotes. In exceptional circumstances, JCAS will consider publishing extended essays

*Journal for Critical Animal Studies*, Volume 12, Issue 3, 2014 (ISSN 1948-352X) 175 (up to 15,000 words). Authors should supply a brief abstract of the paper (of no more than 250 words). A brief autobiographical note should be supplied which includes full names, affiliation, e-mail address, and full contact details.

**Copyright**

Articles submitted to JCAS should be original contributions, and should not be under consideration for any other publication at the same time. For ease of dissemination and to ensure proper policing use, papers and contributions become the legal copyright of the publisher unless otherwise agreed.

1. \*Norm Phelps is an American animal rights activist and writer. He is a founding member of the Society for Ethical and Religious Vegetarians and the author of several books on animal rights and religion, including *Changing the Game: Why the Battle for Animal Rights is so Hard, and How We Can Win It* (2013), *The Longest Struggle: Animal Advocacy from Pythagoras to PETA* (2007), *The Great Compassion: Buddhism and Animal Rights* (2004), and *The Dominion of Love: Animal Rights According to the Bible* (2002). [↑](#footnote-ref-1)
2. \* Sean Kelly is an Associate Professor of Philosophy and Literature and Director of the Honors Program at Florida Gulf Coast University. His current work explores how certain conceptual blindnesses encourage humans to overlook human and nonhuman animal interaction to their own detriment. His work is sponsored by Humane Society University. Sean can be reached at 155 Reed Hall; Florida Gulf Coast University; Fort Myers, FL 33965; (239) 590-7440; skelly@fgcu.edu [↑](#footnote-ref-2)
3. \*Sean Meighoo received his Ph.D. in Social and Political Thought at York University (Toronto). He is currently an Assistant Professor in the Graduate Institute of Liberal Arts (ILA) at Emory University (Atlanta). His research and teaching interests include: twentieth-century continental philosophy and literary theory; race and postcolonial studies; feminism and queer studies; and posthumanism and animal studies. [↑](#footnote-ref-3)
4. \* Sundhya Walther is a Ph.D. candidate in English and South Asian Studies at the University of Toronto. Her research challenges the dominant humanism of postcolonial discourse by exploring representations of interspecies contact in contemporary Indian fiction. [↑](#footnote-ref-4)
5. Adewale Owoseni holds a Master of Arts degree in Philosophy from the University of Ibadan. He is a doctoral student in Animal Ethics at the same institution. Other of his research interests are Philosophy of Culture, Existentialism and Epistemology. His first degree thesis titled “A Philosophical Examination of the Western Conception of Animal Rights” rasserts the possibility of a non-western understanding of Animal Ethics. He is an active member of a budding animal welfare group within the University and he is currently working on a paper titled “Ethics and Practice towards Animals in Ibadan, South Western Nigeria.” [↑](#footnote-ref-5)
6. \* Isaac Olufemi Olatoye holds a DVM and a Ph.D. in Veterinary Public Health and Preventive Medicine from the University of Ibadan, Nigeria. His research interests are Food Safety, Drug Residue and Animal Disease Surveillance Interventions. He is engaged in the training of DVM students in the areas of Animal Welfare, Veterinary Ethics and Jurisprudence as well as clinical and extension veterinary services. Olatoye is also an adjunct faculty member of the Paul Allen School for Global Animal Health, Washington State University, USA. He is currently co-authoring a paper titled “Ethics and Practice towards Animals in Ibadan, South Western Nigeria.” He is at the frontier of advocating for effective Animal Welfare practice in Nigeria. [↑](#footnote-ref-6)
7. \* Steve Kaufman received his M.D. from the Case Western Reserve University, School of Medicine in Cleveland, Ohio. He can be reached at srk8@case.edu. [↑](#footnote-ref-7)
8. \* Kathryn Asher is a Ph.D. candidate in the Department of Sociology at the University of New Brunswick. Studying at the intersection of social movement studies, the sociology of diet, and social media studies, her focus is on measuring the effectiveness of online vegan and vegetarian video outreach campaigns in the U.S. Kathryn is also a researcher with the Humane Research Council and can be reached at Kathrynasher@me.com. [↑](#footnote-ref-8)