Vulnerability, Care, Power, and Virtue: Thinking Other Animals Anew

by

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A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy
Graduate Department of Philosophy
University of Toronto

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2012

Abstract

This thesis is a work of practical philosophy situated at the intersection of bioethics, environmental ethics, and social and political thought. Broadly, its topic is the moral status of nonhuman animals. One of its pivotal aims is to encourage and foster the “sympathetic imaginative construction of another’s reality” and to determine how that construction might feed back on to understandings of ourselves and of our place in this world that we share with so many other creatures.

In the three chapters that follow the introduction, I explore a concept (vulnerability), a tradition in moral philosophy (the ethic of care), and a philosopher (Wittgenstein) that are not often foregrounded in discussions of animal ethics. Taken together, these sections establish a picture of other animals (and of the kinship that humans share with them) that can stand as an alternative to the utilitarian and rights theories that have been dominant in this domain of philosophical inquiry.

In my fifth and sixth chapters, I extend this conceptual framework by turning to the work of Michel Foucault. Here, I develop a two-pronged approach. The first direction – inspired by Foucault’s work on “technologies of power” – is a broad, top-down engagement that explores many of the social apparatuses that constitute the power-laden environments in which human beings and other animals interact. I focus on the slaughterhouse in particular and argue that it is a pernicious institution in which care and concern are rendered virtually impossible. The second direction – inspired by Foucault’s later work on “technologies of the self” – is a bottom-up approach that looks at the different ways that individuals care for, and fashion themselves, as ethical subjects. Here, I examine the dietary practice of vegetarianism, arguing that it is best understood as an ethical practice of self-care.

One virtue of my investigation is that it enables a creative synthesis of disparate strands of philosophical thought (i.e. analytic, continental, and feminist traditions). Another is that it demonstrates the philosophical importance of attending to both the wider, institutional dimension of human-animal interactions and to the lived, embodied experiences of individuals who must orient themselves and live their lives within that broader domain. This more holistic approach enables concrete critical reflection that can be the impetus for social, and self-, transformation.
Acknowledgments

To all those individuals who read and/or sat through presentations of parts of this thesis – your comments and questions have been invaluable and have only served to make my work stronger. In this regard, I would like to especially thank Kathryn Morgan, Ingrid Stefanovic, Chloë Taylor, Mark Kingwell, Ralph Acampora, Brian Cantwell Smith, and Gillian Einstein.

To Bubba – your inspiration and feline companionship are treasured.

To Sareh – words cannot express the importance of your love and support. I could not have done this without you.
Table of Contents

Acknowledgments ...................................................................................................................................... iv

Table of Contents .................................................................................................................................... v

Chapter 1 – Introduction ......................................................................................................................... 1
   I. Traditional Contemporary Approaches to Animal Ethics: Singer and Regan .................. 6
   II. Constructing an Alternative Approach .................................................................................... 11
   III. Outline of Thesis Chapters ......................................................................................................... 15

Chapter 2 – The Vulnerability of Other Animals .................................................................................... 22
   I. Vulnerability ................................................................................................................................. 24
   II. Vulnerability as Conditio Humana (or, Other Animals are not Vulnerable) ................. 30
   III. Encounters with Vulnerability ................................................................................................. 41
   IV. Vulnerability and Human Rights ............................................................................................. 46
   V. A “Symphysics” of Transhuman Morality .............................................................................. 51
   VI. Conclusion ................................................................................................................................. 55

Chapter 3 – The Ethic of Care and Other Animals: Reason vs. Emotion ........................................... 58
   I. Methodological Guidance ............................................................................................................ 60
      I.1 An Alternative Moral Epistemology ............................................................................... 61
         I.1.1 Attention to Particular Others .................................................................................... 61
         I.1.2 Relational and Concrete ............................................................................................. 64
         I.1.3 Communication and Expression .................................................................................... 67
      I.2 Moral Experience ..................................................................................................................... 70
II. Critical Reflections ........................................................................................................ 73
   II.1 The Problem of Justification .................................................................................. 74
   II.2 Reason vs. Emotion .............................................................................................. 77
   II.3 The “Rationalist Rejection of Emotion” Reappraised ......................................... 80
   II.4 Hume – a revisiting .............................................................................................. 84
   II.5 Provisional Assessment ......................................................................................... 89

III. Conclusion .................................................................................................................... 91

Chapter 4 – Life and Death, Hope and Pain: Thinking (with Wittgenstein) about Humans and Other Animals ......................................................................................................................... 92

I. Wittgenstein’s Physiognomy ......................................................................................... 94
II. Humans and Other Animals............................................................................................ 99
   II.1 A Difference: Hope ................................................................................................ 100
   II.2 A Similarity (with a Few Differences): Pain ......................................................... 102
   II.3 Our attitude is not the same…All our reactions are different ............................. 107

III. Conclusion: Hesitation in the Face of Uncertainty .................................................. 114

Chapter 5 – Apparatuses of Animality: Foucault Goes to a Slaughterhouse ............... 117

I. “Apparatus” ................................................................................................................... 118
II. Technologies ................................................................................................................ 124
III. Power .......................................................................................................................... 126
   III.1 Disciplinary Power ............................................................................................ 126
   III.2 Productive Power ............................................................................................... 129
   III.3 Power/Freedom .................................................................................................. 134
IV. The Slaughterhouse .................................................................................................... 139
V. Conclusion ..................................................................................................................... 152
Chapter 6 – Vegetarianism as Technology of the Self: Thinking (with Foucault and Nietzsche) About Dietary Practice

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>Dining with Nietzsche</td>
<td>158</td>
</tr>
<tr>
<td>II.</td>
<td>From Nietzsche to Foucault</td>
<td>162</td>
</tr>
<tr>
<td>III.</td>
<td>A Foucauldian Exploration of Vegetarianism</td>
<td>166</td>
</tr>
<tr>
<td>III.1</td>
<td>Ethical Substance</td>
<td>168</td>
</tr>
<tr>
<td>III.2</td>
<td>Mode of Subjection</td>
<td>172</td>
</tr>
<tr>
<td>III.3</td>
<td>Ethical Work</td>
<td>174</td>
</tr>
<tr>
<td>III.4</td>
<td>Telos</td>
<td>177</td>
</tr>
<tr>
<td>IV.</td>
<td>Contemporary Applications of Foucault to the Topic of Meat Eating</td>
<td>178</td>
</tr>
<tr>
<td>IV.1</td>
<td>Tanke</td>
<td>179</td>
</tr>
<tr>
<td>IV.2</td>
<td>Taylor</td>
<td>184</td>
</tr>
<tr>
<td>IV.3</td>
<td>Clark</td>
<td>189</td>
</tr>
<tr>
<td>V.</td>
<td>Conclusion</td>
<td>192</td>
</tr>
</tbody>
</table>

Chapter 7 – Conclusion: Summary and Future Avenues for Investigation

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>Summary</td>
<td>195</td>
</tr>
<tr>
<td>II.</td>
<td>Future Avenues for Investigation</td>
<td>202</td>
</tr>
</tbody>
</table>

Bibliography

Copyright Acknowledgements
Chapter 1
Introduction

To be a philosopher is to make a diagnosis of present possibilities and to draw a strategic map – with a secret hope of influencing the choice of combats.

- Paul Veyne, “The Final Foucault and his Ethics”

So I think we have to be Humean and first worry about how to enlarge our sympathies. Rights and utilities will fall into place much later.

- Ian Hacking, “Our Fellow Animals”

In self-reflective moments, I recognize that my cat and, more generally, the numerous animals that have been part of my life (for longer or shorter periods) over the last ten or fifteen years, are my primary reason for caring about the topic this thesis explores. I think that my investigations start at a very personal level, in the stillness of my bedroom on a Saturday morning, for example, when my feline companion and I bask in that sliver of sunshine that adorns the still unmade bed. They begin in the softness of his orange fur felt between my fingers and the purr that reverberates along my arm. They commence in that greeting I receive when I return home at the end of the day, with that vocal address (and rub against my shins) that emanates from down below. I start from these small moments, these small intimacies. It is there, at least for me, where philosophical questioning – perhaps itself best understood as a form of care and concern – begins. My explorations start with the wonder that is inspired by living and interacting with other animals. What meanings and valuations can we find in our lives lived with these other
creatures? What might it mean to care for/about other animals and how are those endeavors connected to caring for ourselves?

Expanding from these small, humble experiences, I quickly find myself in the thickets. The companionship of pets is just one of the modalities of human interaction with other animals; some of us also meet them in the laboratories, slaughterhouses, zoos and animal hospitals where we work. Some animals are encountered in the wild – others end up on our plates at dinner time. How are we to approach this multifarious heterogeneity? What concepts can we appeal to for normative guidance in the multifaceted relations we have with other animals? These are some of the major questions that this thesis addresses.

This thesis is a work of practical philosophy situated at the intersection of bioethics, environmental ethics, and social and political thought. Broadly, its topic is the “moral status” of certain nonhuman animals. When I talk about “animals” I will most often be referring to the creatures, primarily mammals and birds, that humans engage with in various human driven institutions, such as pet-keeping, food production, and scientific research. My arguments apply mainly to animals like cats, cows, chickens, dogs, mice, pigs and turkeys. They are not meant to reach to all forms of animate life. Bacteria, clams and cockroaches will not be my immediate objects of concern, and my general theses and claims are not meant to apply to them (which is not to say that these forms of life are not worthy of consideration in their own right). To say that this is a work of “practical philosophy” is to indicate that I am concerned with concrete matters related to questions about how human beings understand, evaluate, and orient themselves in a world where they encounter many different types of animals in many different types of situations. To echo a metaphor employed by Wittgenstein, I hope to stay off the slippery ice and
to keep my feet planted firmly on the rough ground. Accordingly, a “messy” approach to practical philosophy guides my investigations of the present topic.

My title indicates that I will be thinking about other animals “anew.” I mean to indicate at least two things by this. First, I mean “anew” in the sense of “a second time,” “once again,” or “once more.” Animal ethics has come into its own as an area of research in the last few decades, but it is by no means a new field. Philosophers have considered other animals in their ethical thought at least since the time of the Presocratics. In a way, I am doing something that has been done many times before and which I hope, due to the pressing nature of the issues, will continue to be done again and again in the future. But I also intend for the “anew” of my title to convey the sense of something being done “freshly” or “in a different way from the previous.”

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2 *The Animal Ethics Reader*, 2nd ed., eds. Susan J. Armstrong and Richard G. Boltzer (New York: Routledge, 2008) offers a good overview of a variety of contemporary approaches, concerns and debates related to a variety of domains of human-animal interaction. Contributions by many of the animal ethicists who have come to prominence in the last 30 to 40 years (such as Peter Singer, Tom Regan, Josephine Donovan, David DeGrazia, etc.) are anthologized here. *Animal Rights: Current Debates and New Directions*, eds. Cass Sunstein and Martha Nussbaum (New York: Oxford University Press, 2004), also offers a good example of how this area of inquiry has matured. It includes contributions by leading ethicists, political philosophers, and legal theorists (such as Richard Posner, James Rachels, Catherine Mackinnon, and Elizabeth Anderson). Another notable anthology is *Animal Philosophy: Ethics and Identity*, eds. Peter Atterton and Matthew Calarco (London: Continuum, 2004). This collection includes selections, from major figures in 19th and 20th century continental philosophy (such as Nietzsche, Levinas, Foucault, and Irigaray), which deal with the issue of animality. These are then paired with essays written by contemporary scholars (such as Alphonso Lingis, David Wood, and Clare Palmer).

3 Gary Steiner’s *Anthropocentrism and Its Discontents* (Pittsburgh: University of Pittsburgh Press, 2005) does a nice job of tracking (and critically discussing) the ways that other animals have been thought about in the history of Western philosophy. Steiner has chapters (to mention but a few) on the Pre-Socratics, Aristotle, Descartes, and postmodern conceptions of the human-animal boundary. For primary selections, one can look at *Animal Rights: A Historical Anthology*, eds. Andrew Linzey and Paul Barry Clarke (New York: Columbia University Press, 2004). Amongst its selections, it includes work by Plato, Aquinas, Hume, Hegel and Rawls. For an anthology of primary sources that focuses specifically on the issue of eating animals, see *Ethical Vegetarianism: From Pythagoras to Peter Singer*, eds. Kerry S. Walters and Lisa Portness, eds. (Albany: State University of New York Press, 1999). It contains pieces by various thinkers (such as Plutarch, Percy Shelly, Leo Tolstoy and Mohandas Gandhi).
Towards this end, this thesis engages with a number of thinkers (e.g. Wittgenstein and Foucault), concepts and traditions that have not yet been foregrounded in animal ethics debates.

I do not think that the moral status of other animals is fully encapsulated in succinct axioms, universal statements, or categorical imperatives. I will argue that the philosopher’s job, with respect to animal ethics, is not simply to derive ethical principles, or to stipulate moral rules, which can then guide a rational agent to right action in particular situations. But, this is not to say that there is no normative dimension to my argument. As a number of virtue and care ethicists have noted, human negotiation of ethical situations is a much more complicated affair than the simple application of rules, and philosophers must be attentive to the complexities (and nuances) of the situations in which particular choices are made. I see the philosopher less as a rule stipulator and more as a problem framer. A pivotal aim of this dissertation is to encourage the reader to look at certain recurring problems and questions afresh, so that their importance can be re-appreciated and their address re-invigorated. It is my hope that looking with new eyes will enable novel understandings of, and transformative engagement with, the world we share with other animals.

“Moral status” is an ambiguous notion. On the one hand, the idea of status can refer to the positioning (or standing) of things, persons, classes, etc., with respect to some variable. We might specify somebody’s HIV status, talk about the social status of professional athletes in western culture, or wonder about someone’s legal status (due to their age, say) in a particular nation-state. On the other hand, the idea of status can also refer to a state of affairs at a particular time, and to a sense of relation and movement within a particular space. Thus, I might ask, for example, about the status of a report I commissioned, or enquire about the status of a delivery that I have been expecting. In the first set of cases, status is delineated in terms of the
instantiation of some property. In the latter cases, status is a more relational, temporal matter. Both of these senses can be important, but this thesis will privilege the latter because I believe that it allows for a more detailed account of the complexities of human-animal relations.

We often implicitly adopt the first – a property (or possessive) sense of status – when thinking about something’s, or someone’s, moral status. We are often concerned about where the person/animal/object is situated on some scale of value and with specifying the properties that so situate them. Accordingly, it is the possession (or lack) of these properties that will determine how a particular being should be weighted in our ethical decision making. But I believe the temporal/relational sense of status must also be kept in play when undertaking investigations of this kind. Beliefs, assumptions, and valuations change over time and place. To specify the “moral status” of a particular type of person, or animal, might also involve a description of how they are/were valued in a particular place and at a particular time, since temporal, cultural, and geographic differences affect the valuations made by embodied subjects. The philosopher must be attuned to this lived, enviro-temporal dimension of our ethical lives. To fail to do so can only leave one’s analysis detached from the world in which it is intended to have purchase. Towards this end, I appropriate disciplinary boundaries in this thesis – by including the insights of sociologists, ethologists, and social geographers (to name but a few) – to arrive at a fuller understanding of the moral status that might be ascribed to other animals.

These two senses of status point to two general routes that can be taken when thinking about the moral standing of other animals. The first is a familiar path represented by Peter
Singer’s preference utilitarianism⁴ and Tom Regan’s natural rights position.⁵ The second is an alternative path that has been developed by feminist care theorists (such as Carol Adams and Josephine Donavan).⁶ It is the spirit of the second route that this thesis primarily seeks to emulate and develop. Before outlining the specific details of the chapters to follow, I will briefly sketch the contours of these different approaches to provide a general picture of the new directions I will pursue.

I. Traditional Contemporary Approaches to Animal Ethics: Singer and Regan

Peter Singer is probably the most well-known proponent of the utilitarian argument for the ascription of a significant moral status to other sentient animals.⁷ Singer describes his project as one of “animal liberation” and he explicitly connects it to social movements that have focused on eradicating sexism and racism. What he thinks a liberation movement demands is “an expansion of our moral horizons and an extension or reinterpretation of the basic moral principle

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⁴The classic presentation of Singer’s view can be found in Animal Liberation (New York: Avon Books, 1975). The book continues to be very popular, and Singer continues to support the arguments originally presented therein (as evidenced by the publication of a third edition of Animal Liberation in 2002).

⁵The classic presentation of Regan’s views can be found in The Case for Animal Rights (Berkeley: University of California Press, 1983). Regan also continues to endorse the views defended in this text – a new edition was published in 2004.


of equality.” 8 Denying moral standing to other animals, simply because they are not members of the human species, is a manifestation of, to invoke the term Singer uses, “speciesism.” 9 To undermine speciesism, he argues that we must expand our moral horizons so that they begin to encompass members of other species.

Singer appeals to the principle of equal consideration of interests, which he believes can be employed as a basic moral principle, to support this expansion. 10 If an individual has interests, then those interests must be taken into consideration. He goes on to suggest, appealing to Jeremy Bentham, that it is a capacity to suffer (or experience pleasure), “sentience,” in other words, that makes it possible for an individual to have interests: “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.” 11 Stones and plants do not have interests in this morally relevant sense, but pigs, cows, chickens, and humans certainly do. He thinks that the principle of equal consideration demands that if a being can suffer or experience pleasure, then, regardless of that being’s species, its interests must be taken into consideration. Singer points to a variety of human practices – such as the factory farming of food animals and, more recently, xenotransplantation – as examples of speciesism on the part of human beings. He thinks these


9 The term was coined by the British psychologist Richard D. Ryder.

10 The first chapter of Animal Liberation, “All Animals are Equal….” and the third chapter, “Equality for Animals?,” in Singer’s book, Practical Ethics, 2nd ed. (Cambridge: Cambridge University Press, 1993), both outline the philosophical foundations/arguments that Singer deploys to establish his position with respect to the moral standing of non-human animals.

11 Singer, Animal Liberation, 8 (Singer’s emphasis).
practices are premised on the idea that animals are things for us to use as best suits our own interests without giving much regard to the interests of the animals themselves.

While arriving at many similar conclusions (as compared to Singer), Tom Regan uses a different vernacular in his work on the moral standing of other animals, namely, the language of rights. Regan highlights the fact that there is disagreement amongst rights theorists as to whether, in general, there are any (natural) moral rights (such as rights to life, liberty, and bodily integrity) that exist apart from (or which provide the foundation for) those rights that become enshrined in particular legal contexts. He does this to stress the fact that it is by no means settled what the notion of “human rights” refers to, let alone the question of whether or not other animals might also be the bearers of certain rights. For his part, as far as humans and certain other animals are concerned (i.e. birds and mammals), Regan does think that they are the possessors of a variety of negative moral rights. These negative moral rights can be seen as doing at least two (correlated) things: (i) they limit the freedom of others (with respect to the right holder) and (ii) they protect individuals from being sacrificed to augment social utility in some way.

To argue that animals are the possessors of rights, Regan begins by noting that there is good evidence that many other animals, in addition to being sentient, share a number of other capacities with human beings, such as, cognitive, volitional, and emotional abilities. From there,

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13 A negative moral right is a right not to be harmed or interfered with in some way (i.e. a right to privacy), while a positive moral right would be a right to helped or to receive assistance in some way (i.e. a right to health care).
he goes on to suggest an evaluative criterion that is meant to help us answer the following (very Kantian) questions: “Who is inherently valuable? Who is never to be treated merely as a means, as if they are of instrumental value only?”\(^\text{14}\) The notion of a “subject-of-a-life” is meant to supply this criterion, and he specifies it in the following way:

not only are subjects-of-a-life in the world; they are aware of it – and aware, too, of what transpires “on the inside,” in the realm of feelings, beliefs, desires. As such, subjects-of-a-life are something more than animate matter, something different from plants that live and die; subjects-of-a-life are the experiencing centers of their lives, individuals who have lives that fare experientially better or worse for the ones whose lives they are, logically independently of whether they are valued by others. At least in the case of mammals and birds, then, the conclusion we reach is that, as a matter of fact, these animals, as is true in our case, are subjects-of-a-life.\(^\text{15}\)

Regan believes that being a subject-of-a-life instantiates a form of inherent value that is the basis for a right to be treated with respect. All beings who possess this inherent value, whether human or not, share in an equal right to respectful treatment. Regan, similarly to Singer, suggests that, in many of their interactions with other animals (both from an individual and from a wider institutional perspective), human beings fall well short of the respectful treatment that the possession of this right entails. He singles out agricultural and scientific uses of animals as practices where animals’ rights are infringed upon, and notes the “abolitionist” character of the animal rights position with respect to many human activities. His abolitionist stance is related to his rejection of utilitarian approaches; that is, Regan does not believe that it would be enough just to reform practices so as to reduce the amount of suffering experienced by the animals


\(^{15}\) Ibid., 209.
involved. Suffering is bad, but the fundamental wrong, for Regan, rests in the way that certain institutions are premised on an inherent infringement of an animal’s right to respect (i.e. they treat animals as mere means to human ends). As he concludes: “Giving farm animals more space, more natural environments, more companions does not right the fundamental wrong, any more than giving lab animals more anaesthesia or bigger, cleaner cages would right the fundamental wrong in their case. Nothing less than the total dissolution of commercial animal agriculture will do this…”

What unites Singer and Regan, as far as the question of moral status is concerned, is that they are primarily focused on the individual and the specification of the criteria that must be possessed in order for an individual to be morally considerable. Furthermore, both are engaged in the development of a traditional kind of philosophical argument. They aim to specify certain premises, which are, in turn, meant to lead to particular conclusions. There is nothing wrong with these features in and of themselves, but I do think that they can inhibit (i) the development of a broader, social-political perspective on human-animal relations and (ii) a more serious consideration of how our emotions are at work in our ethical lives. These are issues that I address in this thesis and which have already been broached by feminist animal ethicists.

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17 Clare Palmer calls these “capacity-oriented” accounts of animal ethics. See the second chapter of her book, Animal Ethics in Context (New York: Columbia University Press, 2010), for her discussion of these types of approaches. Palmer thinks that capacity orientation can leave us with an incomplete picture when we are doing animal ethics. I am very much in agreement with this assessment and I am inclined to see this thesis as moving in the relational direction that Palmer aims to develop.
II. Constructing an Alternative Approach

Many other approaches to animal ethics set themselves up in opposition to Singer and Regan, even if their wider hopes and aspirations are often quite congruent with those expressed by these thinkers. Feminist discussions of the moral status of animals position themselves by critiquing the dominant strands of thought characterized by utilitarian and rights approaches.\textsuperscript{18} Josephine Donovan’s work is a paradigmatic example. One reason Donovan criticizes these theories is because she believes they represent “a rationalist rejection of emotion or sympathy as a legitimate base for ethical theory about animal treatment.”\textsuperscript{19} She argues that these approaches fail to recognize that sympathy is a complex intellectual, as well as emotional exercise, which can be an appropriate foundation of an ethical theory. Furthermore, she believes that a focus on universalizability, which is found in these traditional approaches, tends to elide the personal, contextual, emotional, and political components of an ethical issue. Finally, an ethic of care approach is held to employ a more relational ontology, as opposed to the atomistic/individualistic ontology that is seen undergirding rights discourse. As Donovan sees it, this relational approach is attentive to power differences and can comfortably appeal to notions like vulnerability and dependence.

Ultimately, Donovan argues that sympathy, which has been denigrated by more rationalist approaches to the topic of animal treatment, can provide a powerful tool for rethinking

\textsuperscript{18} Again, the three volumes edited by Donovan and Adams (Animals and Women, Beyond Animal Rights, and The Feminist Care Tradition in Animal Ethics) are the definitive sources for tracking these developments. They include, in addition to articles by Adams and Donovan, contributions by thinkers such as Lynda Burke, Marti Kheel, Brian Luke, Deane Curtin, Kenneth Shapiro, and Lori Gruen. I look more closely at this literature in Chapter 3. Adams’, The Sexual Politics of Meat: A Feminist-Vegetarian Critical Theory, 20\textsuperscript{th}-Anniversary ed. (New York: The Continuum International Publishing Group, 2010), is also another classic feminist intervention in these debates.

human/animal relations. Donovan appeals to a number of sympathy theorists (such as Max Scheler, David Hume, and Arthur Schopenhauer) to present a position where a “sympathetic imaginative construction of another’s reality is what is required for an appropriate moral response.”\[20\] Donovan holds that the model of a sympathetic conversation must replace the (anthropocentric) model that sees the natural world (and other animals) as inert and mechanical, as something to be molded and dominated by human hands. Conversely, she maintains that other animals must be seen, not as instruments to be pressed into the service of human ends, but as alive and organic, as centers of needs and striving that must be listened to. The sympathetic imagination – acquired and developed through a process of learning that involves careful attention and observation – can teach us “what the other’s reality really is, respecting that different reality, and developing an ethical response that is appropriate.”\[21\] But it is also important to note that Donovan does not only discuss emotional responses towards others. She also highlights the importance of considering the wider social context in which those responses are inhibited or made possible. As she puts it, “people exercising attentive love see the tree; but they also see the logging industry. They see the downed cow in the slaughterhouse pen; but they also see the farming and dairy industry. They see the Silver Spring monkey; but they also see the drug corporations and university collaboration.”\[22\]

I will focus more closely on an ethic of care in Chapter 3. My project as a whole is very much driven by the picture Donovan presents. From the widest perspective, this thesis is essentially an attempt to argue for, and to foster, the “sympathetic imaginative construction of

\[20\] Ibid., 179.
\[21\] Ibid.
\[22\] Ibid., 192.
another’s reality” and to determine how that construction might feed back on to an understanding of ourselves and of our place in this world that we share with so many other creatures. Like Donovan, I aim to take context and relation seriously, to countenance emotions and the body, and to consider some of the broader socio-political dimensions of human-animal relations.

It is these goals that motivate my engagement with Wittgenstein (Chapter 4) and Foucault (Chapters 5 and 6) in the later parts of the thesis. To some, it may appear strange to speak these two thinkers’ names in the same breath, let alone to think that either of them would have anything to say about human-animal relations. Nonetheless, like Cressida Heyes and Richard Shusterman I argue that it is valuable to think of Foucault and Wittgenstein together, and that doing so can help to illuminate important dimensions of our social, political, and ethical lives. To invoke yet another Wittgensteinian metaphor, I would say that both he and Foucault can help to dispel certain “pictures” that hold us captive. Just as Heyes engages with Foucault and Wittgenstein to begin demystifying “ontological ‘pictures’ of the self that we often find it hard to challenge…because they lie deep in our unquestioned assumptions about what it means to be human in the postmodern West,” for my part, I would like to press these philosophers into service to demystify ontological “pictures” of other animals that are often pervasive and uncritically accepted (such as the view that other animals are radically different in kind (as compared to human beings), or that they can be unproblematically put to instrumental use to


meet human needs). If “[p]ictures are held in place by habitual actions and practices,”26 then one of the broad goals of my work is to draw attention to the actions, practices, ways of thinking, etc., that hold in place problematic, but habitually entrenched, accounts of other animals. This goal – of making a picture visible as a picture – is one of the reasons that I use the noun phrases “other animals” and “nonhuman animals” repeatedly in the thesis (i.e. to trouble the assumption that humans are not animals).

Both Wittgenstein and Foucault place “social practices and pragmatic interests at the core of philosophy”27 and they help us to recognize the contingency of current ways of understanding ourselves (and the world around us). Exposing this contingency, whether it be through the application of Foucault’s genealogical method or Wittgenstein’s anti-essentialism, can be a first step in thinking ourselves anew and in beginning to imagine how human relations with other animals might be transformed for the better. It is the meliorative, earthbound, and body-attentive facets of these thinkers that I want to invoke in this thesis. As Shusterman interprets them, philosophy, for Foucault and Wittgenstein, was not exhausted by its professional manifestations, but was “a much more crucial, existential task,” that is, it was “more than thought; it was life-practice where theory derived its real meaning and value only in terms of the life in which it functioned, in the concrete pursuit of better living.”28 It is this concrete pursuit of better living, specifically as it relates to our living with other animals, that I want to advocate and stoke in this work.

26 Ibid., 20.
27 Shusterman, Practicing Philosophy, 8.
28 Ibid., 21.
One of the virtues of my investigation is that it establishes a creative synthesis among disparate strands of philosophical thought (i.e. analytic, continental, and feminist traditions) and among different academic disciplines. I show how they all contribute something important to our thinking about the moral status of other animals. Secondly, I believe that my engagement with this topic promotes both “big” and “small” thinking; that is, I pay attention to both the wider, institutional dimension of human/animal interactions and to the lived, embodied experiences of individuals who must orient themselves with respect to, and live their lives within, that broader domain. I believe that this more holistic approach is most conducive to enabling concrete critical reflection that can provide the impetus for social and self-transformation.

III. Outline of Thesis Chapters

Chapters 2, 3, and 4 form the theoretical base of the thesis. In these chapters, I explore one concept (vulnerability), one tradition in moral philosophy (the ethic of care), and one philosopher (Wittgenstein) that have yet to be adequately considered in discussions of animal ethics. Taken together, I argue that these seemingly disparate strands constitute a picture of other animals (and of the kinship that humans share with them) that can stand as an alternative to the utilitarian (and rights) discourses that have been dominant in this domain of philosophical investigation.

In Chapter 2, I analyze the concept of vulnerability. Here, I argue that this opens up a new, and relatively unexplored, avenue of investigation for thinking about the moral standing of other animals, and provides some of the normative grounding upon which the rest of my argument will be built. I accomplish this by stipulating the ontological/ethical significance of being a vulnerable being and by indicating how an expanded understanding of vulnerability can
help us to think about the moral considerability of other animals. A number of thinkers have appealed to vulnerability in their bioethical thought—I focus on Michael Kottow, Margrit Shildrick, and Bryan Turner²⁹—but they have also insisted that this appeal cannot be used to conceptualize the ontological/ethical existence of nonhuman animals. In effect, they suggest that human vulnerability is different from the vulnerability of other animals in some essential way. I argue against this trend by engaging with recent work by Ralph Acampora.³⁰ Along with Acampora, I acknowledge that fully understanding human vulnerability involves recognizing that ours is an embodied and earthbound vulnerability. By putting the body and its dependence (on the earth, on others, etc.) at the forefront of our thinking and theorizing, I open the door for a more continuous and less dichotomized understanding of the moral community we share with other animals.

Having established that vulnerability is a useful concept for thinking about the lives of other animals in Chapter 2, in Chapter 3 I argue that the feminist ethic of care has much to offer philosophers interested in the topic of animal ethics and that it should be located at the center of any robust philosophical treatment of issues related to the moral standing of other animals. Many of its insights offer guidance for developing a theoretical framework that will be useful for capturing, and attending to, the vulnerability I discussed in Chapter 2. To begin, I highlight a number of methodological points that have been advanced (and developed) by Margaret Walker


and Virginia Held\textsuperscript{31} in their respective work in feminist ethics. I consider how their various observations and prescriptions might be useful for guiding our thinking on the subject of other animals. In doing so, I acknowledge how some of these points have already been developed in extensions of the ethic of care into debates on animal ethics (for example, in the work of Josephine Donovan and Carol Adams\textsuperscript{32}). Next, I use the work of Alison Jaggar\textsuperscript{33} to instigate a critical appraisal of various charges that are raised against mainstream approaches to animal ethics (e.g. Regan’s rights-based theory and Singer’s utilitarianism) by those working in the care tradition. In opposition to these more rationalistic approaches, which display a distrust of the emotions, care theorists have insisted that the moral sentiments, such as sympathy, should be valued as essential elements in our practical lives. I argue that many of these criticisms (coming from both sides) are misdirected and that we must acknowledge that both reason and “moral sense” will have important roles to play in a fully developed ethic that addresses the treatment of other animals.

In Chapter 4, I consider the later work of Ludwig Wittgenstein in the \textit{Philosophical Investigations}.\textsuperscript{34} Wittgenstein is a philosopher who does not immediately come to mind when thinking about ethics and other animals, but consideration of the ways that the concept “life,” and its often unacknowledged counterpart “death,” is used in the \textit{Investigations} provides an


\textsuperscript{32} Carol Adams, “The War on Compassion” in \textit{The Feminist Care Tradition in Animal Ethics}, 21-38.


opening for this particular extension of his thought. In the first section of this chapter, I highlight the role that life and death play in the *Investigations* by looking at two concepts which emerge as concerns for Wittgenstein, namely, hope and pain. In the second section, I proceed to show how Wittgenstein’s later philosophy can help us to think about the differences, and similarities, between the human form of life and the forms of life lived by other animals. I consider how certain concepts might be applied to particular animals, both human and nonhuman, in a more or less legitimate fashion. On the one hand, Wittgenstein’s comments on the phenomenon of hope demarcate one conceptual domain where he sees an important difference between humans and other animals. On the other hand, his remarks on the sensation of pain suggest that Wittgenstein did see some similarities between other animals and ourselves. Building on these insights, I consider how we, as human beings, perceive the other animals – both human and nonhuman – which surround us. Towards this end, I draw on the work of Cora Diamond to look at some of the ways that Wittgenstein’s comments and methodology might begin to intimate new approaches to arguments for vegetarianism.

In Chapters 5 and 6, I apply and further develop the conceptual framework established in the previous three. I accomplish this, primarily, by turning to the work of Michel Foucault – another philosopher not often considered in animal ethics discussions. This Foucauldian turn helps me to develop a two pronged approach to the various issues that arise with respect to this topic. The first – influenced by Foucault’s work on discipline and punishment – is a top-down


approach that explores the larger social and institutional mechanisms that structure the power-laden environments in which human beings interact with other animals. The second – inspired by Foucault’s later work on ethics and freedom\(^\text{37}\) – is a bottom-up approach that looks at the ways in which individuals care for, and fashion, themselves as ethical subjects in a world where they must relate to other people, their environment, and, most importantly for my discussion, other animals. Each of these Foucauldian analyses offers new theoretical insights into our everyday, fleshy, world-bound relationships with other animals, and is crucial to the new ethical paradigm I am constructing.

Chapter 5 considers “technologies of power” – an important matrix of practical reason that Foucault explored in his genealogical research (for example, in *Discipline and Punish* and the first volume of *The History of Sexuality*\(^\text{38}\)). Foucault characterized these technologies by stating that they “determine the conduct of individuals and submit them to certain ends or domination” – they involve, in some way, “an objectivizing of the subject.”\(^\text{39}\) In this chapter, I present a contemporary American slaughterhouse as a technology of power that is complicit in the domination and objectification of both human and nonhuman animal subjects. I begin by arguing that Foucault’s notion of an “apparatus” is a useful methodological tool for thinking about the constellation of spaces and discourses that vulnerable bodies find themselves enmeshed in.

\(^{37}\) See especially the last two volumes of the *History of Sexuality*:


within. Next, I outline Foucault’s evolving conceptualization of “power,” and consider whether it makes sense to think of other animals as implicated in “power relations” in the Foucauldian sense. Finally, I analyze a journalistic account of a contemporary slaughterhouse. I argue that a variety of hierarchies (spatial, racial, economic, species, etc.) dovetail to create an environment in which care, concern, and sympathy are virtually impossible. By coupling a Foucauldian analysis with the arguments developed in earlier chapters, I am able to offer a powerful normative critique of an institution that has pernicious effects on both humans and other animals.

In Chapter 6, I explore another matrix of practical reason – “technologies of the self” – which was of great interest to Foucault in his later work (for example, the last two volumes of The History of Sexuality). These technologies are characterized as those which “permit individuals to effect by their own means, or with the help of others, a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality.”

Here, I use the methodological framework that Foucault developed in his later work to reconceive vegetarianism as an *askesis* that embodies one of the ways that individuals care for themselves and engage in, to adopt Foucault’s terminology, an “aesthetics of existence.” To do so, (i) I bring Foucault into an explicit dialogue with the thinking of Friedrich Nietzsche, (ii) I argue that Foucault’s work can help us to compare and contrast different approaches to the issue of vegetarianism (in particular, I focus on the ancient philosopher Porphyry and the contemporary work of Singer), and (iii) I critically situate my approach with respect to other

40 Ibid.

arguments that have sought to bring Foucault’s thought to bear on the topic of eating.\textsuperscript{42}

Ultimately, I argue that we can think of Foucault as a kind of virtue ethicist and that we can apply his methodology to develop an understanding of vegetarianism that differs from the utilitarian/rights positions that are most often discussed in the philosophical literature. I argue that dietary practices, understood as disciplined practices of self-care, are an important way in which we can attend to the vulnerability of the self, to the vulnerability of animal others, and to the ways in which these vulnerabilities are interrelated. In this chapter, I contribute to the development of an ethic of care by showing one of the ways in which care for the self can mesh with a care for others.

Finally, I end with a short conclusion that maps out some of the future avenues along which my approach to animal ethics might be developed. Here, I highlight some of the topics, trends, and practices – especially with respect to biomedicalization in western societies – that would be fruitfully conceptualized within the framework that this thesis establishes.

Chapter 2
The Vulnerability of Other Animals

Human beings are vulnerable animals, naked, needy and weak…

- Martha Nussbaum, “Political Animals”

The animal looks at us, and we are naked before it. Thinking perhaps begins here.

- Jacques Derrida, “The Animal that Therefore I Am (Following)”

The idea of vulnerability is not often directly addressed in mainstream ethics and political philosophy. Alasdair MacIntyre believes that the failure to explore the meaning of human vulnerability and dependence is rooted in the Western philosophical tradition’s reluctance to attend adequately to the “animal” dimension of human life.¹ Philosophers have often been “forgetful of our bodies,”² that is, forgetful of (and/or disparaging towards) the vulnerabilities and dependencies that are essential features of human existence, and, thus, they have often remained inattentive to the rhythms and precarities of embodied life. In contrast, MacIntyre argues that we must explicitly acknowledge the moral importance of our vulnerabilities, afflictions and consequent dependencies.³ I agree with the thrust of this critical assessment and

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¹ Alasdair MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues* (Chicago: Open Court, 1999). See, especially, the first chapter, “Vulnerability, dependence, animality.”

² Ibid., 5.

³ MacIntyre is certainly not the only philosopher who criticizes the philosophical tradition in this fashion – many feminist theorists have also faulted this tendency to denigrate vulnerability and dependency. MacIntyre acknowledges this fact and refers specifically to the work of Virginia Held and Eva Feder Kittay. For Held’s critique of the high valuation of independence in contractual approaches to moral and political philosophy, see
believe that it can be developed further. More specifically, I hold that embodiment and vulnerability are also important conceptual/moral tools for thinking about the moral status of other animals. 4

In this chapter, I proceed as follows. First, I begin with some remarks on how the notion of vulnerability might be situated in our thinking about other animals and I engage in some preliminary analysis of the concept itself. In the next three sections, I look critically at three authors who explicitly draw on the idea of vulnerability in their respective (bio)ethical work (i.e. Michael Kottow, Margrit Shildrick, and Bryan Turner). Unfortunately, while these theorists have recognized the importance of deploying the concept of vulnerability in the service of ethical

4 In doing so, I join others who have begun to make similar arguments. Chloë Taylor’s, “The Precarious Lives of Animals: Butler, Coetzee, and Animal Ethics,” Philosophy Today 52 (2008), works in this direction via a very insightful critique of recent work by Judith Butler. Anat Pick’s, Creaturely Poetics: Animality and Vulnerability in Literature and Film (New York: Columbia University Press, 2011), imagines a “poetics of species” based on the vulnerability of bodies. Ani Satz’s, “Animals as Vulnerable Subjects: Beyond Interest-Convergence, Hierarchy, and Property,” Animal Law Review 16 (2009), appeals to Martha Fineman’s work (“The Vulnerable Subject: Anchoring Equality in the Human Condition.” Yale Journal of Law and Feminism 20 (2008)) and capability theory in order to develop a critique of legal frameworks that presently concern nonhuman animals in the United States. Satz notes that vulnerability is a constant/universal condition shared between humans and other animals, and that it is intimately connected to the idea of dependence, but her analysis of the concept is quite brief (which is understandable, given her primary quarry) and she acknowledges that a “theory of animals as vulnerable subjects warrants development elsewhere” (Satz 2009, 80). I hope to contribute to the development of that theory here. Whereas Fineman and Satz have political and legal critique as their primary objectives, my own is to contribute to the development of a “fundamental ontology,” to borrow a Heideggerian turn of phrase, that makes room for nonhuman animals (most specifically, sentient animals, such as mammals and birds).

I should indicate, at the outset, that focusing on the concept of vulnerability is not necessarily intended to fully supplant other arguments that have been mounted on behalf of animals in more traditional approaches to moral philosophy (such as Singer’s utilitarianism or Regan’s appeal to rights). Rather, it is meant to buttress these arguments by investigating the same topic from a slightly different perspective and by invoking a different idiom.
thought, they fail to appreciate that it might also be relevant for thinking about other animals. I engage with these three thinkers in order to obtain some clarity on what vulnerability might mean, and on how it can be legitimately, and informatively, conceived when it comes time to think about other creatures. I focus on these three theorists primarily because they represent a relatively broad spectrum of positions (a biomedical principism, a deconstructive approach, and a rights theory, respectively) and because they act as good foils for the positive position that I develop. None of these authors is focused on other animals, but important steps in their respective arguments invoke the idea that there is a sharp line to be drawn between humans and other forms of sentient life. In doing so, they make a general move (i.e. presupposing that humans are different in kind from other animals) that is all too familiar to the history of philosophy. It is this moment, playing itself out in particular discussions of vulnerability, that I want to focus on and call into question. Finally, I end by taking up the work of Ralph Acampora. I do so because he (i) acknowledges the importance of the body for moral philosophy and (ii) ensures that that philosophy takes a transpecific form.

I. Vulnerability

Traditionally, arguments calling for changes to the ways nonhuman animals are conceived of, and/or treated, attempt to specify some capacity, or ability, the possession of which justifies affording those animals some form of standing in our (human) moral and/or political communities. Consciousness, intelligence, self-awareness, rationality, the ability to make

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generalizations and abstractions, or the use of language and tools, are just some of the characteristics that have been seen as relevant when it comes to deciding what it is about other animals that should make them “count” in our ethical deliberations and decision making.  

My investigation will take a different tack. I am not concerned so much with exploring a particular ability/power, in virtue of which we can say that certain animals are owed moral consideration. I take it for granted that many other animals possess a wide variety of different capacities and that they are often expressed along spectrums that admit of gradations of degree rather than clear differences of kind. At the very least, we must bear in mind that we are in a state of infancy when it comes to our knowledge about the lives of other animals. We are, as of yet, largely ignorant to how their unique forms of intelligence and their unique abilities are best conceptualized.  

Philosophers, in particular, have often been much too quick (and dogmatic) when looking at, thinking about, and making proclamations with regards to the capacities, behaviors, and moral standing of other “animate zoomorphs.”

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6 As David DeGrazia puts it (on the first page of his book, Taking Animal Seriously: Mental Life and Moral Status (Cambridge: Cambridge University Press, 1996), “If an animal is thought to be a sort of organic wind-up toy, people are unlikely to go far out of their way for it. But if an animal is believed to be self-aware or rational, or to have a rich emotional life, different responses are likely.”

7 Some qualifications are perhaps in order here. When I say “we,” I am thinking primarily of contemporary, city dwelling individuals who don’t have much direct contact with live non-human animals, and whose ignorance/infancy may be intimately connected to historical processes of urbanization and industrialization. People in other times and places may have (had) access to forms of knowledge that have been largely forgotten (or occluded). For a very interesting discussion of some of the ways that modern, “rational” farming practices work to replace an intimate knowledge of chickens with a form of deskilled ignorance, see Susan M. Squier’s, “Chicken Auguries,” Configurations 14 (2006). By “ignorance” and “infancy,” I also mean to invoke a failure to try to see, and understand, other animals on their own terms, apart from any instrumental utility they might possess with respect to human aims and desires. I believe that attentive, respectful ethological research is one means for addressing these lacunae. See Donald R. Griffin’s book Animal Minds: Beyond Cognition to Consciousness (Chicago: The University of Chicago Press, 2001) for an excellent overview of some recent research and theorizing.

8 I borrow this term from Acampora, whom I discuss in more detail below.
As opposed to a consideration of important abilities animals might possess, I am more interested in looking at an inability, namely, the vulnerability that is characteristic of animal existence (in both its human and nonhuman forms). I want to explore a form of powerlessness that I think is a more fundamental place for beginning to spell out the common ground that is inhabited by humans and other animals. This shift in focus gets closer, I believe, to the heart of what motivates many people to think, write, and care about other animal life.

What do I mean when I call vulnerability an inability, or a form of powerlessness? A brief look at recent work by Jacques Derrida can help to flesh out this idea further. In his own exploration of animality, Derrida is intrigued by the shift in focus that is occasioned by Jeremy Bentham’s famous (and oft quoted) challenge to the traditional, anthropocentric way of thinking about the moral standing of other animals. The simple fact of aligning his thought with Bentham is surprising, given Derrida’s general hostility towards utilitarian approaches to moral philosophy. Bentham, as is well known amongst animal ethicists, suggests that the question, when we are trying to trace the boundaries of the moral community, is not, “Can they reason? nor Can they talk? but, Can they suffer?”9 Derrida, for his part, notes that the “can” in the last question is importantly different as compared to the other two. Whereas the “can” in the first two questions asks after a capacity or power, that is, an ability to do something, the “can” in the new question looks to a certain receptivity, or inability. As Derrida puts it, the “question is

disturbed by a certain *passivity*.” This passivity points to a certain lack of control, a nakedness, which resides at the core of certain forms of animal life.

It is this passivity, understood as a vulnerability that is an essential facet of embodied life, which I want to explore in this chapter. It is a shared vulnerability, and not any one active capacity, which I argue ultimately opens a space for an ethical recognition of nonhuman animals. In Derrida’s words, mortality (which is certainly an important aspect of human vulnerability) is “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 possibility of sharing the possibility of this nonpower.” I contend that this non-power can be taken as the starting point from which to begin thinking about the possibility of an expanded ethical consciousness.

The term “vulnerable” comes to us by way of Latin words such as *vulnēbilis* (wounding) and *vulnus* (wound), and it is, no doubt, often deployed with negative inflections. It often refers to a state of being weak – or, of not being well defended – as when we say of a particular person, place, or thing that they are vulnerable to attack or aggression. It often denotes a physical (or emotional) susceptibility to being assailable in one way or another. We often say,

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11 It is likely that my discussion will resonate with approaches that privilege sentience as a criterion for moral considerability (e.g. Peter Singer’s). Sentience, understood as a capacity to experience pain and pleasure, is not easily categorized as a simple, active capacity – it also involves a receptivity (or openness) to the world, that is, a capacity to be inflicted. An attentiveness to suffering, as a dimension of animal vulnerability, is definitely something I include in my sketch here. Thus I am happy to embrace this resonance. Perhaps one way to think of my argument is as a contribution to the development of an enriched account of certain elements of sentience.


for example, that deep emotional attachments, like love, leave us vulnerable to being hurt, or that a weakened immune system makes us vulnerable to particular diseases.\textsuperscript{14} Being vulnerable is often conceived as a type of exposure, again, whether physical or emotional, to something that is potentially harmful. It might also refer to instabilities caused by social, environmental, or economic factors and may refer not just to individuals, but also to groups of people or even geographical areas. Thus, we might say that a class of people (women, say) are made vulnerable by a particular social arrangement (e.g. by having unequal status in a legal system). Or, we might declare that a particular region is vulnerable to drought (or flooding) because of certain environmental factors and/or human activities.

Weakness, susceptibility, exposure, openness, instability… these are all included in the cluster of notions that we typically associate with the idea of vulnerability. Furthermore, in many cases, vulnerability is thought to be a bad thing. It is a state that we generally want to avoid and that we work to protect against. Ultimately, vulnerable is something that you do not want to be.

Vulnerability is also closely connected with the idea of dependence.\textsuperscript{15} Being dependent often means being reliant on something (or someone) for support – it implies that one thing (or state of affairs) is contingent on something else. We know, to provide one clear example, that

\textsuperscript{14} To be sure, the notion of vulnerability can also come with more positive inflections, and can insinuate not just an openess to being hurt, but a receptivity to intimacy and/or loving care.

\textsuperscript{15} MacIntyre also emphasizes this connection. Again, see especially the first chapter of \textit{Dependent Rational Animals}. MacIntyre’s work is noteworthy because he highlights the “animal” dimension of human vulnerability and argues for the inclusion of certain other animals (dolphins, most specifically) within the sphere of dependent, rational animals. For another book that also argues in favour of according dolphins a significant moral status, see Thomas White’s book, \textit{In Defence of Dolphins: The New Moral Frontier} (Malden, MA: Blackwell Publishing, 2007).
human infants are absolutely dependent on their caregivers.\textsuperscript{16} They rely on older persons to provide the resources that are necessary for their survival (food, shelter, emotional nurturance, etc.) and their continued existence is contingent on receiving this type of support. Infants and children are often included on the list of those who are especially vulnerable. And the perception of this high degree of vulnerability is related, I think, to the fact that young humans are highly dependent on others and that these other, older individuals wield considerable power when it comes to determining the course of their lives. Thus, dependence, contingency, and powerlessness can be seen as further concepts that substantiate our understanding of vulnerability.

All these terms that I’ve associated with vulnerability (weakness, dependence, contingency, powerlessness, etc.) are usually cast in a negative light. Conversely, their antonyms (strength, independence, stability, fortification, etc.) are often thought of in positive terms. And to be sure, the capacity to display autonomy and independence is very often something to be prized, while dependence, or exposure to contingencies, is certainly often something to be mitigated. Still, I do not think that vulnerability must be necessarily thought of only in this negative way.

Rather than thinking of vulnerability as an intrinsically negative designation, I would suggest that it might also be useful to think of it more broadly, as what I’ll call – following Margrit Shildrik – an “existential state.” Understood in this way, we can see vulnerability as a

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\textsuperscript{16} It is important, however, to recognize that certain theorists work to stress that dependence is not just a condition experienced by the young, but that it characterizes the general state inhabited by all human beings. This view is often stipulated as a challenge to atomistic, independence valorizing forms of social theory (e.g. the social contract tradition). Virgina Held’s, “Non-Contractual Society,” is an excellent example of this critical approach. Margrit Shildrick, whom I discuss further below, is another philosopher who emphasizes this pervasiveness of dependence/vulnerability.
term that highlights a fundamental (and inexorable) feature of human ontology. From this vantage point, the idea of vulnerability can be situated at the very core of what it means to be a human being and – as I will show – an animal.

I will now begin to look critically at three authors – Michael Kottow, Margrit Shildrik, and Bryan Turner. All of them explicitly invoke the idea of vulnerability and each positions it as a central concept in ethics. While other animals are certainly not the primary concern of any of these authors, still, important steps in each of their arguments invoke the idea that there is a sharp line to be drawn between humans and other forms of sentient life. This echoes a general move that is familiar to philosophical thinking (i.e. that humans are different in kind from other animals). This is a move that I would like to call into question. Over the next three sections, I take each author up in turn.

II. Vulnerability as Conditio Humana (or, Other Animals are not Vulnerable)

In his commentary on the four principles (autonomy, dignity, integrity, vulnerability) that have been highlighted as foundational in European bioethics, Michael Kottow calls vulnerability a *conditio humana*.\(^{17}\) He thinks that it is best understood as a descriptive/anthropological fact of human existence; in his words, “it describes a constitutive condition of individuality”\(^{18}\) and, thus, a deep feature of the human condition. I would expand on this by noting that being vulnerable is not just something that we are sometimes, in some places, in virtue of certain contingent relations or factors; rather, it is something that we are at all times, in every place – an inescapable

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\(^{18}\) Ibid., 282.
feature of our temporal and fleshy lives. Omnipotent, immortal beings, by way of contrast, are not vulnerable. Human beings live lives that can go better or worse, and which can fair ill or well. We are open and exposed to the ecstasy of delectable pleasure and to the sorrow of horrific suffering. Our mortal, embodied existence is always already characterized by a deep vulnerability. We can (and do) respond to this vulnerability in a variety of ways (we buy insurance, we build walls, we lift weights, we search for the fountain of youth, we form political coalitions, we look for salvation, we have children, etc.), but it can never be left behind (or, at least it can’t be left behind yet); it stalks us, in a sense, from the moment of birth until our last breath.

Kottow thinks it is important to distinguish between, on the one hand, vulnerability understood as a descriptive feature of human existence and, on the other hand, those “accidental anomalies like a physical defect, disease or some sort of deprivation as befalls the life of many human beings.”19 This is the (negative) sense in which the term vulnerability is usually used. He uses the term “susceptible” to try to capture this particular way of understanding vulnerability. While “vulnerability” is reserved to characterize an essential feature of human being, “susceptibility” is used to name “a specific and accidental condition to be diagnosed and treated.”20 So, while all human beings are vulnerable, in virtue of being human, not all human beings are susceptible in the same ways in virtue of the fact that we find ourselves in different types of circumstances at different times in our lives. For example, while elderly populations are just as vulnerable, in the “existential” sense, as younger populations, they may be more susceptible to the harms of particular ailments (influenza, say). Similarly, while men and women

19 Ibid., 283.
20 Ibid., 284.
are equally vulnerable *qua* their humanity, women may be more susceptible (to violence, poverty, etc.) in virtue of particular social/economic contingencies.\(^{21}\) Endorsing Onora O’Neil’s similar approach to this issue, Kottow thinks that these two forms of vulnerability must be addressed in different ways.\(^{22}\) He holds that “deep” vulnerability elicits an “obligation of basic justice that rejects injury and defends from it,” while susceptibility “creates obligations of social virtue that reject indifference and neglect in the wake of harm, increasing awareness when harm has occurred, and recognizing when it needs to be treated.”\(^{23}\)

Given my own concerns, it is important to ask how (or whether) the concept of vulnerability can be extended to other animals. Kottow, for his part, denies that it can be usefully employed to describe an existential state that is shared between humans and other animals. Kottow responds to the suggestion that vulnerability creates the foundation for an ethical response to nonhuman animals in the following passage:

> It becomes difficult to understand that vulnerability should “appeal to protection of both animals and the teleological auto-organisation of the world,” for the nature of human vulnerability differs from other living beings in that humans are vulnerable to defeat in the complex process of becoming, whereas nonhumans are vulnerable to the more simple and radical dichotomy of being or ceasing to be.\(^{24}\)

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\(^{21}\) It would be important to also recognize that susceptibility can be related to a number of other factors beyond age and gender. Racial identity, disability status, sexual orientation, etc., could all be relevant in particular contexts. In relation to my central concerns, I would say that species is another dimension along which an individual’s susceptibilities could be exacerbated.


\(^{23}\) Ibid.

\(^{24}\) Ibid., 283.
Kottow simply asserts that there is a difference in kind between the way that human beings are vulnerable and any way that other animals could be said to be vulnerable. For him, human vulnerability is grounded in our relation to a “complex process of becoming.” Invoking many philosophical authorities (e.g. Hobbes, Heidegger, Levinas, etc.), he sketches a picture of human vulnerability as somehow intimately intertwined with our pursuit of the good, to the planning and realization of life projects, and to the fact that we are/become practical reasoners. Humans are vulnerable because our pursuit of the good is precarious and fraught with difficulty. Our life projects can be frustrated (by a variety of external and internal factors) and the development of our practical reasoning skills cannot be taken for granted (that is, they must be fostered and cultivated). By way of contrast, other animals are presented as not being vulnerable in this uniquely human way. Their lives are not complex processes of becoming. Rather, those lives are simply a question of “being or ceasing to be.” For Kottow, human vulnerability is expressed in the fact that our lives can be better or worse, that we must confront and navigate around a variety of obstacles, and that we must always negotiate the inescapable fact of our own mortality. Mere animal vulnerability, on the other hand, is limited to the question of life or death – to being or not being.

My first criticism of this (more or less explicit) thesis is that Kottow’s treatment is much too flattening and homogenizing – a proclamation about the vulnerability of all nonhumans strikes me as dogmatic. Given the wide variety of animals that inhabit this category, it would seem prudent that we allow room for more finely graded distinctions. While it might make sense to see a bivalve (such as an oyster or a mussel) as having their vulnerability encapsulated in the

\[25\] In making this type of claim, Kottow follows in the footsteps of many other thinkers in the history of philosophy. As Derrida observes, there has been a strong tendency amongst philosophers to treat other animals as a homogenous mass that can be lumped together under, and be represented by, the general term “animal” (Derrida 2008, 40).
radical dichotomy of life or death (and even this is likely much too flattening), is this as plausible once we get to the echidna or the otter? What about the dogs and cats that accompany us along that complex road of becoming that we travel, or our closest phylogenetic neighbours (chimpanzees, gorillas, and orangutans)? Are all of these creatures only vulnerable in the sense that they can either be or not be? I want to argue for a negative response to that question – the lives of many other animals can “matter” in more nuanced and complex ways than Kottow’s brief assertion wants to allow.

Kottow has touched on the way that we might characterize the vulnerability of a nonliving physical object, that is, as something that can merely be altered, damaged, or destroyed. It seems as though the vulnerability of a vase (to being broken, say) is best captured in the radical dichotomy of being or ceasing to be. But I do not think that this is an adequate understanding of the vulnerability that is displayed by many forms of animate life. We might say that a particular physical structure is vulnerable to earthquakes, for example, in that a seismic tremor can reduce it to rubble, but other animals are not only vulnerable in this very basic sense.

To be “vulnerable” in a morally weighted sense, is to be open to suffering and to having one’s engagement with the world frustrated. Other animals are centers of “needs, value and striving on [their] own account;”\(^{26}\) that is, they are beings whose life trajectories take them through various stages of development, and which involve the negotiation of a variety of obstacles and contingencies in order to ensure self- (and species-) preservation. Many animals – most certainly the domesticated animals with which we interact most frequently – are creatures with a welfare; that is, they are beings whose lives can go ill or well in a very lived, embodied

way (in contrast, the “welfare” of a building, or a vase, cannot be an embodied experience in this manner). This is not just a “physical” welfare, beginning and ending with the health, or continued functioning, of a body. We need only consider the anxiety and boredom that are experienced by a variety of animals when kept in captivity to realize that animal well-being involves something more than just persisting in existence.\textsuperscript{27} It seems clear that other animals are involved in their own complex processes of becoming and that these processes can, and often are, frustrated.\textsuperscript{28}

I believe that the perception of a wide gap between the way human and animal vulnerability should be conceptualized is the result of an interpretive orientation that attends primarily to the temporal and narrative dimensions of human existence and which, at the same time, backgrounds a serious consideration of our own fleshy locatedness. Our awareness of the fact that our lives are a procession towards death, and the way in which this knowledge is thought to motivate and structure our activity, is often thought to be a uniquely human form of relationship to the self. It is this orientation (which Kottow is clearly supporting) that led Martin

\textsuperscript{27} On the topic of boredom in nonhuman animals, see Françoise Wemelsfelder’s essay, “Animal Boredom: Understanding the Tedium of Confined Lives,” in \textit{Mental Health and Well-Being in Animals}, ed. Franklin D. McMillan (Ames, Iowa: Blackwell Publishing, 2005). Wemelsfelder looks at the different manifestations (and dimensions) of human boredom and argues, drawing on empirical research, that many analogues can be found in confined animals. She concludes that: “Through attentiveness, animals organize their own activity and are engaged and absorbed in its meaning. Like humans, they are not automata but \textit{experience} what they do...By and large, the signs of chronic boredom identified in humans have been reported in animals as well: apathy, listlessness, compulsive habits, frustration, restlessness, hostility, and disappearance of inquisitive play,” 84-85 (Wemelsfelder’s emphasis).

\textsuperscript{28} For a discussion of how the notion of “quality of life” – a notion that aims to capture something beyond mere physical functioning – might be applied in the case of nonhuman animals, see Franklin D. McMillan’s essay, “The Concept of Quality of Life in Animals,” in \textit{Mental Health and Well-Being in Animals}. McMillan highlights social relationships (for social animals), mental stimulation, health, stress levels, and having control over one’s environment, as the major factors that are relevant for making determinations about the quality of nonhuman animals’ lives. Temple Grandin’s essay (in the same edited volume), “Mental Well-Being in Farm Animals: How They Think and Feel,” does an excellent job of reminding us that many nonhuman animals (she focuses specifically on horses, cows, sheep, pigs, and chickens) are creatures that see, hear, touch, and smell, and that these senses are central in their experience of fear (and in the development of distressing stereotyped behaviors).
Heidegger to assert that only Da-sein actually dies. In contrast, according to Heidegger, other animals simply perish. It is the care and concern that we can direct at our own lives and our own histories that are thought to mark the uniqueness of human vulnerability. It seems to me that there is a problematic mind/cognitive/reflective consciousness vs. body/affective/non-reflective consciousness form of dualism at work in this strand of thought. Human vulnerability is seen as minded in a way that makes it a “complex process,” whereas animals are thought to be captivated in the dumb, mute vulnerability of their physical bodies. In Heideggerian terms, the human being is “world-forming,” whereas the animal is assumed to be “poor-in-world.”

Two observations can help to narrow the chasm that Kottow (and Heidegger) attempt to establish between humans and other animals. First, it may very well be the case that some other animals are aware of their own “being-onto-death.” That is, some nonhuman animals may have an awareness of death which structures their activities, behaviors and relations with others (and which goes beyond merely stereotyped activity that arises in response to environmental

29 Martin Heidegger, Being and Time, trans. Joan Stambaugh (Albany: State University of New York Press, 1996). Heidegger coins the term Da-sein (literally, “there being”) to refer to the “being which we ourselves [humans, that is] in each case are,” 6. One of the characteristics of this/our being, according to Heidegger, is a “being-toward-death,” that is, an awareness of, and existential relationship with, our own mortality (see Division Two, section I., 219-246).

30 Ibid., 229.


32 Complementing my brief remarks here, Derrida offers further insightful critique of Heidegger’s attempts to institute a sharp division between human beings and other animals. He focuses centrally on Heidegger’s insistence that other animals do not have access to things “as such” (i.e. that a dog lacks the conceptual capacities to encounter stairs as stairs). See especially the fourth chapter of The Animal That Therefore I Am (Derrida 2008, 141-160). MacIntyre and Acampora also criticize Heidegger on this front. See the fifth chapter of MacIntyre’s Dependent Rational Animals (MacIntyre 1999, 43-52) and the first chapter of Acampora’s Corporal Compassion (Acampora 2006, 1-24). For an extensive commentary on Derrida’s critique of Heidegger, see (Lawlor 2007, 45-70).
Thus it is possible that certain animals might also relate to their own finitude and that they too could be said to be vulnerable in a more complex way then Kottow wants to allow. Elephant and chimpanzee rituals surrounding death are two possible examples. Second, if we bring the situated, embodied aspects of human vulnerability into sharper relief (and shift our focus away from a reflexive awareness of death), then we set the stage for a recognition of the way in which humans and other animals share in a precarious and vulnerable existence. The vicissitudes of the flesh, the arc of ageing that we follow from birth to death and decay, the experience of pain and suffering, our dependence on the world for nutrition and shelter, the joys of the sun on our skins and the other textures of perception – these are all ways in which the fragility of human becoming can be understood as a fundamentally “animal” vulnerability. The point is to allow, on the one hand, for the possibility that other animal lives are more temporal, narratively mediated, and self-aware than we generally allow and to acknowledge, on the other hand, that human life is more “animal” in its lived manifestations than many people generally recognize. These observations narrow the gap between the vulnerability of humans and other animals, and consequently, lay the ground work for a less segregated understanding of the world we inhabit, and share, with other forms of life.

Notice that I just said, “narrow the gap,” and not, “obliterate it.” Many will still want to insist that there is something unique about human vulnerability and about the awareness of death.

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33 For a discussion of some nonhuman animal behaviors surrounding death, and a delineation of the types of ethological experiments that would be conducive to determining whether those behaviors are mediated by a concept of death (i.e. an ability to relate to death as such), see Colin Allen and Mark Hauser’s essay, “Concept Attribution in Nonhuman Animals: Theoretical and Methodological Problems in Ascribing Complex Mental Processes,” *Philosophy of Science* 58 (1991): 221-240.

that our species displays. And I want to be clear that I am not saying that all other animals are exactly the same as human beings.\textsuperscript{35} But, what I have argued for is that, despite important differences, there is also a significant existential commonality, namely, our vulnerable, corporeal being.

A more nuanced development of a Heideggerian style of approach can be found in the work of Maxine Sheets-Johnstone. She maintains that our primary vulnerability is corporeal, and that this basic vulnerability is shared by all forms of animal life. But she also believes that human vulnerability is unique in certain ways. On Sheets-Johnstone’s view, the concept of death is lacking in other animals because “it is contingent on the objectification of one’s own body and because nonhuman animals do not have physical bodies \textit{as such}.”\textsuperscript{36} What she means by not being able to objectify, or have a physical body “as such,” is that other animals lack the conceptual ability to abstract away from the immediate experience of the lived body and to perceive bodies (their own and those of others) as entities that are comprised of many different, distinguishable components. She believes that other animals experience the world “dynamically and physiognomically” and that they do not experience a “material body abstractively separated or analytically separable from the animate and animated body that the individual is.”\textsuperscript{37} Still, she does believe that there is a certain sense of vulnerability that other animals have with respect to their own bodies (and to those of others), but that this is experienced/enacted “in a wholly living,

\textsuperscript{35} As Derrida puts it, to insist on this kind of homogeneity “would be worse than sleepwalking, it would simply be too asinine \textit{[bête]}” (Derrida 2008, 30).


\textsuperscript{37} Ibid.
here-now context.” An example of what she is describing might be found when I (lovingly!) tussle with my cat and he nibbles at me in a way that clearly shows restraint. He is playing with me and his actions display an awareness of my corporeal vulnerability in the immediate context of our interactions.

Sheets-Johnstone follows Heidegger (and Kottow) in asserting that other animals lack a conceptual awareness of death, but, for her, this awareness of death is “not lacking because there is no awareness of, and no feelings about, the disappearance or permanent inanimation of a friend, for example, or a baby [she cites Jane Goodall’s research on chimpanzees here].” We can see that Sheets-Johnstone agrees with my earlier arguments, which concluded that other animals are aware, and that they have feelings. This takes us beyond Kottow’s radical dichotomy of being or not-being. Nonetheless, Sheets-Johnstone holds that the concept of death, and the anticipatory fear of death, are absent in my cat and that, as a consequence, his sense of vulnerability is not as expansive as my own. In essence, she believes that humans are unique because we know ourselves to be vulnerable and we can consider our vulnerability from an abstracted, conceptual distance. For example, I know that my body will age, that these eyes I use to see might one day fail me, and that this heart, which I feel beating in my chest as I type with these fingers, will one day fall silent.

38 Ibid.
39 Ibid., 38.
40 In Ralph Acampora’s reading of Sheets-Johnstone (forthcoming in, “The (Proto-)Ethical Significance of Semiosis: When and How Does One Become Somebody Who Matters?,” in The Semiotics of Animal Representation, ed. Morten Tønnessen and Kadri Tüür (Amsterdam: Rodopi)), he indicates that he believes, and I would enthusiastically endorse his view, that “such a delimitation is relevant only to attribution of moral agency, not to defining the boundary of moral patients as a class of its own – which may well extend considerably past the set of our conspecifics.”
For the moment, I am happy to acknowledge that there may be important differences in the ways that humans and other animals can relate to their bodily vulnerability, but I do not believe that these differences are philosophically significant when we are thinking about the contours of the moral community. I have argued that there is a basic, embodied vulnerability that human beings share with other animals thanks to our corporeal nature. In so far as she acknowledges this, I count Sheets-Johnstone as an ally.

Returning to Kottow, I would now like to evaluate the implications he immediately draws from the difference he perceives between human and animal vulnerability:

This difference implies that human vulnerability requires active protection against negative forces and prevention from harm, whereas the biosphere merits respect and support for its continued being, and is best served by non-interference or, to be less drastic, it is required that only morally sustainable interference be allowed.41

Here, Kottow derives normative prescriptions from the (supposed) fact that the vulnerability of humans and other animals is fundamentally different. On the one hand, he claims that the complex process of human becoming, with its unique form of vulnerability, calls for protection and the prevention of harm. On the other hand (and here nonhuman animals have been further flattened by being equated with “the biosphere”), a more brute form of vulnerability calls only for respect, support, and non-interference. Respect, support, and non-interference may very well be important virtues to enact in relation to other animals and the environment more generally, but this dichotomization is problematic once we recognize that animal vulnerability may not be so different from its human counterpart. A less anthropocentric rendering of the idea of vulnerability, pace Kottow,

41 Kottow, 283.
enjoins us to see both protection and the prevention of harm as virtues to be developed in our interactions with other animals. At the very least, successfully challenging Kottow’s dichotomous separation of humans and other animals will also lead us to challenge the dichotomization that can be found in his normative prescriptions.

To further develop my explication of the concept of vulnerability, I would now like to turn to the work of Margrit Shildrick. In contrast to Kottow, she draws on very different philosophical traditions (i.e. feminism, deconstruction, phenomenology, etc.), but, similarly to him, she gives the notion of vulnerability a central place in her ethical thought. Critically engaging with her will help us to think further about the vulnerability of other animals.

III. Encounters with Vulnerability

In the context of Shildrick’s deconstructive approach to (bio)ethics, the project of developing an “ontology of human being” is closely connected to her attempts to reposition the body as a central category, and to revalue the concept of vulnerability. Shildrick, in a way that echoes Kottow’s usage, privileges the idea of “becoming” throughout her work, a term that is meant to capture the always dynamic and evolving character of our embodied subjectivity, as

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42 Shildrick’s research focuses primarily on the anomalous body and she has been an important contributor to the area of Critical Disability Studies. Her most recent book is, Dangerous Discourses: Subjectivity, Sexuality and Disability (New York: Palgrave Macmillan, 2009).

43 Margrit Shildrick, Embodying the Monster: Encounters with the Vulnerable Self (Thousand Oaks, Calif: Sage Publications, 2002), 3. Shildrick never explicitly defines how she is using the term “ontology” (nor cognate terms, such as “ontological”). Her usage indicates that it refers primarily to the ways in which beings are categorized, the ways in which those categories are seen to relate to one another, and the different ways that they are valued. A main goal of her project is to undermine ontological pictures where particular categories (e.g. man/woman) are presented as rigidly delineated, impermeable, and hierarchically organized in terms of value.
opposed to relying on the term “being,” which she thinks carries more static resonances.\textsuperscript{44}

Asserting the importance of a dynamic corporeality is meant to displace more “logocentric” ontologies – namely, those accounts which privilege rationality over and above our embodied nature – and it is meant to show that the body is “not incidental to the ontological and ethical processes on the self, but intrinsic to their operation.”\textsuperscript{45}

Shildrick’s work challenges these traditional conceptions because she believes that approaches that privilege reason (and which deny or denigrate the body) have also often supported sexist and racist ontologies that value certain groups (men, whites, the able bodied, etc.) and degrade others (women, people of color, the disabled, etc.). She also focuses on embodiment in her work in order to explore the ways that certain normative conceptions of the socially-constructed/mediated body have been deployed to mark and exclude not just those who embody sexual and racial difference, but also “those who are physically disabled or whose bodies radically disrupt morphological expectations.”\textsuperscript{46}

It is with these goals in mind that Shildrick explicates the notion of monstrosity. She thinks reflection on what we consider “monstrous” provides an occasion for rethinking the nature of embodiment itself.\textsuperscript{47} Monstrous bodies, for her, include all those bodies that are feared, or which cause reactions of anxiety, because of their gross failure to approximate socially dominant

\textsuperscript{44} This opposition between “being” and “becoming” can be seen when Shildrick states: “My approach is unashamedly postmodernist in that I understand all bodies to be discursively constructed rather than given. It is not simply that corporeality is a dynamic process that belies the static universalization of the body image, but that all bodies are in some sense phantasmatic,” ibid., 4 (Shildrick’s emphasis).

\textsuperscript{45} Ibid., 1.

\textsuperscript{46} Ibid., 2.

\textsuperscript{47} Ibid.
corporeal norms. Amongst these bodies, she includes hybrid creatures (chimeras), conjoined
twins, human clones, and cyborgs. The socially normative conception of embodiment that
Shildrick has in mind is one that imagines/expects the “normal” individual to be an autonomous,
bounded, and relatively stable entity whose sex/gender is easily determinable and whose body
parts conform to certain expectations. The monstrous shatters this conception in so far as it
“disrupts the notions of separation and distinction that underlie such claims.” She thinks that
because monstrous beings can be recognized as like the self in some important way (they are not
wholly “other”), and because they reflect back aspects of ourselves that are repressed (our own
vulnerability, for example), they can become deeply disturbing. This disturbance can occasion
the insight that it is not just some “other” bodies that fail to conform to certain norms, while
“our” bodies can be seen as normal, but that in a certain sense all bodies are involved in a
perpetual, anxiety ridden process of attempting, and always failing, to approximate an impossible
ideal.

Closely tied to this valorization of the monstrous is her revaluation of the notion of
vulnerability. An ethical and ontological orientation that embraces the ambiguity and
unpredictability of “an openness towards the monstrous other” is one that also “acknowledges
both vulnerability to the other, and the vulnerability of the self.” Recognizing this
vulnerability means recognizing that our existence as human beings often involves contingencies

48 Ibid.
49 Ibid., 3
50 Ibid. “Openness” here means something akin to a welcoming attitude, that is, being disposed to consider what is
strange and unknown, and to be willing to have it disrupt our own sense of self and security. This would be the flip
side of a “closed,” or reactive, response to otherness that would disavow and/or attempt to destroy that which is
foreign. In chapter 5 of Embodying the Monster, “Levinas and Vulnerable Becoming,” Shildrick develops her
account of the ways in which the vulnerability of the other shapes one’s sense of self (and of the self’s own
vulnerability).
and dependence, that the boundaries of the body are permeable, and that we must constantly deal with the possibility of instability and uncertainty. Thus, it is clear that in Shildrick’s ontology of human being, the interrelated concepts of body, monstrosity, and vulnerability, are all given foundational roles to play.

I begin to sketch out my own preliminary “ontology of human being” by way of a critique of Shildrick’s discussion. An adequate human ontology will have to give the body a place of central importance, but it will also have to recognize that humans are not the only embodied beings. It must recognize that human beings exist in complex and dynamic interactions with a variety of nonhuman animal others. I agree with Shildrick that the body and its always already vulnerable nature must be central in any conception of human existence, and I agree that it is also very important (in ethics and ontology) to acknowledge/recognize our own vulnerability and the vulnerability of others. Where I expand on Shildrick’s position is by arguing that we need an enlarged sense of those others who might be vulnerable. Shildrick sees herself as directly critiquing the assumptions and values of liberal humanism (such as the high valuation of autonomy, independence, and rationality), but the others she is concerned with seem always to be “all too human.”

Let me build on this criticism by looking at a particular passage. While discussing the anxiety that can be induced by monsters (which mirror some aspect of the self), Shildrick writes: “So long as the monstrous remains the absolute other in its corporeal difference it poses few problems; in other words it is so distanced in its difference that it can clearly be put into the oppositional category of not-me.”\textsuperscript{51} Thus, it is something familiar about the monster that is

\textsuperscript{51} Ibid.
supposed to make us anxious; that is, there is a recognition that unsettles us. If there is nothing recognizable, then the monster does not incite any fear or trembling, or at least it does not occasion the ethical self-reflection that Shildrick thinks is possible/necessary. It is clearly “not-me.” Later, she goes on to write:

Although the purely animal monster might also be an object of curiosity or fear, and has a similar history of heralding events to come, of providing a material marker of divine affect, or later of signifying evolutionary diversity, it does not thereby unsettle the security of human being. The animal is the other in the comforting guise of absolute difference, but its lack of humanity cannot appeal directly to the heart of our own being. Those monsters that are at least in an ambivalent relationship to our humanity, however, are always too close for comfort. They invoke vulnerability.\(^52\)

Here, “the animal” monster is presented as not unsettling the “security of human being.”\(^53\) In its pure animality (that is, in its lack of any “human” features), it is conceived as an absolute difference, as an entity that does not reflect anything recognizable back towards the human spectator. It is something utterly unfamiliar. Some form of recognition is needed, according to Shildrick, in order to lay bare both our own vulnerability and the vulnerability of the other. The (purported) unfamiliarity of the purely animal monster cannot occasion an awareness of our own vulnerable, embodied becoming. A troubling implication of this passage is that, due to a failure to invoke vulnerability (or to speak “directly to the heart of our own being”) what is purely

\(^{52}\) Ibid., 20.

\(^{53}\) Obviously, many thinkers, and I include myself amongst them, do believe that the security of human being can be unsettled by encounters with other creatures. With respect to his interactions with his cat, and their effects on his thinking about the otherness of the other, Derrida declares that “nothing will have ever done more to make me think through this absolute alterity of the neighbor than these moments when I see myself naked under the gaze of a cat” (Derrida 2008, 11). Donna Haraway is another notable theorist who highlights how human being is shot through with the non-human, declaring that “[t]o be one [i.e. a self or individual] is always to become with many [i.e. “companion species”]” (When Species Meet (Minneapolis: University of Minnesota Press, 2008), 4).
“animal” might also fall outside of the ethical domain that the appeal to vulnerability was meant to establish. I contend that an ontology focused on the body and the vulnerable nature of human becoming must recognize the world-bound nature of that becoming as well as the fact that human lives unfold in environments of becoming that are home to a variety of different types of bodies, including nonhuman animals’ bodies, that might be understood as vulnerable in their own ways. To claim that what is purely “animal” cannot unsettle the security of human being engenders the very type of closure that Shildrick’s deconstructive approach seeks to hold in perpetual abeyance. Thus, if this is her position with regards to animal others, then it must be seen as deeply problematic from the perspective of her overall project.

Shildrick’s deconstructive approach is very effective for encouraging us to call problematic binary divisions into question and it can be fruitfully applied to destabilize dominant conceptions of the human/animal divide. I agree with Shildrick that vulnerability is a central concept for ethical thinking, but I argue that it should also be seen as relevant to our considerations of other animals. In the next section, I turn to a third author – Brian Turner – who also privileges the notion of vulnerability, but who does so in the context of a different theoretical milieu than that occupied by Shildrick.

IV. Vulnerability and Human Rights

In his work on human rights, Brian Turner challenges the relativism and the positivism of the human sciences (i.e. sociology and anthropology), by appealing to the facts of embodiment and human vulnerability. He believes that human rights (i.e. rights enjoyed by individuals in virtue of being human) can “be defined as universal principles, because human beings share a
common ontology that is grounded in a shared vulnerability.” 54 Turner acknowledges that human groups display many cultural differences, and that “human happiness is diverse,” but he also believes that we are bound together by the “risks and perturbations” that arise from our shared vulnerability and that our human miseries are often “common and uniform.” 55

Turner is primarily interested in how human vulnerability is related to the creation (and perpetuation) of various social and political institutions. He doesn’t spend a lot of time defining the notion of vulnerability, nor does he have much to say about other animals (with an important exception I’ll discuss below), though an implicit characterization can be discerned. In what appears to be an inversion of the value-laden terminology employed by Heidegger (who sees “the animal” as “poor-in-world”), Turner embraces an understanding of human vulnerability which pictures it as a kind of human poverty – an “instinctual deprivation” – which forces us into a situation where we must build various institutions (i.e. religion, the family, etc.) in order to compensate for the lack of “ready-made instinctual responses.” 56 We might say that, for Turner, the “world openness” of human being is purchased at the cost of not being adequately instinctively equipped for a specific environment. Turner implicitly endorses the idea that the human’s world is “open” (read: the animal’s world is “closed”), and that other animals function primarily based on “instincts.” As I’ve previously argued, these positions, which assume a difference in kind between humans and other animals, can be seriously called into question. I am not denying that human life is unique or different in many interesting ways, or asserting that

55 Ibid., 9.
56 Ibid., 28.
other animals are exactly the same as humans. Rather, I have argued that we must also factor in a layer of commonality, from an ontological and ethical perspective, that we share with other animals with respect to our vulnerable natures.

Turner does discuss other animals briefly when he considers some possible objections to his thesis, namely, that vulnerability is the best basis for developing a theory of human rights. The imagined interlocutor holds that by using the notion of embodied vulnerability to ground the ascription of rights we make it impossible to distinguish between human rights and the rights that will be possessed by other embodied creatures: “a critic might complain reasonably that one cannot distinguish between animal rights and human rights.”\(^{57}\) Turner’s response is short and not fully developed, but he suggests two possible responses to this line of criticism.

On the one hand, he suggests that the objection can be met by maintaining that there is a relevant difference between humans and other animals that would block the ascription of the same set of rights to members in each group. This difference appears to boil down to a lack of moral agency – “unlike humans, animals cannot exercise these rights directly without our intervention. Animals cannot represent themselves.”\(^{58}\) Turner allows that we might protect certain animals, but, according to this response, this protection will be part of the human endeavor to protect the natural environment and “animal rights” will be seen as an aspect of an environmental politics which sees “protecting animals as important for protecting human beings.”\(^{59}\) On this response, other animals are embodied and vulnerable, but not in a way that

\(^{57}\) Ibid., 37.

\(^{58}\) Ibid., 38.

\(^{59}\) Ibid. Turner does not elaborate on exactly what he means here. Presumably, he is imagining a situation where animals are given rights as a means to preserve the stability of particular ecosystems, and/or the amount of biotic
can matter intrinsically; at most, other animals warrant protection for instrumental reasons steaming from human concerns. This answer risks shifting Turner’s focus away from embodied vulnerability as the basis for the ascription of rights and redirecting it towards the ability to “exercise” rights and “represent” oneself as the most relevant determining factors. These particular abilities are reminiscent of a more disembodied (i.e. Kantian) approach to the ascription of moral worth which may run counter to the course Turner wants to chart. He would do better, I think, to expand upon and enrich his understanding of the vulnerability of other animals.

On the other hand, the second response that Turner considers does seem to gesture in this other direction. He suggests that ascribing rights to other animals may not undermine his vulnerability argument because animal rights may be similar to the rights that are enjoyed by human beings who are not full moral agents (i.e. children, brain-dead patients, etc.) and who cannot fully exercise those rights, nor represent themselves. In what would be essentially a “marginal cases” style of argument, Turner indicates that we could extend certain rights to diversity, and/or environmental beauty, etc. These ends, in turn, are seen as valuable because of their relevance to human life. On this type of view, other animals are not the intrinsic bearers of rights, but only in so far as they are relevant to some external, human directed end.

60 Ibid.


It could be said that this “marginal cases” approach to arguing for a significant moral status for other animals has a certain affinity with Shildrick’s deconstructive approach. That is, they both see something on the “periphery,” something that is not “us” (read: a “normal,” able bodied human being), as having the power to instigate a challenge to our commonplace ways of thinking about the moral community. Animal ethicists have used “marginal cases” arguments to insist that, in order to be consistent, animals must be seen as being worthy of serious ethical...
other animals who lack various capacities because we already extend rights to many human beings who lack those same capacities. Possession of those particular abilities, it turns out, may not be necessary for the ascription of rights, and, thus, it may be possible to get other animals into the community of rights bearers’ on other grounds (say, because they are vulnerable, sentient beings). But Turner does not pursue this line of thought very far. He is content to conclude by putting the problem aside, suggesting that the question of animal rights “might therefore turn out to be part of a more complex philosophical problem about agency.”

I am not convinced that the language of “rights” is the best conceptual framework for understanding the moral entitlements of other animals (though it is undeniable that this language is quite effective rhetorically). But I do think that it makes sense to think of animals as beings that are vulnerable in morally significant ways and that an expanded understanding of the notion of vulnerability can help to expand the perimeters of the moral community. Turner connects his vulnerability argument to the development of a cosmopolitan virtue ethic. This ethic is founded on the idea that our human frailty can be taken as the basis for developing a sense of common “humanity” or a wider sense of shared community. One of the components of this ethic, as Turner develops it, is a duty to care, both for particular others and for other cultures. As far as my argument is concerned, I would say that a cosmopolitan ethic (and an adequate on

63 Ibid., 20-24.
ontology of human and animal life) based on shared vulnerability can go further than Turner takes it, and that the duty to care must also be extended to other creatures.\footnote{64}

My discussion thus far has looked at the treatments of the idea of vulnerability in the work of Kottow, Shildrick, and Turner and I have argued that their attention to vulnerability, and to the importance of embodiment, is a critical component in the development of an adequate ontology and ethics. However, I think that each of them is too simplistic when it comes to a consideration of how other animals will fit (or will fail to fit) into their frameworks. I maintain that any adequate ontological and ethical framework will have to attend to vulnerability and to the body, but it will also have to (pace Shildrick, Kottow, and Turner) analyze in complex detail how other animals will be conceived of, challenge, and be accommodated in its conceptual space. To further develop this framework, I now turn to the work of Ralph Acampora.

V. A “Symphysics” of Transhuman Morality

For his part, Acampora engages with the phenomenological tradition in his recent work on animal ethics. He works insightfully, and critically, with the thought of Nietzsche, Husserl, Heidegger, Merleau-Ponty, and many others, to “describe, explain, and interpret” what he calls a “transhuman morality.”\footnote{65} As Acampora defines it, a transhuman moral theory is one that rejects the anthropocentric norms that have been dominant in traditional approaches to ethics and political philosophy, and which attempts to enable an expanded understanding of the moral

\footnote{64} Obviously, I am not alone in calling for this type of extension. I focus on the feminist care tradition, and its extension into the realm of animal ethics, in Chapter 3.

community that will make room for nonhuman animals. He develops his own position by critically situating it with respect to the dominant forms that transhuman moral theories have taken thus far.\textsuperscript{66} He sees utilitarian appeals to sentience (found in Singer’s work, for example) and deontological definitions of subjectivity (found in Regan’s animal rights argument, for example) stipulating standards of moral significance by appealing to human exemplars of consciousness. These theories work to “elevate” other animals into spheres of moral concern by appealing to “higher” mental capacities that are constitutive of human mental life. In contrast, Acampora favors an approach that sheds “anthropocentric hierarchy altogether… and [which] place[s] our moral thought and political activity behind the truly post-humanist task of reappreciating bodily animacy as such.”\textsuperscript{67} For my part, I am interested in how this project of “reappreciating bodily animacy” connects with my discussion of vulnerability.

Acampora believes that we can extend the range of caring regard in the “very gesture” of recognizing that we (humans, that is) are also “animate zoomorphs.”\textsuperscript{68} Rather than trying to bring other animals “up” to a particular level by appealing to the “higher” human-like capacities that they might possess – a level where they can begin to be valued as subjects of moral concern – we should instead try to bring human beings “down”, so to speak, to the level of other animals. The question becomes not, how do we get other animals into the moral community, but rather,

\textsuperscript{66} I want to stress that “transhuman moral theories,” as it is used here, refers to theories that extend the boundaries of the moral community beyond the human realm and which afford nonhuman animals a significant moral status. Presumably, plants, robots, “conscious” computers, etc., could also be included in a transhuman moral theory, but they are not dealt with by Acampora or by the transhuman moral theorists he engages with. I will follow suit and leave the discussion of the moral status of such entities for a future inquiry.

\textsuperscript{67} Acampora, “The Problematic Situation of Post-Humanism and the Task of Recreating a Symphysical Ethos,” 25. Acampora wants to depart from traditional approaches to animal ethics (as do I), but I should note that I am not entirely convinced that appeals to sentience, or Regan’s subject-of-a-life criterion, are not themselves important attempts to reappreciate bodily animacy when seen in the right light.

\textsuperscript{68} Acampora, \textit{Corporal Compassion}, 132.
how did they get excluded from it in the first place given that human beings are also animals with their own receptive capacities and vulnerabilities? For Acampora, where we begin our ethical thinking and deliberations “is always already caught up in the experience of being a live body thoroughly involved in a plethora of ecological and social interrelationships with other living bodies and people,” thus it is the “movement toward dissociation and nonaffiliation [with other animals] that needs to be justified against a background of relatedness and interconnectivity.” If we interpret phenomenal bodiment along these lines – that is, if we acknowledge the vulnerability and locatedness inherent in human existence – then we enable a mode of philosophizing that is conducive to constructing a transhuman ethic. In Acampora’s words, “the live body is the primary locus of existential commonality between human animals and other organisms, and the appreciation of commonality undergirding differentiation enables the growth of moral relationships.”

Acampora believes that an appreciation of the carnal vulnerability that is shared between humans and other animals can be the basis for the extension of moral compassion to other forms of animate life. He describes an encounter with squirrels in a park, and the distress he feels at seeing that their tails have been docked, to flesh out the phenomenal character (and progression) of the experiences he is trying to capture. For him, observing the molting of the squirrels’ fur bespeaks a sense of shared climatic and environmental horizons; listening to their calls countenances a shared auditory world; simultaneous eating indicates similar needs for sustenance; while the sight of a squirrel, who has been harmed by human hands, causes Acampora to recoil in a visceral recognition of shared susceptibilities to pain and wounding.

69 Ibid., 5.
Similar experiences might also be possible with the animal companions who reside in our homes. My ethical concern for the well-being of my cat is based less in any attempt to mentally imagine what life might be like for him and more in the embodied life we share together. The warmth of his body next to mine, the rhythmic rise and fall of his breathing, his soft wheeze as he sleeps—these things help to shape the embodied, world-bound texture of our sphere of interaction. It is his vulnerability that I feel compelled to respect and which guides my actions.

The experience of compassionate concern that Acampora is interested in describing is based on sensing ones bodily vulnerability to be similar to another’s. This experience of a lived carnal vulnerability is held to provide the “experientially primordial basis of what we sometimes refer to as the ‘moral sense.’”\(^{71}\) For Acampora, “moral sense” signifies a more physically-oriented pattern than do more psychic notions, such as sympathy, that were referred to by early moral sense theorists, such as David Hume. This is an important point: Acampora contends that moral life (especially the transpecific) is primarily rooted—“as a matter of phenomenal fact”—“in corporal symphysis rather than in mental maneuvers in the direction of sympathy.”\(^ {72}\) Acampora’s neologism—“symphysis”—is intended to connote a denser, physically grounded notion than “sympathy.” It designates the felt sense of sharing with somebody else, “a live nexus as experienced in a somatic setting of direct or systemic (inter)relationship.”\(^ {73}\) An experience of symphysis, then, isn’t based on any attempt to imagine what another is going through, rather, it is felt in the body, as an awareness of the vulnerability that I share with an embodied other.

\(^{71}\) Ibid., 27.

\(^{72}\) Ibid.

\(^{73}\) Ibid.
Acampora opens the door for the moral consideration of other animals not by appealing to mental powers and human-like capacities, but by describing a (proto-ethical) feeling based in the experience of a shared vulnerability. We discover what we might owe to other animals by recognizing the vulnerabilities that are constitutive of a shared world of flesh, and we become aware of this by recognizing that we are also bodily participants as animals ourselves in carnal life-worlds. What Acampora seems to be implicitly arguing is that we don’t need a metaphysics of morals; that is, we don’t need a transcendent, abstract system that would underwrite and specify our obligations, duties, rights, etc, with respect to other animals. Instead, we need to foreground the body in our ethical thinking, to recognize that we are vulnerable, animate beings. For Acampora (and I would like to follow him in this regard), ethics is not a matter of metaphysical justification, rather it is a field of symphysical openness, of recognizing the shared vulnerability of human beings and other animals.

VI. Conclusion

A number of philosophers have recognized the importance of discussing vulnerability in moral and political philosophy. Still, a number of those thinkers – I have discussed three – often try to understand the vulnerability of human beings by differentiating it from the vulnerability of other animals in an absolute way. Kottow, Shildrick, and Turner all seem to endorse a position that presents the vulnerability of other animals as vastly different from the vulnerability that is characteristic of human existence. I have suggested that this tack is misguided. While, on the one hand, their attentiveness to the importance of embodiment is laudable, on the other hand, these theorists all display an inadequate understanding of “the animal” and they, effectively, reinstall problematic assumptions about speciated difference that we would do better to actively question. Acampora’s work represents an advance in terms of acknowledging the importance of
thinking about vulnerability (and embodied subjectivity) while also insisting that this acknowledgement has implications for how we are going to think about (and treat) other animals. I maintain that this is the right way to proceed.

This chapter does not advance any specific prescriptions with respect to the treatment of other animals, nor does it offer any specific directives for future activism. My primary goals have been critique and an expansion of the moral imagination. As far as my understanding of critique is concerned, I will invoke the words of Michel Foucault, who claimed that “[t]o do criticism is to make harder those acts which are now too easy.” The act I would like to make harder is, most centrally, the philosophical move that aims to have something important turn on the presumption of a sharp division between humans and other animals. As evidenced by the theorists I have considered in my analysis, this is still a move that is all too easy to make (even when theorists are explicitly focused on embodied vulnerability).

With respect to an expansion of the moral imagination, I believe that this is a crucial prelude to prescriptions and directives. Fostering a sense of kinship with other animals is an essential springboard for transformations of the self and of the institutions that permeate our social lives. To echo Sheets-Johnstone, I would assert that a “rationally unadorned and unadornable existential awareness of oneself and other living beings as exposed and open to pain, suffering, and death, as quintessentially vulnerable by the mere fact of being alive, of being first and foremost a physical body” is extremely important, and that this awareness holds within it the “possibility of opening upon ever deepening understandings of the vast world of Nature

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and awakening the attitudinal affect of caring.

Many people may not need to be convinced, or reminded, of these facts. But they cannot be taken for granted and, thus, we must continue to encourage their promulgation.

In order to advance ethical theories that will adequately respond to the “multiplicity of embodied difference” (to use Shildrick’s words) manifested in our worlds we need to focus on the propensities and possibilities of those different bodies. Theories that rely too heavily on the possession of particular (human) mental powers for the ascription of moral status, or personhood, will be inadequate for accommodating concerns about other animals and the natural environment more generally. We must emphasize the embodied/world-bound existence that humans share with a variety of other animals and organisms, and recognize that these different bodies often develop in rich, complex, and mutually constitutive ways. Human beings are not the only vulnerable beings that inhabit the world. Recognizing this is essential for sustaining a continued critique of a variety of human values and practices.

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75 Sheets-Johnstone, 299.
Chapter 3
The Ethic of Care and Other Animals: Reason vs. Emotion

We should not kill, eat, torture, and exploit animals because they do not want to be so treated, and we know that. If we listen, we can hear them.


Over the last 25 years a growing body of literature has been concerned to bring the feminist care tradition to bear on debates in animal ethics.\(^1\) One of the hallmarks of the care tradition is a critical rejection (or, at least a critical reappraisal) of many of the assumptions and positions that have been dominant in debates about ethics and political philosophy. As Alison Jaggar makes clear, it is thought that the ethics of care produces different assessments of action than Enlightenment moral theories and that it arrives at those assessments through an alternative process of moral thinking.\(^2\) Those who adopt a care approach,\(^3\) for example, often highlight the


importance of the emotions in our practical/ethical decision making and they criticize dominant theories for being suspicious of, or of outright denigrating, the value of those emotional responses. In tandem, care theorists working on problems related to animal ethics have questioned whether mainstream approaches (such as Regan’s focus on rights and Singer’s utilitarianism) are adequate for developing an understanding of how nonhuman animal lives should be valued and of how they should be situated in our ethical and political thinking. In opposition to the rationalistic approaches of Singer and Regan, which display a distrust of the emotions, care theorists have insisted that the moral sentiments, such as sympathy, must be seen as essential elements of our practical lives.4

I believe that the “care” approach to animal ethics has much to offer and that many of its insights deserve to be located at the center of any robust philosophical treatment of issues related to the moral standing of other animals. Still, I do feel that a number of the criticisms that have been launched against the more mainstream utilitarian and rights approaches have been off the mark. It is important to recognize that reason and emotion will each have roles to play in an adequate conceptualization of the terrain covered by the subject of animal ethics. One of the goals of this chapter is to begin to sketch out the proper role of each. Towards this end, I will be drawing on the rich and nuanced debate in the feminist literature surrounding concepts such as “justice” and “care.” Paying closer attention to some of the arguments advanced therein can help us to come to a better understanding of how various pairs of concepts – such as reason and

4 Donavan’s, “Attention to Suffering,” is the classic source for the development of this strand of argumentation.
emotion – which are often presented as being in opposition to one another, can be fruitfully joined to help us think about the moral consideration owed to other animals.\textsuperscript{5}

My discussion in this chapter will be broken into two main parts. I begin by highlighting a number of methodological points that have been developed by Margaret Walker and Virginia Held in their respective work on feminist ethics, and I consider how their prescriptions might also be useful for guiding our thinking on the subject of other animals. In doing so, I also explore how some of these points have been developed in extensions of the ethic of care into debates on animal ethics (as in, for example, the work of Josephine Donovan and Carol Adams). In the second part of this chapter, I use the work of Alison Jaggar to instigate a critical appraisal of various charges that are raised against Singer and Regan by those working in the care tradition. I argue that many of these criticisms are misdirected and that we must acknowledge that both reason and emotion will have important roles to play in a fully-developed ethic that addresses the treatment of other animals. The different camps are not as diametrically opposed as has been thought – that is, our philosophical predicament is much more both/and as opposed to the either/or dilemma it is sometimes made out to be.

I. Methodological Guidance

In this section, I consider (i) three points about moral epistemology advanced by Margaret Walker and (ii) Virgina Held’s characterizations of methodology and moral experience. I do so in order to highlight a number of salient considerations that can be (and have been) extended into the domain of animal ethics.

\textsuperscript{5} For a book length attempt to enrich our understanding of the relationship between reason and emotion, and to disrupt philosophical accounts which place them in opposition to one another, see Ronald de Sousa’s, \textit{The Rationality of Emotion} (Cambridge, Mass.: The MIT Press, 1987).
I.1 An Alternative Moral Epistemology

Margaret Urban Walker develops an alternative moral epistemology that she believes can offer guidance to theorists who are interested in reconstructing moral philosophy so that it adequately addresses the personal and political changes needed to end male domination and, perhaps, domination more generally. According to Walker, dominant approaches to ethics have searched for “a fairly compact system of very general but directly action-guiding principles or procedures.” She argues that, in these dominant positions, ethics is largely thought to be a quest for moral knowledge and this knowledge is thought to be comprised largely of universal principles and their theoretical justifications. In contrast, her alternative epistemology “does not imagine our moral understandings congealed into a compact theoretical instrument of impersonal decision for each person, but as deployed in shared processes of discovery, expression, interpretation, and adjustments between persons.” She highlights three features that characterize her alternative view and I believe – her reference to “persons” notwithstanding – that each feature can be developed so as to guide our thinking with respect to other animals.

I.1.1 Attention to Particular Others

The first element is (i) an attention to particular others in actual contexts as the condition of adequate moral response. Walker draws on Sara Ruddick’s account of maternal responsibility to flesh out the content of this aspect of her alternative epistemology. According to Walker,

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7 Ibid., 16.

attending to a particular other in an actual context involves recognizing that the other is a separate consciousness that is making its own sense of the world, recognizing that this particular other has its own longings and impulses, and recognizing that this individual will follow a distinct trajectory in a unique life. This attention to particularity is intended to supplant perspectives which focus on the application of universal principles to generalized situations involving unspecified agents. Walker believes that what is required in our ethical lives is a nuanced form of attention to the other we are actually interacting with.

Cleary, Walker and Ruddick have particular humans in mind in their respective discussions, but this appeal to notions such as particularity and attentiveness have also been an important aspect of the expansion of the feminist care tradition into the domain of animal ethics. Focusing on the particularity of other animals has been thought to be especially important given the objectification and ontological reduction that large numbers of animals are subjected to in contexts such as biomedical research and factory farming. Carol Adams, for example, believes that the failure to recognize and attend to the particularity of other animals is one of the factors that enables their continued exploitation. She argues that one reason that humans do not care, or are unable to care, about the lives of other animals is because they are transformed, both literally and figuratively, from nonhuman subjects into nonhuman objects. For her, the use of mass nouns like “meat” helps to homogenize a diverse group of individual beings into an abstract, ephemeral notion. Meat is this homogenous mass of stuff that many humans consume

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– we don’t often think of the individual beings that were killed to create it. In her words, objects referred to by mass nouns “have no individuality, no uniqueness, no specificity, no particularity.”

It is important to recognize that the idea of “attentiveness” is being used a bit differently in Walker and Adams’ respective discussions. Walker is attempting to develop a moral epistemology that focuses primarily on particular others in actual contexts. From this perspective, when we are confronted with ethical dilemmas we should try to attend to the other on their own terms and to respond to their actual needs and desires, as opposed to trying to determine what general principle or maxim we should use to guide our conduct in general situations of a particular type. In Walker’s alternative epistemology, my attention is focused on the fact that I must make a decision about how to respond to, or act towards, this individual who I am relating to (and not with respect to some person in general). In Adams’ case, she is primarily concerned with getting us to attend to the fact that other animals exist as particular individuals. A lack of attentiveness with respect to this fact, she argues, is betrayed by the types of treatment many other animals are subjected to in our society. Correspondingly, becoming aware of the individuality and uniqueness of particular animals may help to undermine those objectionable practices. She believes that this form of attention and awareness will force us to realize that our meat is actually made up of this cow and these chickens, and that our cosmetics were tested on that rabbit. Thus, even though we may not necessarily interact with particular cows, chickens, and rabbits in ways that require attentiveness in Walker’s sense (though, of course, some people may have relationships with other animals that are personal in this way and,

thus, these different forms of attentiveness could be seen as complementary in certain instances), attentiveness in Adams’ sense can still help us to reevaluate and question many of the practices that affect those particular animals in very direct and profound ways. In this way, we see that an attention to particularity is an important feature of an ethics that hopes to critique human domination of other animals.

I.1.2 Relational and Concrete

The second feature of Walker’s alternative epistemology is (ii) a relational view of persons as existing in contextual narratives. This approach stands in opposition to moral epistemologies that function more abstractly and which aim to separate the moral dilemma from the concrete interpersonal situation – Walker situates these approaches in what she labels the “universalist/impersonalist tradition.”\(^ {13}\) Walker focuses on, first, the fact that individuals exist in a context and have a concreteness that is characterized by a specific history, identity, and emotional constitution and, secondly, the fact that the relationships between individuals are also contextual and concrete, with their own histories, identities and affective organizations that define them.\(^ {14}\) To attend to situations in morally adequate ways, we need to attend to the nuances, textures, and idiosyncrasies of particular individuals, as well as to the unique features of the relationships we form with them. As Walker puts it, “[i]f the others I need to understand

\[^{13}\] Walker, “Moral Understandings,” 19-20. Walker points to the thought of Henry Sidgwick (as conveyed in his book, The Methods of Ethics (Indianapolis: Hackett Publishing Company, 1981)) as one example of this approach to moral philosophy. I would also place Kant in this tradition, searching, as he was, for a “completely isolated metaphysics of morals, mixed with no anthropology, theology, physics, or hyperphysics” and for whom “moral concepts have their seat and origin completely a priori in reason... [and] cannot be abstracted from any empirical and therefore completely contingent cognitions,” (see, Groundwork of the Metaphysics of Morals, ed. and trans. Mary Gregor (Cambridge: Cambridge University Press, 1998), 20-23). I think the work of John Rawls can be taken as a more contemporary example of this style of approach, especially in relation to his use of the “original position” thought experiment and its “veil of ignorance” method of abstraction (see, A Theory of Justice (Cambridge: Harvard University Press, 1971), 118-194).

really are actual others in a particular case at hand, and not repeatable instances or replaceable occupants of a general status, they will require of me an understanding of their/our story and its concrete detail."\(^\text{15}\) This contextual, concrete form of understanding is an important element for enhancing our ability to know what the meaning and consequences of any particular action will be.

As far as the possibility of such an epistemology including other animals is concerned, some skeptical worries may rear their head with regards to this particular element. First, we might wonder about the role that history, identity and emotional constitution play in the lives of nonhuman individuals and, secondly, we might wonder about the kinds of idiosyncratic nuances that are possible in relationships between humans and other animals. Indeed, the latter seems to be Nel Noddings’ main worry when she tries to determine how an ethic of care should talk about our obligations to other animals. It is a "species-specific impossibility of any form of reciprocity in caring"\(^\text{16}\) that may, for her, provide the basis for a mitigation of our duties with respect to them. For Noddings, any obligation to summon a caring attitude is “limited by the possibility of reciprocity” and it seems obvious, to Noddings at least, that “animals cannot be ones-caring in relation to human beings”\(^\text{17}\) and, thus, that they cannot form truly reciprocal relationships with human beings (though she does allow that they may be “cared-fors” in our relations with them).

To diffuse this skepticism, I think it is enough to think of some common experiences that we have of/with other animals, especially as can be observed in the lives that humans live with

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\(^{15}\) Ibid., 18.

\(^{16}\) Nel Noddings, *Caring: A Feminine Approach to Ethics and Moral Education*, 2\(^{nd}\) ed (Berkeley: University of California Press, 2003), 86.

\(^{17}\) Ibid., 149.
their animal companions. We know that animals have different constitutions and we use many familiar concepts to describe them. Some dogs are nervous, some mischievous, others bold. Some cats are more playful and affectionate, others more aloof. It isn’t strange, or uncommon, for us to think about other animals as having unique personalities and dispositions. Furthermore, we know that a particular animal’s history will shape who they are. A dog that has been raised in a loving home will often be much more trusting of humans then a dog who has been neglected and abused. A history of training can also instill certain capacities that would not be possible without that form of attentiveness. Other animals, it seems, do have histories that are deeply constitutive with respect to their identities.

With regards to relationships, I think it is also readily observable that humans do form unique relationships with particular animals and that those relationships are embedded in a unique historical context.\(^{18}\) We meet our animal companions in particular places and at particular times (for example, we might go to a shelter to find them, meet them through a friend, find them on the street, etc) and once the relationship begins it follows a trajectory that will be marked by joys, hardships, successes, tragedies, etc. We exist in contextual, narrative relationships with other animals, and it is going to be important for our ethical thought to recognize this fact. And, pace Noddings, I argue that a richer understanding of reciprocity will acknowledge that, while our companion animals may not be able to be ones-caring in all the ways that are possible for human beings, they do, still, often “attend” to us in important ways.\(^{19}\)

\(^{18}\) Here, I will stress that my claims extend primarily to the mammals and birds that we, as human beings, are most heavily involved with. I do not believe humans can be in the kind of relationship I am envisioning with, say, an oyster or a fruit fly.

From the perspective of an adequate animal ethic, a recognition of the contextual nature of animal lives, and of the relationships we form with them, will help to increase a sense of importance and urgency with regards to responding to the various forms of treatment that they are subjected to. Thinking about the moral status of other animals in detached and abstract ways may allow us to ignore some of the horrors that constitute many of their actual contexts and narratives. Conversely, attending to the concrete details of particular animals’ narratives may be just the type of information that will motivate human individuals, and perhaps groups and governmental bodies, to act on their behalf.

I.1.3 Communication and Expression

Lastly, Walker insists that (iii) actual communication and expression are of the utmost importance. In order to adequately negotiate the dilemmas that arise in the contextual narratives that we constitute with concrete others, and to respond to them in all their particularity, we need to use our communicative skills (i.e. talking and listening). She thinks that it is surprising how little attention is given to the topic of communication in non-feminist moral philosophy.

Drawing on the work of Seyla Benhabib, Walker suggests that a “monological model of moral reasoning” needs to be replaced with “communicative ethic of need interpretation” that is based on actual dialogue;20 rather than making unilateral decisions that may only serve to obscure our

Sheila Bonas, June McNicholas and Glyn M. Collis’ contribution, “Pets in the Network of Family Relationships: An Empirical Study,” 209-236, is especially interesting, indicating that “nurturance” is an important element of individuals’ relationships with the pets that share their domestic space. The Domestic Dog: Its Evolution, Behaviour and Interactions with People, ed. James Serpell (Cambridge: Cambridge University Press, 1995), focuses specifically on the canine-human relationship. Lynette A. Hart’s contribution, “Dogs as Human Companions: A Review of the Relationship,” 161-178, does an especially nice job of outlining the various physical, psychological, social, etc., benefits that humans receive from their relationships with their pet dogs.

20 Walker does acknowledge, however, that there are situations in which actually dialogue may not be possible.
relationships, she suggests that we “might just try turning to each other: talking and listening and imagining possibilities together.”

An analog of Walker’s criticism can be found in animal ethics, where one sees a similar neglect of communication in mainstream approaches. Most attention is focused on determining which properties of an individual are going to be relevant to the ascription of moral standing and to determining whether any animals other than humans possess those status conferring properties. Not much time is spent on the dialogical possibilities that might exist between humans and other animals. Conversely, some feminist philosophers working on questions about other animals have also appealed to ideas like communication, listening, attentiveness to needs, etc., in their arguments. Josephine Donovan, for example, thinks a more sympathetic, conversational relation with our environment will reveal that the natural world is aware and organic. Ideally for her, this “conversation” would try to avoid the imposition of human values and assumptions onto other animals (and the natural world more generally). Anthropocentrism would be avoided, in so much as is possible, by a careful attentiveness that tries to understand the experience of another being. Doing so, it is thought, will help to engender moral respect for other animals. In the powerful ending of her essay, “Animal Rights and Feminist Theory,” Donovan invokes this conversational dynamic when she insists that we “should not kill, eat, torture, and exploit animals because they do not want to be so treated, and we know that. If we listen, we can hear them.”

23 Ibid., 76. With respect to an expanded notion of “conversation,” the work of Val Plumwood is also relevant. See especially Chapter 8, “Towards a Dialogical Interspecies Ethics,” in her book, Environmental Culture: The Ecological Crisis of Reason (New York: Routledge, 2002).
Skepticism may encroach here once again. That is, we may wonder whether notions like “communication” and “listening” can be anything but metaphorical (or anthropomorphic) when applied to other animals. How can humans and other animals communicate without a basis of shared linguistic capacities? Again, I argue that we can deflate this skepticism with an appeal to ordinary sorts of experiences and by beginning to think of communication as involving more than just verbal abilities. Our animal companions “tell” us a lot by way of their bodily comportment. We can often know when they are hungry, excited, relaxed, scared, etc. They often respond to our verbal cues and to our own bodily demeanor. It is important to always keep in mind that humans are animals, too, and that much of what we communicate to others comes not from what we say, but from our bodily presentation. Likewise, we can often know when other animals are in pain from their cries and from their own embodied actions and reactions.24 These are the things that Donovan is urging us to “listen” to. And, I agree that we need to open our ears. Other animals “say” a lot; when we “hear” it, we may be driven to respond.

To summarize, Walker has suggested that an attention to the particularity of others, an awareness of the contextual and narrative features of our relationships, and an acknowledgment of the importance of communicative interaction, can all be used to form the basis of an alternative epistemology of moral understanding in the context of individual relations. Likewise, these features can also be used to form the basis of a more specific moral epistemology that addresses human relations with nonhuman animals.

24 For a nice overview of the topics of animal pain and other aversive states (such as fear), see Clare Palmer’s, Animal Ethics in Context (New York: Columbia University Press, 2010), 11-18.
1.2 Moral Experience

Before moving to my critical analysis of certain philosophers who have extended the feminist care tradition into the domain of animal ethics, I will examine Virginia Held’s work as another example that can be used to shape and guide our thinking with respect to these issues. Held stipulates some methodological bearings for the practice/development of a feminist morality and I will argue that these points, like those advanced by Walker, can be worked up in a way that helps us to develop an expanded moral sensibility.

For Held, morality is not just a matter of knowledge, but is primarily a practice and art. She argues that moral inquiry involves activity and feeling as well as thought and observation, and that moral theories must be true to our lived moral experiences. Her characterization of moral experience is especially rich:

Moral experience is the experience of consciously choosing to act, or to refrain from acting, on grounds by which we are trying conscientiously to be guided. Moral experience is the experience of accepting or rejecting moral positions for what we take to be good moral reasons or well-founded moral intuitions or on the basis of what we take to be justifiable moral feelings. Moral experience is the experience of approving or disapproving of actions or states of affairs of which we are aware and of evaluating the feelings we have and the relationships we are in.

The richness of Held’s thought is reflected in her endorsement of a “reflective equilibrium” style of approach to moral inquiry (i.e. where experiences, judgments, and theoretical positions are constantly interacting with and modifying one another). And, as we can see from the quote

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25 I am very sympathetic to this characterization of morality, which I develop and extend further when I draw on Foucault’s later work in my discussion of vegetarianism in Chapter 6.

above, she implies that this must be a particularized activity where real agents are engaged in the process. We are trying, in our own lives, to figure out the grounds by which we can be conscientiously guided. We access our moral feelings and consider our intuitions in the process of trying to decide what to do and which values to endorse. We consider the relationships that we are a part of when trying to evaluate our feelings and when we are trying to decide how to feel about something (or how to act). Arriving at reflective equilibrium is not a purely theoretical endeavour – it is an ongoing process that we live in our everyday lives. By emphasizing these features of moral experience, Held encourages us to avoid more generalized/abstract approaches to the question of equilibrium and to moral theory more generally. I believe that achieving “equilibrium” with regards to our beliefs, judgments, actions, etc., with respect to other animals is also going to require that we take this picture of moral experience very seriously.

In “Feminist Moral Inquiry and the Feminist Future,” Held outlines four methodological guides for feminist moral inquiry.27 First, she stresses (i) the importance of our emotional lives. She believes that attention to our emotional responses will be important if we hope to develop appropriate moral theories. More specifically, feminist ethical theory has put a great deal of emphasis on the question of care and the emotional capacities that are essential for guiding effective caring activities. This is also an important feature of the care tradition as it applies to questions about other animals, as we will see in my critical discussion below. Secondly, according to Held, feminist moral theory (ii) focuses on the particularity of experienced

27 Ibid., 153-177.
relationships, not on abstract principles that apply to isolated individuals.\(^2\) As we saw in Walker’s work, relationships between actual individuals are taken to be of central importance. Third, Held points out that feminist methodology (iii) focuses on actual experience to a greater degree than hypothetical experience. Held sees this point as closely connected with a greater attentiveness to embodiment that characterizes much feminist theory, an attentiveness that is also very important when we are thinking about other animals. This point also connects with Walker’s insistence that we focus on the narrative context of actual relationships. Lastly, Held argues that a feminist ethics will (iv) produce a morality of contexts and is unlikely to stipulate a categorical imperative or some similar guiding principle. She concludes that it is more likely that it will be a pluralistic ethics, containing some intermediate principles that are more general and many principles that are arrived at in very specific situations.

Related to this last point, Held stresses that feminist ethics does allow for an appeal to general principles, that it does not necessarily proceed solely on a case by case basis, and that it is not characteristically relativistic. But, it does “suggest that the principles that might be found adequate by feminist moral inquiry will have to be compatible with particular judgments based, often enough, on feelings of empathy and on caring concern rather than on rational calculation or abstract reasoning.”\(^9\) Again, I pick up on many of these themes below.

As a final, pertinent observation with respect to Held’s work, it is interesting that she recognizes that a feminist ethics will ultimately need to re-envision the relationship that humans

\(^2\) As I have noted before, for further elaboration on Held’s critique of the high valuation of independence in contractual approaches to moral and political philosophy, see “Non-contractual Society: A Feminist View,” in *Science, Morality, and Feminist Theory* (Canadian Journal of Philosophy, Supplementary Volume 13), eds. Marsha Hanen and Kai Nielsen (Calgary: University of Calgary Press, 1987).

\(^9\) Ibid., 160.
have with the natural environment: “Among the most important transformations needed in the ways human beings organize their lives are changes in prevailing relationships between ‘man’ and ‘nature.’”\(^3\) Held acknowledges a number of ecofeminist theorists who have detailed the ways in which the dominance of women and nature have often been conceptually and rhetorically linked.\(^3\) Donovan also thinks these insights are important; as she sees it, a certain logic of domination (which she traces back to the thinking of Bacon and Descartes) has been operative in our relations with other animals and the natural world more generally. This dominating stance has conceptualized the “natural” world as an inert and mechanical realm that can be freely shaped by human activity. One virtue of a feminist perspective is that it critically spotlights the epistemological frameworks that have had a hand in representing animals, women, and nature in derogatory ways. Held’s acknowledgment of this line of thinking indicates that she also believes that relationships between humans and other animals will have to be addressed, and re-envisioned, by a fully developed feminist ethics. It is to that project of re-envisioning that I now turn my attention.

II. Critical Reflections

In this section, I critically engage with certain attempts to establish the ethic of care as an alternative to more mainstream (i.e. utilitarian and rights-based) treatments of the various questions that arise when thinking about the moral status of other animals. My criticism of

\(^3\) Ibid., 172.

certain applications of the ethic of care to these issues is inspired by Alison Jaggar’s critical reflections on the ethic of care tradition more generally.\(^{32}\)

II.1 The Problem of Justification

Jaggar suggests that one way to think of the ethic of care is to characterize it as a “style” of practical moral reasoning. For her, moral reasoning is directed at discovering what is morally desirable, or at least morally permissible. In addition to these goals, a feminist “style” of practical moral reasoning must also be “capable of critiquing conventionally accepted practices of male dominance and identifying actions and practices that promote feminist ideals and values.”\(^{33}\) Jaggar also highlights the fact that “care” thinking is often contrasted with “justice” thinking. As she sees it, the contrast can be spelled out in the following way:

Justice thinking is portrayed as appealing to rational and universalizable moral principles, applied impartially, whereas accounts of care thinking emphasize its responsiveness to particular situations whose morally salient features are perceived with an acuteness thought to be made possible by the carer’s emotional posture of empathy, openness, and receptiveness.\(^{34}\)

As we can see, Jaggar identifies what was contained in my survey of Walker and Held above, namely, that one of the most distinctive (and, Jaggar believes, controversial) features of care reasoning is that it enjoins us to respond to others in their unique and irreplaceable singularity, with the aim of addressing the needs of others in their concrete particularity. Various applications of the ethic of care to concerns about other animals, as we have seen, also recognize


\(^{33}\) Ibid., 179.

\(^{34}\) Ibid., 180.
this important methodological point. Donovan and Adams, for example, also cast their projects as ones that are concerned with ending domination and oppression (though, in their cases, it is human domination of other animals that is the primary target). But, as I argue below, some of these extensions of the ethic of care have often failed to take into consideration the critical approach to the notion of “care” that has been developed by philosophers such as Jaggar, Singer and Regan.

Jaggar argues that the pitting of justice against care has been a bit of a caricature. She argues that the idea that justice is rational while care is all feeling, and the idea that the two are necessarily mutually exclusive, does not hold. Jaggar analyses whether care and justice are best thought of as independent modes of moral reasoning, or whether they might be better conceived of as different, complementary aspects of a single practice of practical reason. She maintains that the important difference is the epistemic role that the emotions are seen to play from each perspective. From the perspective of justice, emotions are useful for motivating actions whose moral permissibility is determined by reason, whereas, from the perspective of care, the emotions are seen as having an important function for the determination of what the recommendations of morality ought to be.

Jaggar highlights what she sees as two of the ethic of care’s blind spots (each of which is illuminating for assessing the extension of that tradition into the domain of animal ethics, as I will do below). First, she criticizes the care tradition for “failing to explain how care thinking may be properly critical of the moral validity of felt, perceived, or expressed needs, so that it can avoid permitting or even legitimating morally inadequate responses to them.”35 She argues that

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35 Ibid., 189.
this failure has been the result of a relative lack of attention to the question of moral justification. Secondly, she argues that the ethic of care’s focus on the particular can be misguided and that it leads to an inability to focus on larger social structures. This can obscure other morally salient factors. She believes that it is possible that when “an agent is focusing on the concrete specificities of a situation, she is not attending directly to social institutions that structure it and vice versa.”

My critical remarks gravitate around Jaggar’s first point, but a brief remark with respect to her second is in order. A focus on larger social institutions is one of the virtues of the ethic of care insofar as it has been applied to questions about the moral standing and treatment of other animals. Philosophers working within that tradition are often keen to delineate and evaluate the larger political context in which the oppression of individual animals is embedded. As Donovan notes, caring is “an important ethical point of departure, but to be effective it must be informed by an accurate political view.” To establish that political view, theorists such as Donovan and Adams spend a lot of time critically delineating the institutional contexts (such as factory farming, biomedical research, the family, etc.) in which other animals are embedded, and they work hard to outline the ways that the structuring of those contexts can have many negative repercussions for those animals. Thus, as far as Jaggar’s second worry is concerned, I believe that it has largely been met by those extending the ethic of care into the domain of animal ethics.

The worry about moral justification, however, does seem to be quite relevant when looking at some of the work that undertakes that extension. Jaggar holds that it is mistaken to

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36 Ibid., 195.
assume that dyadic relations of care are self-justifying, in other words, that it is “mistaken to suppose that morally appropriate responses can be determined by focusing exclusively either on the attitude of the moral subject or even on the caring relationship.”

To illustrate, she refers to activities like foot-binding and incest which are often interpreted as “caring” by both parties to the relationship. According to Jaggar, many such relationships can be characterized by destructive and self-destructive behaviors, and many will feel that we have grounds for criticizing them irrespective of how the individuals involved in the relationship understand/feel about/perceive their situation. Jaggar believes that much of the literature on the ethic of care has avoided the question of moral justification and that it must address the problem of how to determine when a caring response/relationship is appropriate (and morally praiseworthy).

In the next section, I consider how the problem of justification has manifested itself in animal ethics debates and I argue in favor of a position that incorporates the best features of both the “care” and “justice” perspectives.

II.2 Reason vs. Emotion

As I indicated in Chapter 1 (and at the beginning of the present chapter), discussions of the moral status of other animals developed from a feminist political/moral perspective often

39 Ibid.
40 This echoes views expressed by John Stuart Mill in The Subjection of Women (in On Liberty and Other Writings, ed. Stefan Collini (Cambridge: Cambridge University Press, 1989)). Therein, Mill argues that we should not, for example, take women’s (positive) assessments of oppressive, patriarchal marriages at face value, given the myriad social pressures that are brought to bear in the formation of individual character/sentiment.
41 Claudia Card also criticizes the ethic of care (Nel Noddings’ formulation, in particular) because she believes it risks valorizing relationships in which carers are seriously abused. See, “Caring and Evil,” Hypatia 5 (1990): 101-108.
situate themselves by explicitly contrasting their positions with (and dissociating them from) utilitarian and rights-based arguments, which are most often represented by the work of Singer and Regan, respectively. These two approaches are criticized for their rationalistic bias. One feature of that bias is the dismissal of emotion as a worthwhile tool for philosophical argumentation. Evidence for this perceived bias might be taken from Regan’s response to the charge that his work is hyperrational, wherein he asserts that “reason – not sentiment, not emotion – reason compels us to recognize the equal inherent value of...animals and...their equal right to be treated with respect.”42 Similarly, critics highlight the preface to Singer’s *Animal Liberation*, where he recounts an anecdote about an encounter with a ham-sandwich eating “animal lover” to highlight his own unsentimental (i.e. rational, evenhanded, not inconsistent) approach to the question of animal cruelty.43

In both cases, these philosophers try to distance themselves from a particular stereotypical image of the individual who is concerned about other animals, namely, that this individual is emotional, sentimental, and not to be taken seriously. They attempt to replace this image with one of an individual who is cool, who is consistent in their application of rational thought, and who arrives at sound conclusions unsullied by emotional responses. Rather than relying on emotions, Singer and Regan attempt to argue that humans and other animals share a relevant similarity (i.e. sentience, for Singer; being a “subject-of-a-life,” for Regan). This relevant feature, possessed by both humans and other animals, is thought to be essential for


determining the kind of moral consideration that is owed to those other animals. If we think the possession of this property is important for guiding our conduct in the human case, they argue, then, in order to be consistent, we must acknowledge that this property is important for guiding our actions with respect to other creatures. Since it will be relevant to my discussion in what follows, below I briefly sketch out Singer and Regan’s reasons for being suspicious of using emotions to ground an ethic that addresses the situation of other animals.

As I discussed in Chapter 1, Singer believes that denying moral standing to other animals, simply because they are not members of the human species, involves subjecting them to “speciesism.” He believes that the sentience-based interests of other animals must be taken seriously into consideration when deciding how we can justifiably treat them. With respect to the role that emotions might be expected to play in confronting speciesism, Singer does not think that “an appeal to sympathy and good-heartedness alone will convince most people of the wrongness of speciesism.”44 He believes that sympathies tend to be reserved for kin groups, or those others who are sufficiently close to us, and that we cannot assume that they will be naturally extended to “outsider” individuals or groups. He believes, since “almost everyone…is at least nominally prepared to listen to reason,”45 that rational argument is best for helping us to override our narrow sympathies and that it will allow us to extend moral consideration to others residing outside the circle of our immediate relations.

As far as Regan is concerned, we saw in Chapter 1 that he appeals to a different criterion (i.e. being a “subject-of-a-life”) and a different philosophical tradition (i.e. natural rights) to

44 Singer, Animal Liberation, 255.
45 Ibid.
conceptualize the moral standing of other animals. However, with regards to the function of emotions like sympathy, Regan, similarly to Singer, is not enthusiastic about the role they can be expected to play. Referring to the ethic of care specifically, he worries that it does not have the resources to “move people to consider the ethics of their dealings with individuals who stand outside the existing circle of their valued interpersonal relationships,” and, consequently, he believes that unless we provide the ethic of care with “some other grounding of our moral judgment” it will be unable to “illuminate the moral significance of the idea that we (human) animals are not superior to all other animals.”  

Regan worries that most people just do not care much about what happens to other animals and, thus, that a rational argument will serve those animals much better than a hoped for emotional response.

II.3 The “Rationalist Rejection of Emotion” Reappraised

Singer and Regan’s “rationalist rejection of emotion or sympathy as a legitimate base for ethical theory about animal treatment” is one of the reasons that feminist theorists object to their particular arguments. Donovan claims that Kant can be taken as one of the historical sources of this belittling of the emotions. She highlights how Kant thought that sympathy could not be taken as the basis of moral decision making because (i) the emotions are volatile, (ii) the capacity for caring is not equally distributed, and (iii) a sentimental ethic is not universalizable. According to Donovan, the emotions, for Kant, are seen as irrational, uncontrollable and erratic. As far as Singer and Regan are concerned, they do not believe that

48 Ibid., 175.
we can rely on emotional responses to act as the primary impetus for social change in the ways animals are treated, nor do they think that those responses can act as the justificatory foundation for an ethic that addresses that treatment. Donovan thinks these assumptions fail to recognize that sympathy is a complex intellectual, as well as emotional exercise, and that it is not necessarily a liability when it comes to fitting other animals into the ethical landscape. Furthermore, she thinks that a search for universalizable principles tends to elide the personal, contextual, emotional, and political components of an ethical issue – all of which are important elements, as we have seen, of the alternative moral epistemology that characterizes the ethic of care.

Brian Luke also heavily criticizes Regan and Singer for disparaging the emotions. One of his reasons for doing so is that he believes that their respective arguments ignore a very real source of motivation for the activism that is pursued on behalf of other animals. Luke maintains that attempting to motivate actions in support of animal liberation by highlighting how humans act inconsistently in their interactions with two different groups (i.e. humans and other animals) that share a similar, morally relevant feature, is misguided; as he puts it: “Animal liberation is not a matter of consistency.” He argues that a concern for consistency and a focus on comparing the types of treatment that humans and other animals are subjected to are not, in fact, the real motivational sources for those who act and campaign on behalf of other animals. Rather,

49 Recalling Chapter 2, specifically the presentation of Acampora’s term “symphysis,” it is important to also stress that sympathetic relations will be embodied in complex ways that are not easily reducible to mental emotional states.


51 By “animal liberation,” Luke is referring to a principled opposition to the various institutions that are implicated in the exploitation of nonhuman animals, such as factory farming, hunting, vivisection, etc.

he claims that most react “directly to the needs and the plight of the animals” and he indicates that his own moral condemnation of the acts “arises directly from [his] sympathy for the animals.” To illustrate, and to offer support for his position, he draws on a number of first person accounts of individuals describing their reactions to being directly confronted with animal slaughter and vivisection. These individuals discuss how they were deeply affected by various aspects of the experience, such as being able to sense the anxiety of the animal, by the amounts of blood the process produced, by having to look into the eyes of the one to be killed, by their own physical responses (nausea and mental anguish, for example), by the cries of the animals, by considering the conditions in which they are forced to live, by empathizing and sympathizing with their plight, etc. As Luke sees it, what we find in these accounts is “[n]o comparisons of human and animal treatment, or fixation on one’s own consistency – upon seeing or hearing how animals are abused, there is an immediate reaction directed against that treatment, and based on that reaction, a moral judgment and decision to act.” So, for Luke, it is a sympathetic reaction, or, to adopt Acampora’s term from Chapter 2, a “symphysical” reaction, which provides the basis for moral judgment and actions, not a rationalistic concern for consistency founded in some sort of comparative analysis.

Luke also directly responds to Singer and Regan’s rejection of care and sympathy as a potential basis for animal ethics by asserting that they have misjudged the extent to which these feelings are a real factor in relationships between humans and other animals. Whereas Regan notes that most humans just do not care much about what happens to other animals, and Singer

53 Ibid., 130.
54 Ibid., 130-132.
55 Ibid., 132.
believes that human sympathies cannot be relied on to transcend species boundaries, Luke asserts that the “disposition to care for animals is not the unreliable quirk of a few, but is rather the normal state of humans generally.” As evidence, he points to the institution of pet keeping, to the therapeutic effects that relationships with other animals can have for many people, to the fact that humans are often motivated to rescue animals when they are in peril, and to the mechanisms that humans have developed for mediating the guilt that comes with hunting or slaughtering other creatures. In contrast with Singer and Regan, Luke observes that humans do care a great deal about other animals and he maintains that they can be expected to do so quite naturally and universally. For Luke, the recognition of this fact is expected to engender a shift in focus that opens up a different avenue for inquiry that deviates from the path laid down by Regan and Singer. As he sees it, the question that motivates their arguments is, “How can we get people to oppose animal exploitation, given that they don’t care?,” whereas his approach asks, “How does animal exploitation continue, given that people do care?”

In contrast to Luke (and Singer and Regan), I argue that dichotomizing the issue in this fashion is not the best way to frame the problem. I hold that a more nuanced approach recognizes that people both do and do not care about animals in a variety of ways, that both emotional response and rational consistency can play an important role in our moral thinking, and that sympathy/symphysis cannot be expected to be the first (or final) word in an adequately developed animal ethic, though I certainly acknowledge that it is an essential component. It is a mistake to polarize “reason” and “emotion” so much in relation to this issue. We must

56 Ibid., 134.
57 Ibid., 134-136.
58 Ibid., 136.
acknowledge the importance of each of these elements and recognize that these two facets of our moral life are often interwoven with one another. To develop my position, I would like to turn to the work of David Hume.

II.4 Hume – a revisiting

Many who endorse the ethic of care as an alternative to more rationalistic strains of thought invoke Hume for support. As a philosopher who believes the passionate, action motivating sentiments, such as sympathy, are the real basis of morality – as opposed to any rules or principles that can be discerned by the calculative and contemplative faculty of reason – he is seen as an important counterbalance to Kantian approaches to ethics. This interpretation of Hume is widely endorsed. Thomas Kelch, for example, succinctly declares that “Hume was of the view that the passions are the basis of all moral thought.” But while it is true that Hume believes that that “which pronounces characters and actions amiable or odious…which renders morality an active principle…depends on some internal sense or feeling,” I fear the


61 David Hume, An Enquiry Concerning the Principles of Morals, ed. Tom L. Beauchamp (Oxford: Oxford University Press, 1998), 75. It seems worth noting that Kant thought that this type of account only adequately represented the moral nature of women; see section three of “Observations on the Feeling of the Beautiful and the Sublime,” in Observations on the Feeling of the Beautiful and the Sublime and Other Writings, eds. Patrick Frierson and Paul Guyer (Cambridge: Cambridge University Press, 2011). Kant claimed that women “will avoid evil not because it is unjust but because it is ugly…Nothing of ought, nothing of must, nothing of obligation,” and he declared that, “[i]t is difficult for me to believe that the fair sex is capable of principles…In place of these, however, providence has implanted goodly and benevolent sentiments in their bosom, a fine feeling for propriety and a complaisant soul,” 39.
characterization promulgated by Kelch (and other care theorists) runs the risk of misrepresenting Hume’s position. Hume also believes that:

in order to pave the way for such a sentiment, and give a proper discernment of its object, it is often necessary, we find, that much reasoning should precede, that nice distinctions be made, just conclusions drawn, distant comparisons formed, complicated relations examined, and general facts fixed and ascertained.62

He proceeds to compare non-universalistic moral judgment and aesthetic experience. He notices how in many cases we will either be moved by the beauty of a particular object, or that we will fail to be so moved, and that reasoning will not be able to affect our response in any significant way. But, in many cases, he thinks that reason will be an important tool for attuning us to feel the “proper sentiment” and that argument, reflection, awareness of unknown facts, etc., will be important influences on our aesthetic experiences. Hume thinks that moral judgment is often like this as well, namely, that it “demands the assistance of our intellectual faculties.”63 Hume’s reminder that reason has a role to play in our moral judgments prefigures (and supports) Jaggar’s insistence that we cannot assume that caring relationships are self-justifying – both thinkers urge us not to be too hasty in subordinating considerations of reason and rational justification to notions like care and emotional responsiveness.

There is an important separation to maintain between considerations of the types of emotional reactions that are possible when it comes to our interactions with, and contemplations of, other animals, on the one hand, and the question of what types of emotional reactions we “should” be having with respect to them, on the other. It seems as though many people have a

62 Ibid., 75-6.
63 Ibid., 76.
capacity to empathize and to display sympathy towards other animals (most especially other mammals and birds) and these emotional/embodied reactions will be indispensable when it comes to motivating our actions; but it seems as though reasoning about the kinds of beings other animals are will help us to fine tune those reactions and to offer justification in situations where some might be inclined to disregard or minimize particular emotional reactions. Emotional capacities are obviously important in our ethical lives. We feel emotions like sympathy, disgust, goodwill, etc., and these can help us both to evaluate actions done by others and to function as the motivational forces behind our own actions. But, following Hume, I maintain that we need to allow space for critical evaluation of, and reflection upon, the feelings we experience and of the actions those feelings engender. Reason, reflection, investigation, etc., have a role to play in helping to shape emotional reactions and in helping to justify the actions we are motivated to perform. This means that “reason” has to stay in the picture. Thus, pace the thrust of Luke’s argument, it is not just passions that are at the basis of all moral thought.

I would distinguish between two (related) areas of inquiry. First, one can be concerned with determining what it is that compels or motivates us to feel (and act) in certain ways in relation to our experiences with (and of) other animals, and, secondly, one can wonder what makes those other animals entitled to some kind of basic moral consideration. In the first area, one is more concerned with exploring the experiential domain and looking at the types of things that will lead people to react in one way or another. The first person accounts that Luke discusses are excellent tools for gaining insight into these factors. Many people have visceral reactions to visceral situations and it is clear that those reactions can be strong action motivators.

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64 Obviously, humans also experience feelings of revulsion and disgust in relation to some animals (e.g. insects, rats, etc.) And, again, I think that reflection/reason will help to evaluate, justify, fine tune, etc., these particular types of responses.
– one might decide to quit their job at a slaughterhouse, to stop eating meat, to become somebody who campaigns on behalf of other animals, etc. Clearly, in these cases moral sentiments like sympathy/symphysis have a very powerful role to play. Focusing on this particular area of inquiry is also one of the ways that I can theorize along the methodological lines outlined above, especially with respect to focusing on the concrete, narrative aspects of individuals and of the relationships they establish. Luke’s examples do a nice job of highlighting how many people are often compelled to respond and act based on the experiences they have with a singular, particular other, without necessarily having recourse to general imperatives or maxims.

In the second area of inquiry I’ve outlined, one is more concerned with the justificatory question of why animals should be thought to possess a significant moral status; Regan and Singer are primarily concerned with this domain of inquiry. Admittedly, one takes a more “distanced” stance here – asking a more abstract question about what it is about other animals that makes it important to offer them moral consideration. Some have thought this distancing to be problematic. For example, Cathryn Bailey thinks that rationalistic approaches (she also criticizes both Singer and Regan) frame animal suffering as “something distant and debatable,” that philosophical discourse weaves veils around realities, and that it provides “the illusion that we are honestly facing the thing when what we are too often doing is debating ‘piddling distinctions’ on a quest for abstract moral principles.”

My own view is this: it is important to acknowledge the extent to which animals suffer; that is, to remember that their suffering is all too real, but I also believe that it is important to have the space to take a step back, so to speak.

It is important to have this space because it is not always clear what the reality of a situation is, and sometimes our emotional responses and initial reactions need to be critically reflected upon. I do not think Singer and Regan would deny that sympathetic reactions can play a role in guiding our actions with respect to other animals, but they are going to say that those reactions do not, in and of themselves, justify the actions or show that they are the right, or the most appropriate, actions to be taken.

Singer and Regan are using rational argumentation, and appeals to consistency, to try to make it evident that human treatment of other animals is morally problematic. This may become evident to some people by simply being confronted with a suffering animal, or by being exposed to an account of their exploitation in modern institutions, but it may not be immediately obvious or evident to others. There are many people who don’t have a problem with using other sentient animals to fulfill human needs; thus they may not have the same kinds of sympathetic responses that lead to action in others. The Kantian worry, namely, that inclinations towards sympathetic and caring responses may not be universally/equally distributed, is a real one. Thus, I prefer to see Singer and Regan as suggesting a number of reasons for thinking that it is wrong to treat other animals in the ways that some people treat them irrespective of particular emotional reactions that might be had by particular individuals. These reasons, in turn, might be the types of considerations (highlighted by Hume) that can be used to shape our reactions and to ensure that we have the “proper sentiments” when we interact with other animals and think about how they should be treated. Furthermore, these reasons can also be used to help justify the emotional responses that some people have and the actions they engender. This is important given that it cannot be assumed those responses are self-justifying, nor that they will be understood (or shared) by all human beings.
In relation to the methodological points outlined above, I see Singer’s appeal to sentience and Regan’s “subject-of-a-life” criterion as two ways that the individuality and particularity of other animals can be specified. That is, each provides reasons for why we should care about other animals. They ask us to look at the world anew, to recognize that many other animals are singularities in a way that rocks and chairs are not. Sentience and “subject-of-a-life” – these are different ways to attempt to highlight why the particularity of other animals is ethically relevant. My preferred idiom is “vulnerability”. As I noted in Chapter 2, I believe that recognizing the vulnerability of other animals can be an important precursor to an expansion of an individual’s moral imagination. Fostering a sense of kinship with other animals, becoming aware of other living beings as (in Maxine Sheets-Johnstone’s words) “exposed and open to pain, suffering, and death, as quintessentially vulnerable by the mere fact of being alive”66 is an important step in enabling responses of care and sympathy for other animals. In the end, these new ways of seeing may help us to approach (following Held) some sort of “reflective equilibrium” on these difficult and important questions.

II.5 Provisional Assessment

Singer and Regan’s respective approaches do not distance (or abstract) us from the issue so much as they provide ammunition for debate and reflection. Given that there is so much disagreement about (and lack of interest in) how other animals should be conceived of and treated, I think it would be a mistake to think that it is just obvious what should be said about them, or to think that emotional responses can be uncritically accepted as guides to action. I agree that emotions that are experienced and developed in our embodied lives –

sympathy/symphysis, especially – are powerful tools for motivating our actions with respect to other animals. In my own experience, it has been my encounters with sick, distressed, or suffering animals, and with images of the same, that have most profoundly affected me and that I have experienced as an “I must.” But the justificatory question seems to be still very much alive, since many people will need to be convinced that they should see animal treatment as a problem and that they should modify their behavior in ways that address that problem. I am reminded of the time I explained to my niece, who was probably 7 or 8 at the time, that as a vegetarian I didn’t eat beef and she replied, “But that’s what cows are for.” In cases like these, my sympathetic reactions, on their own, will be inadequate when it comes to justifying myself to others who may not feel those same emotions and who will need to be persuaded to change their own views on the subject.

When it comes to convincing people to change their views about other animals, it seems that a variety of means are available. Pointing out inconsistencies and making arguments might be one method; using images to evoke emotions might be another (as groups like PETA know all too well); furthermore, stories about our own personal interactions with other animals, coupled with these other methods, might also be used to transform our thinking. Facts, insights, images, etc, are often called upon to construct implicit/explicit justification for actions and it seems like these reasons could be the type of thing that could help to direct and shape the emotional reactions of others. I believe that philosophy, literature, journalism, visual art, and many other media will all have a role to play in the project. But, I have argued that the normative direction

\[67\] I borrow this turn of phrase from Nel Noddings.
(and foundations) of that project cannot be taken for granted, since those are exactly the kind of thing over which there is so much disagreement.

III. Conclusion

I have argued that an adequate theoretical account of human obligations, duties, and responsibilities towards other animals is going to have to acknowledge the personal, qualitative experiences that humans have with other animals. I have argued further that this qualitative experience can be the grounds for personal transformation and for the motivation of particular actions (as Luke makes clear with his examples). The methodological guidance offered by Walker and Held acknowledges this insight and helps to develop a framework that sees the particular, the concrete, and the communicative as essential features of human ethical lives as lived with other animals. I have also argued, however, that sympathetic/symphysical reactions, as important as they are for navigating the complexities of our moral lives, are not the only thing we can, or should, rely on. As Jaggar and Hume make evident, the problem of justification and the importance of rational reflection must be acknowledged. Determining what it is that grounds the moral status of other creatures (I hold that the vulnerability of other animals can act as this ground), on the one hand, and the role that the moral sentiments play in responding to those other creatures, on the other, are two very different, though equally important, areas of investigation. When they are distinguished adequately, I think that Regan and Singer come to be seen less as epitomizers of a misguided adherence to reason and rationalistic argument, and more as allies in the fight to re-envision the ordering of the moral universe. It is important to highlight the roles that reason and emotion can properly play in thinking about other animals, since each is going to have an important place.
Chapter 4
Life and Death, Hope and Pain: Thinking (with Wittgenstein) about Humans and Other Animals

How could one so much as get the idea of ascribing a sensation to a thing? One might as well ascribe it to a number! – And now look at a wriggling fly and at once these difficulties vanish and pain seems able to get a foothold here, where before everything was, so to speak, too smooth for it.

- Ludwig Wittgenstein, Philosophical Investigations

In this chapter, I draw on a thinker – Ludwig Wittgenstein – who does not immediately suggest himself to discussions of animal ethics. Through creative interpretation and analysis, some of his insights can come to be seen as quite pertinent to this area of philosophical inquiry. I turn to Wittgenstein because I believe that his “therapeutic holism”\(^1\) can be a useful means for thinking about (and developing) some of the themes that have arisen in the thesis thus far – namely, the vulnerable, living body and the ways it factors into our emotional reactions and ethical judgments with respect to other animals.

\(^1\) I borrow this characterization of Wittgenstein’s approach from David H. Finkelstein. See his excellent essay, “Holism and Animal Minds,” in Wittgenstein and the Moral Life, ed. Alice Crary (Cambridge, Massachusetts: The MIT Press, 2007), 251-278. Wittgenstein’s therapeutic holism is characterized by his attention to context, custom, “forms of life,” etc., as a means to understanding how we use particular concepts (e.g. fear, hope, pain, etc.), and as a means for dispelling our tendency to ask, and to want to find answers to, metaphysical questions about the way things “really” are.
To begin, I consider how the concept “life” and its often unacknowledged counterpart “death” are used in the *Philosophical Investigations*. I maintain that they perform at least two important roles in Wittgenstein’s thought. First, they have a rhetorical function. Wittgenstein utilizes them to persuade the reader to adopt a new perspective on language and meaning; that is, he employs them to encourage a reorientation with respect to how language’s role in human life is conceived. Secondly, and relatedly, life and death appear to become a hinge – the “axis of reference [around which] our examination must be rotated” – that helps to develop a clearer understanding of specific regions of our various language games.

In the first section of this chapter, I highlight this dual role that life and death play in the *Investigations* by briefly looking at two of those regions which emerge as concerns for Wittgenstein, namely, hope and pain. In the second section, I consider how certain concepts might be attributed to (and used to understand) particular animals, both human and nonhuman, in more or less legitimate fashions. Ultimately, I argue that Wittgenstein’s discussions of life, death, hope, and pain help to shed light on these issues, and that his later philosophy can help one to think about the differences, and similarities, between the human form of life and the forms of life of other animals.

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3 Ibid., §108.

4 Wittgenstein invokes the idea of “language games” to “emphasize the fact that the *speaking* of a language is part of an activity, or of a form of life,” §23 (emphasis in the original), and to stress that our uses of language are multifarious and diverse. This stands in contrast to a picture of language that sees it as having only one function, namely, representation.

5 In this chapter, I primarily engage in my own close, creative reading of the *Investigations*. Obviously, there is a vast secondary literature on Wittgenstein and this central work. Good edited volumes and introductions include, *The Cambridge Companion to Wittgenstein*, eds. Hans D. Sluga and David G. Stern (Cambridge: Cambridge University Press, 1996); *The New Wittgenstein*, eds. Alice Crary and Rupert Read (London: Routledge, 2000); Hans-Johann
I. Wittgenstein’s Physiognomy

§432 of the *Investigations* is a short, aphoristic remark that serves as an apt beginning. Wittgenstein writes: “Every sign *by itself* seems dead. What gives it life? – In use it is *alive*. Is life breathed into it there? – Or is the *use* its life?” First of all, this passage points back to the methodological remarks that occur earlier in the text (§89-133) and it reminds the reader of Wittgenstein’s unique approach to philosophical problems. In general, he thinks that we have a tendency, when doing philosophy, to abstract from our ordinary, everyday uses of words and propositions in the hope of discovering the underlying essence of these things; “we rack our brains over the nature of the *real* sign.” However, by abstracting under a compulsion for “crystalline purity” – by trying to grasp a word, or sign, “*by itself*” – we put ourselves onto “slippery ice.” Without friction, we are unable to walk and, in a sense, our object of inquiry dies. That is, by removing a concept from its everyday contexts of application – by taking it away from its “home” – we neglect the factors that work to bring it to life. To walk, we need friction. By encouraging us to return to the rough ground, and by encouraging us to think holistically and to see that words live in our lives, Wittgenstein asks us to attend to the ways that we actually use particular terms in our mundane, everyday interactions.


6 Wittgenstein, *Philosophical Investigations*, §432. All emphasis is in the original. This will be true of subsequent quotations as well, unless otherwise noted.

7 Ibid., §105.
Wittgenstein’s remarks on hope and pain help to give a more substantive picture of his methodology at work. §432 helps to guide us in this respect as well. In particular, it is insightful to look more closely at the emphasis he places on “by itself” and the second question: “Is life breathed into it there?” Wittgenstein wants to resist attempts to think of the word “hope,” for example, as something that expresses, or accrues meaning, in virtue of being connected to a feeling, or an internal state. The phrase, “I hope…,” is not primarily a sign that could be seen to stand by itself, simply waiting for life to be injected into it by a particular feeling or process of intention. Instead, we should begin by asking: how does hope manifest itself in our lives? Well, I can hope that a friend will arrive safely at a destination; or, I hear of an old acquaintance who has been met with some misfortune, and I say: “I hope they will be okay;” or, I hope that the weather will be nice for my picnic tomorrow; or, in my more philosophical moments I might ask, along with Kant, “For what may I hope?” Hoping will be displayed in a variety of instances that will be related to one another via a cluster of family resemblances. Wittgenstein wants us to understand occasions of hoping as moves in a language game – not as signs that relay something that exists behind, or prior to, the expression – but rather, as offering us direct manifestations of the activity of hoping in and of themselves: “In this way I should like to say the words ‘Oh, let him come!’ are charged with my desire… (Words are also deeds.)” This suggestion, that words are also actions, brings the sign and the activity together. The use is its life, and it is a mistake to think of hope as something that could be disaggregated from its instances in such a fashion as philosophers have presumed.

8 These examples all involve a beneficent form of hope. It is also important to recognize that hope can take malfeasant forms as well, such as when I hope that something bad will happen to an adversary.

Wittgenstein’s holism also stresses the importance of context for understanding how the phenomenon of hope comes to life. He wonders whether it would be possible to capture a moment, to take a snapshot of hoping, so to speak, in order to discover the essence of this activity. He asks: “Could someone have a feeling of ardent love or hope for the space of one second – no matter what preceded or followed this second?”10 Wittgenstein answers this question negatively, intimating that the act is inextricably tied to its context; the “surroundings give it its importance.”11 As an illustrative analogy, he uses the example of a coronation. The crowing of the king or queen receives its meaning, not simply from the act – the putting of a crown upon a head – by itself, but rather, that activity becomes meaningful by being embedded in all the history, pomp, and ceremony that surrounds the event. If we extracted this moment, the placing of the crown upon the head, and placed it in a different context, its meaning would be fundamentally altered. Likewise, when I say, “I hope it won’t rain tomorrow,” this utterance, taken on its own, or as an indicator for some underlying state or process, tells us nothing about what “hope” means in this instance. The fact that I’ve planned a picnic for my family, that I haven’t seen my mother in three months, that it has rained for the last three days, etc, gives life to my hoping, and what it means to hope, in this instance, will only be meaningful in the context of those surroundings.12

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10 Ibid., §583.
11 Ibid.
12 On page 174, in the second part of the *Investigations*, Wittgenstein makes similar observations about “grief”: “‘Grief’ describes a pattern which recurs, with different variations, in the weave of our life. If a man’s bodily expression of sorrow and joy alternated, say with the ticking of a clock, here we should not have the characteristic formation of the pattern of sorrow or of the pattern of joy.”
Wittgenstein’s discussion of pain also relies heavily on the distinction between life and death (which I began discussing by invoking §432). Working against the idea that pain is essentially a private psychological state, which could be logically disconnected from a living body, Wittgenstein asks us to imagine a stone having sensations:

How could one so much as get the idea of ascribing a sensation to a thing?...And now look at the wriggling fly and at once these difficulties vanish and pain seems able to get a foothold here…And so, too, a corpse seems to us quite inaccessible to pain. – Our attitude to what is alive and to what is dead, is not the same.13

Here, Wittgenstein suggests that there is not just a quantitative difference between the living and the dead, but that there is a difference in kind, that is, a difference in “attitude” that is founded in the life/death distinction. The idea of pain is only intelligible in the context of sentient life – the wriggling fly sits at an infinite distance from the stone. The experience of pain, accordingly, must be understood as intimately bound to our vulnerable, embodied existence. In the context of human life, pain is expressed by vocalizations (crying out, cursing), facial expressions (wincing, grimacing), bodily movements (jerks, recoils), secretions (tears, sweat, blood), etc, which will become meaningful in the inter-subjective, world-bound context of human interaction. Pain’s conceptual envelopment within a form of life sets up a boundary such that it becomes inconceivable that the stone, or the corpse, could make a move in this game.14

The remarks on pain, similarly to his treatment of hope, serve to reinforce Wittgenstein’s attempts to dispel the tendency to understand language as primarily a medium of signification.

13 Ibid., §284.
14 As Marie McGinn puts it: “The boundary between the stone and the fly is not an empirical one…Rather, it is a conceptual one, which reflects the conceptual connection that exists in our language between sensation concepts and bodies of a quite particular kind.” See Marie McGinn, Wittgenstein and the Philosophical Investigations, 153.
Responding to his interlocutor’s charge that he has focused on pain-behavior so as to make the sensation of pain (that internal, private affair that is imagined to stand behind the exhibited behavior) into nothing, Wittgenstein responds: “Not at all. It is not a something, but not a nothing either...The paradox disappears only if we make a radical break with the idea that language always functions in one way, always serves the same purpose: to convey thoughts – which may be about houses, pains, good and evil, or anything else you please.” 15 Thus, it is a mistake to think of the sentence, “My tooth aches,” as a sign that makes a private sensation public, as a combination of words that only conveys meaning. The sensation is not a nothing, it just has no role to play in our language game. The utterance should be understood as part and parcel of the pain itself, that is, as an essential facet of the pain’s manifestation. A sensation – a not-something that is yet not a nothing – does not breathe life into the utterance; the vocalization is intertwined with that very life itself.

There is a strange sentence, set between double brackets and appended to §568, which states: “Meaning is a physiognomy.” This suggests that meaning is something to be found on the face, or, in the physical features. I would argue that this sentence makes a great deal of sense once we appreciate the weight Wittgenstein places on life in his *Investigations*. He stresses, firstly, that we must start with life, with what is living, to acquire a horizon for understanding pain, hope, grief, love, etc, and, secondly, that it is within the context of that life that words, language, actions, and expressions can come to life themselves. Meaning is not just to be found in, or expressed by, words and propositions; “[c]an I not say: a cry, a laugh, are full of meaning?

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And that means, roughly: much can be gathered from them."\(^{16}\) By looking at the “face” of our forms of life, and by attending to the manifold details that are there to be observed, we discover that meaning is to be found in unexpected places. Furthermore, by looking at the face of the individual, we might come to have a better understanding of what it means to hope and to be in pain. The anticipatory smile of my partner as she awaits her parents’ arrival at the airport (and a “smiling mouth *smiles* only in a human face”\(^ {17}\) helps me to understand what hope is; likewise, the grimacing of my coworkers face, after hitting his thumb with a hammer (“and one does not comfort the hand, but the sufferer: one looks into his face,”\(^ {18}\) ), shows me something about the meaning of pain.

In §116, Wittgenstein says that what “we do,” in contrast to those he calls “philosophers,” “is to bring words back from their metaphysical to their everyday use.” We might wonder who this *we* is, but it is clear that Wittgenstein wants us to bring words and concepts “home.” Exactly what this would entail might still be vague. Suffice it to say at this point, that if we want to follow Wittgenstein – if we want philosophy to be alive – then we must attend to life.

II. Humans and Other Animals

I now begin to consider how Wittgenstein’s thought might be useful for thinking about other animals. On the one hand, Wittgenstein’s comments on hope demarcate one conceptual domain where he sees an important difference between humans and other animals. On the other hand, his remarks on the sensation of pain suggest that Wittgenstein did see some similarities

\(^{16}\) Ibid., §543.

\(^{17}\) Ibid., §583.

\(^{18}\) Ibid., §286.
between other animals and ourselves. I also want to consider (shifting gears slightly) some of
the ways that human beings can perceive and react to the other animals – both human and
nonhuman – which surround us. To accomplish this, I draw on the work of Cora Diamond to
look at some ways that Wittgenstein’s comments and methodology might intimate new
approaches to thinking about vegetarianism and the consumption of other animals.

II.1 A Difference: Hope

In the first section of the second part of the *Investigations*, Wittgenstein writes the
following:

One can imagine an animal angry, frightened, unhappy, happy, startled. But hopeful?
And why not?

A dog believes his master is at the door. But can he also believe his master will come
the day after to-morrow? – And *what* can he not do here? – How do I do it? – How am
I supposed to answer this?

Can only those hope who can talk? Only those who have mastered the use of
language. That is to say, the phenomena of hope are modes of this complicated form of
life. (If a concept refers to a character of human handwriting, it has no application to
beings that do not write.)\(^{19}\)

Here, Wittgenstein uses a comparison with dogs, which do not use spoken language, to highlight
a particular aspect of human existence. The human form of life, and, more specifically, those
aspects related to the phenomenon of hope, involves the use of language in the context of a
variety of concrete practices and situations. As the coronation analogy was meant to show, a
great deal of “stage-setting” must be in place before the ability to hope will be a possibility; the

\(^{19}\) Ibid., 174.
“surroundings give it its importance. And the word ‘hope’ refers to a phenomenon of human life.”20 What are some of these “surroundings”? Well, for example, one needs to be able to consider past events and future possibilities. I must be able to conceive of, say, the day after tomorrow, or next week, or this afternoon. Furthermore, I must be able to reflect on my own desires and goals. The ability to use language and particular concepts are essential components of all these activities. In other words, certain linguistic/conceptual abilities are fundamental aspects of the activity that gets called “hoping”.

In comparison, canine forms of life would seem to lack a number of the linguistic features that are constitutive of an ability to hope. Thus, we can imagine a dog – at a shelter perhaps – that is uncomfortable, agitated, stressed, and who relaxes and becomes playful when taken outdoors for a walk. But we cannot conceive of this same dog fantasizing about being rescued from his or her cage in a way similar to how a prisoner might hope to be freed from their cell. The tools necessary for that kind of imagination seem to be lacking. Some concepts – such as “happy,” “anxious,” “calm,” “restless,” etc. – will be applicable to a variety of animals, but others – such as “hoping,” “wishing,” “fantasizing,” etc. – will be difficult to apply to animals without certain linguistic capacities.21

Human language-games are diverse and many are unique. Consequently, human forms of life will also display a number of important differences when compared to the forms of life of other animals. This is not to say that the lives of those animals are less complex or more

20 Ibid., §583.
21 I want to stress that I am not denying that other animals have the capacity to use concepts. It seems clear that many animals (pigeons, for one example) do have fairly sophisticated conceptual abilities. See Chapter 6, “Concepts,” of Donald Griffin’s, Animal Minds: Beyond Cognition to Consciousness (Chicago: The University of Chicago Press, 2001).
simplistic, but rather, it is a remark about the distinctive character afforded to the human form of life by an ability to use language in a particular way. In §23, Wittgenstein lists some of the language-games in which we participate to highlight the wide variety of uses to which words and sentences can be put. As examples, he includes: giving and following orders, reporting or speculating about an event, making up a story, making up and telling jokes, calculating, cursing, praying, etc. It would be a mistake to apply a concept like hope, an activity that has its proper home in human forms of life, to those behaviors that manifest themselves in dogs and other animals without the ability to use language in this particular way.\textsuperscript{22}

Wittgenstein claims “that to imagine a language means to imagine a form of life.”\textsuperscript{23} So, if we imagine a particular language, or language-game, such as the ability to hope and express wishes, then that language-game will be inextricably bound up – or woven into – the activities that particular language users are performing. To imagine a language is to imagine a form of life in which that language is put to use, and some of those uses will be unique to human beings.

\textbf{II.2 A Similarity (with a Few Differences): Pain}\textsuperscript{24}

While it is important to acknowledge the myriad ways in which this “complicated form of life” that we live as human beings might be different from other forms of animal life, I think it is

\textsuperscript{22} This is not to deny that other animals may have their own unique language games that humans will be unable to comprehend/participate in. See Chapter 8, “Communication as Evidence of Thinking,” and Chapter 9, “Symbolic Communication,” in Griffin’s, \textit{Animal Minds}. For an interesting discussion of prairie dog communication, see C. N. Slobodchikoff’s essay, “Cognition and Communication in Prairie Dogs,” in \textit{The Cognitive Animal: Empirical and Theoretical Perspectives on Animal Cognition}, eds. Marc Bekoff, Colin Allen, and Gordon M. Burghardt (Cambridge, Mass: MIT Press, 2002), 257-64; Temple Grandin discusses Slobodchikoff’s research in her book, \textit{Animals in Translation: Using the Mysteries of Autism to Decode Animal Behavior} (New York: Scribner, 2005), 272-276.


\textsuperscript{24} For some discussion of how Wittgenstein’s account of pain fits into his general critique of the referential view of language, see pages 41-45 in Roger J. Fogelin’s essay, “Wittgenstein’s Critique of Philosophy,” in \textit{The Cambridge Companion to Wittgenstein}. 
also important to recognize some of the ways in which it might be similar. In other words, I argue that we should recognize domains where particular concepts might be legitimately extended beyond their application in human life. Wittgenstein’s discussion of pain allows for insight on this matter. In §§281-287 of the *Investigations*, the *living* body comes to play an important role in his discussion. To reiterate a passage that I have already quoted (and used as this chapter’s epigraph):

> Look at a stone and imagine it having sensations. – One says to oneself: How could one so much as get the idea of ascribing a *sensation* to a *thing*? One might as well ascribe it to a number! – And now look at a wriggling fly and at once these difficulties vanish and pain seems able to get a foothold here, where before everything was, so to speak, too smooth for it.  

In comparison to his treatment of hope, where he sees that concept failing to find a foothold in nonhuman life, Wittgenstein seems to be affirming here that the concept of pain does find a justifiable application in a larger class of beings. While granting that we do sometimes ascribe sensations of pain to inanimate objects – he gives the example of saying that a doll is in pain – he also suggests that this is a secondary use, which is derived from those cases in which the concept finds its proper home. It is only of what “behaves like a human being” that one can say “that it *has* pains. For one has to say it of a body, or, if you like of a soul which some body *has*.”

Now, we might wonder what Wittgenstein has in mind when he speaks of something behaving like a human being. His suggestion that the concept of pain gets a grip with the

26 Ibid., §282.
27 Ibid., §283.
wriggling fly would seem to indicate that he sees animate life providing the baseline criteria for “behaving like.” But it is important to realize that Wittgenstein isn’t saying that the fly and the human being experience pain in the same way. Indeed, we might not know what exactly to say about the sensations that a fly has when it is whacked by a swatter and proceeds to wriggle around the room. His point is that pain, as a descriptive concept that can be applied to particular objects, becomes relevant when we are dealing with living entities (stones and other inanimate objects, in contrast, are too “smooth” for the concept to get established). So, while in the case of the fly the concept has gotten a foothold, still, it does not yet have a stranglehold.

As we move to other species of animals, such as dogs and cats, the application of the concept becomes more and more clear. Thus, I am inclined to think that Wittgenstein’s response to his interlocutor’s suggestion – namely, that we only believe somebody else is in pain, but that we know it when we ourselves are in pain – is applicable to other animals as well. While the distinction between believing and knowing someone is in pain might seem appropriate when doing philosophy, Wittgenstein asks us to “[j]ust try – in a real case – to doubt someone else’s fear or pain.”28 Similarly, it seems misguided to approach my cat’s reaction when I step on his tail as an incident that could only be said to produce a belief about his experienced pain. His sharp cry and recoiling body show me the pain he experiences – skepticism and doubt about that pain would seem to be misplaced.

In contrast to this account, in Against Liberation, Michael Leahy draws on Wittgenstein to argue that skepticism with respect to applying the concept “pain” in the case of nonhuman

28 Ibid., §303.
animals may indeed be in order.\textsuperscript{29} Considering the possibility of taking certain pre-linguistic behaviors that a dog displays when injured – that it “yelps and whines, licks its own wounds and those of others, as a primitive reaction to their distress, and so on” – as reasons for saying the animal is in pain, Leahy responds by asserting that “there are considerable uncertainties born of the creature’s inability to use language. It will lick its wounds but is unable to consider whether this is advisable, or how long they will take to heal, or whether it will be put down if they do not.”\textsuperscript{30} I want to respond to Leahy’s assertion that there are “considerable uncertainties” with this case in two ways, the second coming at the end of my discussion. For now, let me say that I think he has rightly observed that the dog may not be able to consider what the best course of treatment for her injuries will be, nor will she be able to wonder how long her recovery will take, nor, finally, will the dog be able to contemplate the possibility of her death.\textsuperscript{31} All of these activities, analogously to hoping, require certain linguistic “surroundings” to be possible. Clearly the experience of pain in human life will be inflected in interesting ways thanks to our linguistic capacities, but that is not to say that skepticism is warranted with respect to the pain sensations of other animals.

Cries, gestures, reactions, etc, can all be meaningful; that is, they can be more than just mere \textit{indicators} of pain, or \textit{signs} to be interpreted. They can be \textit{manifestations} of the pain itself. These responses are connected to the fact that pain-experiencing creatures exist in the world as vulnerable bodies of particular types. It is that embodiment that creates the grounds for an


\textsuperscript{30} Ibid., 127.

\textsuperscript{31} I acknowledged similar potential differences between humans and other animals in my discussion of vulnerability in Chapter 2, 38-39.
intelligible ascription of pain to creatures as disparate as the dog and the human.32 I might doubt whether my cat will resent me for stepping on his tail, but I cannot doubt that he feels pain when it happens – pain has gotten a firm foothold here. For Wittgenstein, a cry and a verbal utterance can perform the same function, namely, they can be manifestations of pain. They are not descriptions/signs of some private, internal event. Still, Wittgenstein does seem to want to keep some space between cries and spoken sentences. The statement “‘I am afraid’ may approximate more, or less, to being a cry. They may come quite close to this and also be far removed from it.”33 He is highlighting how a statement like “my foot hurts,” while similar to a cry, in that it is not a description (i.e. both can exhibit pain), is still quite different from one. The expression via language allows for a wider range of meanings and interpretations depending on the context of utterance. In other words, the expressive medium of language allows for more complexity and ambiguity. One facet of this ambiguity is the ability to simulate pain for deceptive reasons (I am reminded of trying to pretend I was sick on school days when I was younger), which are abilities that Wittgenstein thinks are lacking in other animals for reasons that are similar to their inability to hope.34

While it may be important to recognize certain differences, I argue that it is also very important to recognize a common ground, shared by humans and other animals, upon which the

32 In Chapter 2, I argued that we must acknowledge the importance, for ethics and political philosophy, of thinking about vulnerability (and embodied subjectivity), and I insisted that this acknowledgement has implications for how we are going to think about (and treat) other animals.

33 Wittgenstein, Philosophical Investigations, 189.

concept of pain builds its home. Leahy thinks that the “similarities of [other animals’] pre-linguistic reactions to human responses serve as constant temptations to treat them and speak of them in ways that are perhaps too reminiscent of the human paradigm; being, in part, neglectful of the implications of the lack of language,” but Leahy’s argument itself neglects the ways that the living, vulnerable body is put to work in Wittgenstein’s investigations.

II.3 Our attitude is not the same...All our reactions are different

I would like to return to §284 (which I discussed at numerous points above). After suggesting that it is with the wriggling fly where the concept of pain begins to find its home, Wittgenstein continues by offering another contrast for consideration: “And so, too, a corpse seems to us quite inaccessible to pain. – Our attitude to what is alive and to what is dead, is not the same. All our reactions are different.” On the one hand, this reinforces his point with respect to pain. It is living things and vulnerable bodies where this concept gets principally applied. Still, on the other hand, when we begin to think beyond the ascription of pain, this contrast between the living and the dead fails to consider different responses to the multifarious particular cases within each of those classes. In other words, our attitudes to the many things that are alive are not all the same, and similarly, we respond differently to particular instances of death. Cora Diamond helps to illuminate this point.

In so far as she attends to the rough ground of the moral life, Diamond’s ethical thinking works in the spirit Wittgenstein’s later work (as exemplified in the Investigations). Two aspects of her thought are especially important. The first is her suggestion that we should gravitate

35 Leahy, 127-128.
around the notion of “fellow creatures” to enlarge our sense of the moral community. The second is her discussion of what she calls “difficulties of reality.” In both cases, she aims to position herself in opposition to dominant philosophical approaches to animal ethics (such as Singer’s preference-utilitarianism). In doing so, she maps out some conceptual terrain that can be effectively coupled with my focus on the importance of vulnerability and care.

I begin by considering the first important aspect that I have highlighted. In her argument against a particular way of establishing the moral considerability of other animals – namely, Singer’s utilitarianism – Diamond rejects the suggestion that it is a respect for interests that we should see as the guiding force in our interactions with other animals, both human and nonhuman. 37 She thinks that this approach fails to appreciate many of the factors that contribute to making certain beings the kind of thing they are. She asserts that “there are some actions, like giving people names, that are part of the way we come to understand and indicate our recognition of what kind it is with which we are concerned.” 38 One of her dramatic examples involves the recognition of the fact that we don’t (except in the most extreme of cases) eat other human beings. 39 It is not out of consideration of others’ interests that we refrain from dining on our fellow humans. Instead, Diamond suggests that the fact that humans are not the kind of thing that is available for consumption is bound up with the concept “human being” itself. Likewise, to imagine people who ate their pets would involve imaging individuals who did not have pets in our sense of the term: “a pet is not something to eat, it is given a name, is let into our houses and

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38 Ibid., 323.
39 Still, it would be important to recognize that we do routinely incorporate matter from other humans in many other ways, such as through blood, bone-marrows, and organ donations.
may be spoken to in ways in which we do not normally speak to cows or squirrels." And again, it is not out of a respect for interests that we do these things for our pets – these are the very things that are involved in an animal being a pet. When it comes to those animals that we do consume – such as cows, pigs, and chickens – the fact that they are eaten helps to establish the conceptual difference between human beings and those species. As Diamond puts it, we “learn what a human being is in – among other ways – sitting at a table where we eat them.”

But it is important to recognize that these attitudes and responses are also variable and transformable over an individual’s life (e.g. one might transition from eating meat to a vegetarian diet when they come to see other animals in a new light), something that I think Diamond implicitly recognizes, but which she could make more explicit. It becomes quite apparent, when we look and see, how different our reactions can be with respect to different animals in different contexts. How I react towards the cockroach in my kitchen, the cat on my lap, the deer in the forest, and the human next to me in bed, will be affected by many preconceptions that influence how I perceive what I behold before me; these instances of life will provoke the most diverse reactions. Similarly, the squashed earthworm, the squirrel that has been run over by a car, the pig at the butcher shop, and the body of an acquaintance placed in a casket, will also invoke, as instances of death, many different responses. There is nothing that dictates how I must respond to other animals. How beings line up into the we and them columns, and the language games within which they are implicated, will be open to variation. Responses will be influenced by religious beliefs, where people grow up (think of how somebody raised on a farm might have

41 Ibid.
different attitudes than somebody raised in an urban setting), personal experiences, peer groups, etc.

And I think it is here where an individual who wants to promote, say, a vegetarian form of life finds a foothold. It becomes a matter of trying to influence how people respond to other animals and of persuading people to question their attitudes and reactions. Diamond argues, and I would endorse her position, that promoting affective responses towards our “fellow creatures” might be one way of convincing people that they have good reason not to eat meat. So, instead of a we and a them, we might work to promote a sense of an us.

Diamond wants to present a way to think about “fellow creatures” that does not involve invoking a biological concept. She does not want to invoke a conception of their interests, capacities, etc., but a conception of them as company, as companions in this vulnerable life. She believes that the development of this kind of conception can lead us to think that eating those other animals might be unacceptable. Diamond looks to poetry and literature for examples. I will briefly consider some more pedestrian instances. These two slogans are used by PETA (People for the Ethical Treatment of Animals) on buttons, t-shirts, placards at rallies, etc: “Respect your fellow earthlings: Don’t eat them!” and “Meat’s no treat for those you eat!” What is interesting about these phrases is that they encourage one to reflect on their own habits/practices and to consider how those activities impact not only ourselves, but also the other animals that are implicated in them. In effect, they attempt to insert other animals into language games from which they are often excluded (i.e. the language games of respect and relish). Another interesting thing about these sayings is that I don’t think we need to understand them as

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42 Ibid., 328-330.
“rails laid to infinity”\textsuperscript{43} – as a utilitarian demand for the consideration of interests, or a rights claim, might be taken – but rather, they are occasions for reflection. They are signs at a fork in the road. And it falls on us to make a decision. Now, certainly, these little proverbs might fail to be convincing, but I do think they show us the types of tools that will be useful for convincing people that they have reason to reflect on practices which have an impact on other animals.

I would now like to consider the second aspect of Diamond’s thought that I indicated I would focus on, namely, her discussion of what she calls “difficulties of reality.” This is another facet of experience that Diamond believes may be missed by more traditional approaches to moral philosophy (due to its tendency to abstract and formalize).\textsuperscript{44} She names the experiences she is interested in “difficulties of reality,” and she defines them as “…experiences in which we take something in reality to be resistant to our thinking it, or possibly to be painful in its inexplicability, difficult in that way, or perhaps awesome and astonishing in its inexplicability.”\textsuperscript{45} The difficulties she has in mind can be idiosyncratic and they can take different forms. One of her examples is drawn from a Ted Hughes poem, where the narrator is considering a photo of six young men, all of whom were killed in the First World War.\textsuperscript{46} In the poem, the speaker finds it difficult (to the point where, “To regard this photograph might well dement”) to reconcile the fact that the individuals, who are so alive in the photo, have also long since tragically passed

\textsuperscript{43}Wittgenstein, *Philosophical Investigations*, §218. Wittgenstein invokes this notion in his discussion of rules and rule-following. He talks about the tendency to think of the beginning of a sequence as the visible portion of a pair of rails laid to infinity that lead the way to the infinite application of a rule. Here, I am using the simile to refer to a tendency in moral philosophy.


\textsuperscript{45}Ibid., 2-3.

\textsuperscript{46}Ibid., 1-3.
away. A second example she uses is the character Elizabeth Costello from J.M Coetzee’s work, *The Lives of Animals*. The primary difficulty Diamond focuses on in this case is how Costello is troubled and unhinged in the face of the ways that humans act towards other animals in modern agricultural practices (which the character controversially compares to the Holocaust at a number of points). Costello is troubled (viscerally, and to the brink of madness) by what other people appear to take easily in stride (and this inability to take things in stride is part of what creates the difficulty for Costello).

Diamond wants to honor and attend to these experiences, and she believes that traditional philosophical approaches to moral problems can often fail to adequately acknowledge these difficulties. She thinks that these standard ways of thinking (and arguing) – Singer’s response to *The Lives of Animals* is taken as an example – can “deflect” us away from facing up to particular difficulties of reality. For her, this deflection occurs “when we are moved from the appreciation, or attempt at appreciation, of a difficulty of reality to a philosophical or moral problem apparently in the vicinity.” When thinking about other animals, a possible example of such a deflection would be when one moves from the horror experienced in the face of the sheer magnitude of animal suffering involved in, say, food production, to a cool and distanced discussion of the moral status of other animals. Similar to the worry raised by care ethicists

47 Ibid., 3-11.
48 Ibid., 11-13.
(which I discussed in the last chapter\textsuperscript{51}), Diamond believes that philosophical debate, as it is often structured, “may have built into it a distancing of ourselves from our sense of our own bodily life and our capacity to respond to and imagine the bodily life of others” and that this kind of deflection can involve treating our own bodies as abstract facts.\textsuperscript{52}

I would argue that an approach that aims to avoid deflection is an important method for developing a rich understanding of our moral lives. By avoiding more traditional approaches to philosophical argumentation, we can appreciate the full importance of the moral imagination and the imaginative reconstruction of another’s reality that it enables. This is the end that my appeal to vulnerability in this thesis is meant to work towards (i.e. the fostering of a sense of kinship with other animals\textsuperscript{53}), an appeal that Diamond also invokes when she explicates Costello’s difficulty in the following way: “The awareness we each have of being a living body, being ‘alive to the world,’ carries with it exposure to the bodily sense of vulnerability to death, sheer animal vulnerability, the vulnerability we share with them. This vulnerability is capable of panicking us.”\textsuperscript{54} But, I hold that it is important to also recognize that this vulnerability need not only cause an experience of panic. It might also be awe-inspiring. And this reverence that the lives of other animals can inspire is important for shaping the lives we live with them. In other words, difficulties need not only be thought of in pejorative terms, something that Diamond seems to implicitly acknowledge when she writes:

\begin{flushleft}
\textsuperscript{51} See Chapter 3, 87-88.
\textsuperscript{52} Diamond, “The Difficulty of Reality and the Difficulty of Philosophy,” 9.
\textsuperscript{53} See Chapter 2, 56.
\textsuperscript{54} Diamond, “The Difficulty of Reality and the Difficulty of Philosophy,” 22.
\end{flushleft}
…a sense of the difficulty of reality may involve not only the kind of horror felt by Elizabeth Costello… but also and equally a sense of astonishment and incomprehension that there should be beings so like us, so unlike us, so astonishingly capable of being companions of ours and so unfathomably distant. A sense of its being impossible that we should go and eat them may go with feeling how powerfully strange it is that they and we should share as much as we do, and yet also not share; that they should be capable of incomparable beauty and delicacy and terrible ferocity; that some among them should be so mind-bogglingly weird or repulsive in their forms or in their lives.  

The important thing to keep in mind is that shared vulnerability, and the difficulties it can throw up, is not just a fact that can be abstractly inserted into philosophical debate. It is a place to stop and to consider how we might go on in the future.

This is one of the places where I think Diamond can be brought into explicit contact with Wittgenstein. They are joined by a careful attention to the multifarious textures of our embodied lives and language games, by the injunction to “look and see” the different forms of life (including the lives of other animals) that we embody and which surround us, and by a desire to diagnose (and resist) the abstraction and reification that have been common in philosophical thought.

III. Conclusion: Hesitation in the Face of Uncertainty

I mentioned above (on p.105) that I would return to Leahy’s diagnosis of a “considerable uncertainty” when it comes to thinking about what we might want to call “pain” in other animals. Leahy’s hesitation is founded on a skeptical uncertainty that lends itself quite readily to the

55 Ibid., 13-14.
maintenance of the status quo. It allows us to refrain from looking at our own beliefs and practices. But could the dog’s yelps and licking of his wounds lead to another kind of uncertainty? Could they be the occasion for a moment of reflection on how we might go on in the future? Consider this passage from Wittgenstein’s *Zettel*:

> One kind of uncertainty is that with which we might face an unfamiliar mechanism. In another we should possibly be recalling an occasion in our life. It might be e.g. that someone who has just escaped the fear of death would shrink from swatting a fly, though he would otherwise do it without thinking twice about it. Or on the other hand that, having this experience in his mind’s eye, he does with hesitancy what otherwise he does unhesitatingly.  

Just as Wittgenstein and I have argued that hoping is a part of the complicated forms of human life, so too I think that reflecting on ourselves and how we engage with our world is a paradigmatically human way of being. I am hopeful that this capacity for reflection and change, though perhaps too often under-realized, will nonetheless allow for more harmonious interactions with the other animals that share this planet. Thus, while I think Wittgenstein is a valuable resource for thinking about the forms of life lived by humans and other animals, ultimately, I hope we are spurned on to new thoughts with respect to how we might alter those concepts through which the world is perceived.

Thus far in the thesis, I have established that vulnerability is an important concept for inspiring feelings of kinship with other animals and that the ethic of care provides us with an effective

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moral epistemology for attending to the rough, contextually variable locales where humans and other animals might come into relation. In this chapter, I have argued that Wittgenstein and Cora Diamond provide further conceptual footholds for deepening an appreciation of the place that the vulnerable body can occupy in philosophical thought. They inspire reflection upon how we live and about what might be changed as we go on in the future. Chapters 5 and 6 are more “applied.” Therein, I turn to the work of Michel Foucault to consider one space (the slaughterhouse) and a dietary practice (vegetarianism) that shape and structure human activity with respect to other vulnerable beings.
The convict said he felt cheated. He wasn’t supposed to be doing Mexican work. After his second day he was already talking of quitting. “Man, this can’t be for real,” he said, rubbing his wrists as if they’d been in handcuffs. “This job’s for an ass. They treat you like an animal.”

- Charlie LeDuff, “At a Slaughterhouse, Some Things Never Die”

If Foucault had written a book about other animals, I imagine that it would have had a gripping introduction. Rather than beginning with Damiens the regicide, he might have chosen to recount the last living moments of a pig on his (or her) way to becoming pork chops and bacon. An image of power at its most bludgeoning, it would be a scene filled with dismemberment, blood and viscera. And rather than juxtaposing this scene with Léon Faucher’s meticulous prison schedule, Foucault might have instead chosen to follow a day in the life of a contemporary, urban cat owner. Involving trips to the veterinarian’s office, portioned meals for weight control and tooth brushing to ensure optimal oral hygiene, it would present a contrasting image of a power that regulates and normalizes. The ensuing text would have, presumably, tried to spell out how we get from one of these scenes to the other and how power can metamorph from one manifestation to the next.

Of course, Foucault did not write such a book. Accordingly, in this chapter, I aim to fill in some of the blanks by exploring the ways that Foucault’s methods and conceptual tools can be
fruitfully employed to explore our relationships with other animals.\(^1\) In doing so, I draw on the work of a number of theorists – Foucault, Giorgio Agamben, Clare Palmer, and Ralph Acampora, to name the most central – to argue that the slaughterhouse provides us with a case where we find a relationship of violence intimately connected to a multitude of power relations – that is, where the violence inflicted on other animals, and the ontological reduction of the vulnerable body that undergirds it, is interwoven into the very fabric of the problematic human relationships enacted within the abattoir’s walls.

I. “Apparatus”

In an interview published in 1977, an interlocutor draws attention to Foucault’s reference – in the first volume of *The History of Sexuality* – to an “apparatus of sexuality” and then queries him on the meaning/methodological function of the term “apparatus.” Foucault responds by defining the term in the following way:

[An apparatus is] a thoroughly heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions – in short, the said as much as the unsaid. Such are the elements of the apparatus. The apparatus itself is the system of relations that can be established between these elements.\(^2\)

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1 In my ensuing discussion, I will reference many of the theorists who are using Foucault to explore questions related to animals and animality. On a slightly different note, for a selection of essays that aims to bring Foucault into contact with environmental philosophy more broadly conceived, see, *Discourses of the Environment*, ed. Éric Darier (Oxford & Malden: Blackwell Publishers, 1999). Darier’s introduction, “Foucault and the Environment,” 1-33, provides an especially useful overview of how the different periods in Foucault’s thought might be relevant to debates on the environment.

For Foucault, then, I would say that the description of an apparatus brings a particular “environment” or “life-world” into focus. It outlines a field of interactions that enables a particular kind of experience (or perception). Like a microscope or a hall of mirrors, it causes us to “see” in a particular fashion.  

But it is also important to recognize, at the outset, that Foucault’s project is not simply descriptive in nature; that is, the exploration of an apparatus is also presented as a means to look at a particular topic in a critical way. For example, Foucault invokes the idea of an apparatus of sexuality to argue that a particular way of thinking about sexuality (i.e. the repressive hypothesis) is mistaken. When a variety of different elements are juxtaposed – such as the heightened concern with the sexuality of children in medical discourse, in the context of family relations, and in educational institutions – a novel account of the historical emergence of “sexuality” comes into view. The apparatus illuminated by Foucault shows us how an understanding (and experience) of sexuality in a particular historical location is created by the interrelation (and mutual support) of various seemingly heterogeneous factors. Furthermore, since an apparatus is “always inscribed in a play of power,” thinking in terms of apparatuses allows Foucault to highlight the political and power-laden dimensions of those interrelations – dimensions that might otherwise be obscured when one thinks about a topic as “natural” as our sexual being.

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3 Foucault’s general characterization seems consonant with Jean-Louis Baudry’s contemporaneous discussion of apparatuses in the context of film theory. Baudry, for his part, encourages us to turn our attention away from the content of films and to attend, instead, to the “cinematic apparatus” (i.e. the dark room, the projector, the screen, the seats, etc.) that structures our experience of them. See, “The Apparatus,” *Camera Obscura* 1 (1976): 104-126.


6 Here, again, Foucault’s use of the concept of an apparatus for political/critical ends is largely in-step with Baudry, who believes that the concealment of an apparatic structure can have pernicious ideological consequences and, thus,
I want to appropriate this idea of an “apparatus.” Along with other Foucauldian concepts and insights, it can be redeployed to investigate another important facet of human life, namely, our interactions with other (nonhuman) animals. Foucault’s own concerns were decidedly anthropocentric, but his tools can be used to help us to see our relationships with other animals in new ways. Towards this end, it is useful to build from Giorgio Agamben’s discussion of Foucault’s terminology. While Agamben’s first gloss on the term “apparatus” appears to retain a human-centered focus, he subsequently goes on to characterize it in a more general fashion that, from my perspective, is much more promising. He ultimately defines an apparatus as “anything that has in some way the capacity to capture, orient, determine, intercept, model, control, or secure the gestures, behaviours, opinions, or discourses of living beings.”

According to this picture, we have, on the one hand, apparatuses (Agamben uses cellular telephone technology as one example) and, on the other, living beings. Finally, Agamben holds that its manifestation can produce a “knowledge effect” that can work in the service of ideological critique. See, “Ideological Effects of the Basic Cinematographic Apparatus,” in Narrative, Apparatus, Ideology, ed. Philip Rosen (New York: Columbia University Press, 1986), 286-298. Still, while formally similar, there are also stark differences between Foucault and Baudry’s respective approaches (e.g. their relationship with psychoanalysis).

Paola Cavalieri thinks Foucault missed many opportunities to deconstruct the notion of “animality,” and she criticizes his “blatant blindness” when it comes to thinking about other animals. See, “A Missed Opportunity: Humanism, Anti-Humanism and the Animal Question,” in Animal Subjects: An Ethical Reader in a Posthuman World, ed. Jodey Castricano (Waterloo: Wilfrid Laurier University Press, 2008), 97-123. Donna Haraway also highlights Foucault’s “species chauvinism.” However, she clearly believes that Foucauldian concepts can enrich our thinking about human-animal relations. See, When Species Meet (Minneapolis: University of Minnesota Press, 2008), 60. Following Haraway, I intend to take a more constructive approach to Foucault’s work.


Ibid., 12. Here, Agamben writes that an apparatus refers back to “okonomy, that is, to a set of practices, bodies of knowledge, measures, and institutions that aim to manage, govern, control, and orient – in a way that purports to be useful – the behaviours, gestures, and thoughts of human beings.”

Ibid., 14. I say that this definition is more general than Foucault’s because I take it that the “anything” in Agamben’s definition would include all of the elements Foucault enumerates and more. I also take it that both Agamben and Foucault are as much concerned with the material (architectural forms, technology, etc.) as with the immaterial (philosophical propositions, political statements, etc.).
that a third element, “subjects,” emerge from “the relation and, so to speak, from the relentless fight between living beings and apparatuses.”\(^{11}\) It is a live question whether or not other animals can also become “subjects” in this way, but this shift from “human” to “living” beings helps us to begin to acknowledge that the experiences (and subjectivities) of other creatures may also be deeply shaped by the apparatuses within which they are situated.\(^{12}\) Following Agamben and Foucault, I suggest that we think of apparatuses as complex spaces where a variety of different elements – both organic and inorganic, living and nonliving, human and nonhuman, material and immaterial – interact, support, and conflict with one another in a multitude of different, and mutually constitutive, ways.\(^{13}\) One advantage of this recasting is that it allows us to expand imaginatively beyond the exclusively human realm of concerns that structured the purview of Foucault’s various studies.

“Apparatuses of animality” may be an appropriate title for the domains I am interested in exploring, and these apparatuses certainly contain all of the multifarious and heterogeneous elements that Foucault enumerates in his definition above. It will be useful to highlight some of these elements, while keeping in mind that this list is by no means exhaustive, so as to get a sense of the terrain that needs to be explored.

\(^{11}\) Ibid.


\(^{13}\) My use of the term “apparatus” may share some affinities with Bruno Latour’s use of the term “network” (wherein many incommensurable elements interrelate in a mutually constitutive fashion). Furthermore, Latour’s attempt to make the laboratory visible, as an important node in the circulation of a variety of forces, is similar to Baudry’s attempt to force the cinematic apparatus into the light, to Foucault’s reconstruction of an apparatus of sexuality, and to my own attempt, here, to draw attention to pernicious elements of the slaughterhouse. For some examples of Latour’s approach, see, *We Have Never Been Modern*, trans. Catherine Porter (Cambridge: Harvard University Press, 1993) and “Give Me a Laboratory and I Will Raise the World,” in *The Science Studies Reader*, ed. Mario Biagioli (New York: Routledge, 1999), 258-275.
Discourses pertaining to/focused on other animals are continuously emerging from ethology, comparative psychology, sociobiology, veterinary medicine, agricultural engineering, dog breeding circles, and literature and film. Institutions, broadly conceived, would include practices such as pet-keeping and animal husbandry; more narrowly, we might think of religious organizations (e.g. animal sacrifice), universities (e.g. animal research), 4H Clubs (e.g. sheep rearing), and police forces (e.g. detection dogs) as institutional sites where animals are implicated in various ways. Architectural forms encompass slaughterhouses, laboratories, zoos, aquariums, animal shelters, and “dog Meccas.” Regulatory decisions and laws in Canada include the Canadian Agricultural Products Act and the Health of Animals Act. In the United States, one would have to consider the Humane Slaughter Act and the Animal Welfare Act. Criminal code provisions related to bestiality (sec.160 in Canada’s), animal cruelty statutes, and municipal bylaws affecting restaurant operation and pet ownership are further legal elements of interest. Administrative measures could involve decisions to allow/bar pets from workplaces or study spaces. Scientific statements are made by ethologists, zoologists, evolutionary biologists, etc., and philosophical propositions are advanced on the nature of animal minds, with respect to the essential differences between humans and other animals, and, of course, with respect to their moral status. Moral propositions are contained in animal “rights” and “liberation” discourse and in arguments for vegetarianism. Finally, philanthropic propositions (and solicitations) can be

14 LA Dogworks recruited a “top architectural team” and “the best mechanical engineer in the animal care industry” to design a boarding/grooming facility that offers exclusive spa treatments and “retail therapy” in the boutique. See http://ladogworks.com/welcome.html for more information.

15 The question of whether or not to allow dogs in the student carrel room was addressed at one meeting of my departmental student union.

16 Here, I am thinking about both academic (e.g. Regan and Singer’s work) and non-academic (e.g. blogs on the Internet, speeches at rallies, etc.) forms of discourse and argumentation.
heard coming from humane societies, PETA, and Greenpeace. This group is heterogeneous, no doubt, and this heterogeneity invites a number of preliminary questions.¹⁷

As far as the specification of a particular apparatus of animality is concerned, I would begin by asking what types of relations are, or can be, established between these various elements? What types of understandings of other animals are promoted at particular junctions; how are particular animals treated in specific locations; how does a particular animal subject come into existence in a particular apparatus; and, how are human actors invited/forced to act in various situations? My intuition is that no coherent, overall picture will emerge and that, in considering these different elements together, we will be glaringly confronted with aspects of what Gary Francione has called a human “moral schizophrenia” with regards to other animals.¹⁸

One need only think of the different spaces occupied by, and discourses concerning, companion animals and livestock animals to get a sense of the vast incongruities in the ways that particular human and nonhuman animal bodies are constructed within different apparatuses.¹⁹ My hope is that the incoherence evidenced by a consideration of these diverse and incommensurable elements will be instructive. Investigations and comparisons of different apparatuses can, I

¹⁷ As has been the case throughout the thesis thus far, my examples point primarily towards domestic (and captive) mammals and birds, and this is where my focus will remain. I believe that these contexts are the most obvious places to start when it comes to an extension of Foucauldian insights/categories, but I also am convinced that Foucault’s thought can contribute to a conceptualization of human relations with (and management of) wildlife. For an interesting, Foucauldian exploration of human-cougar interactions, see Rosemary Collard’s, “Cougar-Human Entanglements and the Biopolitical Un/Making of Safe Space,” Environment and Planning D: Society and Space 30 (2012): 23-42.


believe, provide the occasion for disruptive thoughts that will allow us to think about our relations with nonhuman animals in new ways.

II. Technologies

Human interactions with other animals can be explored along at least two (Foucauldian) axes. Each contributes to the creation of a critical lens that allows us to envision new (and better) forms of interrelationship. The idea that there are better and worse ways to interrelate with other animals implies that there are some normative fulcrums around which a critique can be developed. These pivots will come to light in the discussion that follows.

Foucault indicated that he was most interested in two particular matrices of practical reason in his later research. On the one hand, he was interested in what he called “technologies of power.” These are technologies that “determine the conduct of individuals and submit them to certain ends or domination,” and which involve “an objectivizing of the subject.”20 Discipline and Punish might be taken as the primary example of Foucault’s examination of these particular technologies.21 On the other hand, he was also interested in “technologies of the self.” These are technologies, according to Foucault, that “permit individuals to effect by their own means, or with the help of others, a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality.”22 He investigated this second form of technology primarily in the last two volumes of The History of Sexuality (The Use of Pleasure

and *The Care of the Self*). Obviously, Foucault uses the term “technology” in a very broad sense. It does not refer simply to equipment, tools, or material means, but to all the techniques, practices, and disciplines that can be pressed into the service of achieving a particular goal or objective. For his part, Foucault was especially interested in cases where the goal/objective of the application of particular technologies is the creation of a certain kind of human subject.

Given my own concerns, I am most interested in cases where these “technologies” also implicate, shape, and create other animals. First of all, I am interested in looking at instances where animals are submitted to “certain ends,” that is, where they are dominated and/or objectivized in some way. Specifically, I would like to focus on a site where power relations affect/involve both humans and other animals at the same time. Secondly, I think that it is important to look at the ways that human beings act on themselves in various ways, or engage in various practices, which attempt to establish (or express) a particular type of relation to other living creatures and where, in doing so, they also aim to make themselves a certain kind of person (e.g. vegetarianism). I take up the first task in the present chapter and leave the second for Chapter 6.

My investigation of a particular “technology of power” begins with an outline of Foucault’s different conceptualizations of power. In this section, I consider whether it makes sense to think of other animals as implicated in “power relations” in the Foucauldian sense. Next, I look at one apparatus of animality – the slaughterhouse – where disciplinary power is

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24 In this regard, and in light of Agamben’s discussion, “technology” and “apparatus” might be thought of as analogous concepts.
brought to bear on both human beings and other animals. Here, I focus primarily on an article published in *The New York Times* on June 16th, 2000, titled “At a Slaughterhouse, Some Things Never Die.”²⁵ In my analysis of this piece of journalism, I draw extensively once again (as I did in Chapter 1) on the work of Ralph Acampora. His bioethical thought provides a variety of helpful theoretical tools that can be used to critically assess one of the political “environments” that human beings share with other animals. These tools provide my (Foucault inspired) analysis with some grounds for/guides to normative critique.

III. Power

The question of power was most explicit in Foucault’s work from the mid-‘70s to the early ‘80s. Three more or less distinct elements in his thinking can be marked, each presenting various opportunities and barriers for understanding how human interactions with other animals might be conceived of as power relations.²⁶

III.1 Disciplinary Power

Disciplinary power was Foucault’s initial focus. In *Discipline and Punish*, Foucault develops a historical thesis which argues that the “classical age discovered the body as object and target of power” and that this targeting focused on the body as something that can be “manipulated, shaped, trained, which obeys, responds, becomes skilful and increases its


²⁶ In this section, I venture across much of the same terrain that was first charted out by Clare Palmer in “‘Taming the Wild Profusion of Things’? A Study of Foucault, Power and Animals,” *Environmental Ethics* 23 (2002): 339-358. My approach differs from Palmer’s primarily in terms of organization and emphasis, as I am interested in drawing some more general ethical conclusions about the power relations I discuss, which is a move Palmer explicitly resists. On a different note, elsewhere Palmer presents an interesting analysis of Foucault’s only extended discussion of “animality;” see, “Madness and Animality in Michel Foucault’s *Madness and Civilization,*” in *Animal Philosophy: Ethics and Identity*, eds. Peter Atterton and Matthew Calarco (London & New York: Continuum, 2004), 72-84.
forces.” As the introduction to the book so effectively displays, this disciplinary power stands in contrast to a sovereign form of power that was embodied in the right to kill and which was often deployed in an excessive, and clumsy, fashion. Armies, schools, hospitals, and prisons are, for Foucault, prime examples of sites where this new, meticulous form of disciplinary power was exercised and developed. His related notions of “docility” and the “docile body” are also closely connected with this particular form of power. A docile body is one, for Foucault, that “may be subjected, used, transformed and improved” by various exercises and regimens. According to Foucault, docility is inculcated and perpetuated by a variety of techniques, such as the distribution of individuals in space by enclosure, partitioning and ranking (e.g. in barracks, classrooms, etc.), by the control of activity (e.g. with time-tables, training to perform particular gestures, etc.), and through various forms of surveillance (e.g. panopticism).

One of the main obstacles to using the idea of disciplinary power to think about human interactions with other animals is the problem of deciding whether or not we can think of other creatures as “docile bodies.” In other words, does it make sense to use concepts like “subjection,” “transformation,” and/or “improvement,” when we think about the ways that the

27 Foucault, Discipline and Punish, 136.
28 For an excellent application of the theoretical tools of Discipline and Punish to the topic of intensive pig farming, see Dawn Coppin’s, “Foucauldian Hog Futures: The Birth of Mega-Hog Farms,” Sociological Quarterly 44 (2003): 597-616. For a discussion that goes in a different direction than the one I’ll pursue here, see Dinesh Joseph Wadiwel’s, “Cows and Sovereignty: Biopower and Animal Life,” Borderlands E-journal 1:2 (2002). Wadiwel starts from the distinction between sovereign and disciplinary power and then moves into an exploration of the ways that Agamben’s reflections on sovereignty, bare life, and biopower are relevant for thinking about human–animal relations. Also, Nicole Shukin’s, Animal Capital: Rendering Life in Biopolitical Times (Minneapolis: University of Minnesota Press, 2009), works imaginatively (and critically) with the Foucauldian concepts of biopower and biopolitics. In comparison, my analysis has a much more modest/preliminary character, though ultimately I feel that it is very much in sympathy with the “zoopolitical” critique that Shukin aims to engage in.
29 Foucault, Discipline and Punish, 136.
bodies of other animals are acted upon and caused to perform in different contexts? I think that it does. Teaching a dog to sit seems to be a simple example of the manipulation of a particular body. That is, the possibility of training seems to evidence a degree of docility possessed by the canine. And this is just one of the ways that human beings transform, “improve” and instill capacities in the bodies of other creatures. More extreme examples can also be envisioned. Think of turkeys that can no longer move or support their own bodies because they have been bred to be more palatable for North American Thanksgiving and Christmas consumers.

The juxtaposition of these two examples should caution us against reading a strictly pejorative tone into Foucault’s discussion of disciplinary power. To acquire any number of skills (say, being able to get dressed, or to use the bathroom, or to compete in a sporting event, etc.), our bodies must be rendered docile in a variety of ways. I must be subjected to a variety of routines and exercises – I must be disciplined – to acquire the abilities that are necessary to perform these actions. There is not anything necessarily pernicious about discipline, in either the human or the nonhuman case – as I think the dog-training example could support. But, clearly, disciplinary power can take problematic forms in certain contexts. Foucault obviously thought the prison was one such instance and I believe that turkey farming is another. In the next section,

31 The sitting example is obviously a very simple one. In the case of dogs, it is clear that the tasks they can be trained to perform run along a spectrum of difficulty and complexity. We need only consider the variety of roles that canines can play in search and rescue, drug and explosive detection, and the assistance of the blind, to name but a few venues, to get a greater appreciation for their multifaceted docility. I will also note here that I think it would be a mistake to assume that animals are only passive, malleable, stimulus response machines (and thus not docile in a comparable way to human beings). For example, studies have suggested that corvids (ravens, specifically) have problem solving capacities that evidence an appreciation of cause-effect relationships, and which make them quite effective problem solvers in novel situations; see, Bernd Heinrich and Thomas Bugnyar’s paper, “Testing Problem Solving in Ravens: String-Pulling to Reach Food,” Ethology 111 (2005): 962-976.

32 This is not to say that I believe animal training is always morally benign, or that it cannot be corrupted by a trainer’s bad faith, but only to suggest that human interactions with other animals must be seen as existing along a broad spectrum of possibilities. For a great discussion of animal training, see Paul Patton, “Language, Power, and the Training of Horses,” in Zoontologies: The Question of the Animal, 83-99.
I will argue that the slaughterhouse should definitely be seen as a troubling disciplinary institution. In other words, it should be viewed as a site where many docile bodies (both human and non-human) are subjected, used and transformed in pernicious ways. Discipline is problematic, or so I will argue, when the process occasions the ontological reduction/elision of a vulnerable being.

III.2 Productive Power

A second conceptualization of power, advanced in later work, portrays power as a productive force. Foucault presents this particular account as an alternative to what he calls the liberal, or the “juridico-discursive,” model of power. Foucault thinks that this conception (which sees power as a restrictive force, exercised from top to bottom, and as something that can be transferred like a commodity) is inadequate for understanding our modern social order. For him, power is not that which is exercised by a sovereign over its subjects, rather, it “is the name that one attributes to a complex strategical situation in a particular society.”

Foucault argues that we should think of power as something that is channelled through various struggles and conflicts. Dominant forms of power, and those forms that resist it, are not to be seen as separate entities, but as interrelated. Power is not simply a repressive force – it can also produce the possibility of its own subversion.


34 Foucault’s famous example of this is the “reverse” discourse that developed to challenge the medical/psychiatric disqualification of homosexuality, and which did so by appropriating the vocabulary and categories that had been deployed in the discourses that spoke against it; see, ibid., 100-102.
Foucault advances a number of methodological prescriptions to guide investigations of power understood in this way. These methodological points can be further extended to help us explore our interactions with other animals. First, Foucault instructs us to look at how power works at its concrete extremities. For his part, he indicates that he is less interested in looking at how general theories of punishment might be grounded in ideas about sovereignty, or monarchal/democratic rights, and more interested in looking at how the power of punishment is embodied in particular local, regional and material institutions. Similarly, rather than beginning with a general theory of the rights, or moral standing, that other animals might be said to possess, it is useful to look directly at those places where other animals come into contact with human beings, so that we can see how power might be functioning in those concrete instances.

Secondly, Foucault argues that we should not look for the intentions/motivations behind particular expressions of power. We should ask, not, who has power and how do they use it, but rather, where is power installed and what are its real effects? This point is meant to develop Foucault’s insistence that power not be conceived of abstractly, or as a possession that exists apart from individuals that they can decide to retain or alienate. He urges us to see power as a force that actually shapes and constitutes individuals in their subjectivity. Foucault thinks that we should “discover how it is that subjects are gradually, progressively, really and materially...


36 Palmer endorses a similar point, suggesting that it is best to begin analysis by looking at a variety of “micropractices.” See, “‘Taming the Wild Profusion of Things’?,” 346.
constituted through a multiplicity of organisms, forces, energies, materials, desires, thoughts, etc. We should try to grasp subjection in its material instance as a constitution of subjects.”

Going back to a question that first reared its head in my appeal to Agamben, one might ask: can other animals be thought of as “subjects” in this sense, that is, as beings whose very existence is shaped and constituted by power in some significant way? I think that they can be. Neither human beings, nor other animals, are Hobbesian fungi; that is, neither we, nor they, “suddenly (like mushrooms) come to full maturity.” We, and they, are gradually, progressively, really and materially constituted in different contexts by a variety of different forces. Animals in the wild will be very different from their laboratory (or zoo) raised counterparts. A dog confined to a cage at a shelter is a very different subject as compared to a well-loved family companion. In this sense, other animals are subjects that are shaped by a variety of forces, and who respond to that shaping in many different, and idiosyncratic, ways. They are not inert objects without the ability to react or respond.

Thirdly, and developing the previous point, Foucault suggests that power must be analyzed as something that circulates and flows, and not as something that is possessed by one

37 Foucault, “Two Lectures,” 97.
38 Thomas Hobbes, *De Cive or The Citizen*, ed. Sterling P. Lamprecht (New York: Appleton-Century-Crofts, Inc., 1949), 100. It is clear that Hobbes uses this metaphor as a thought experiment and that he does not think that humans actually come into being fully formed in this spontaneous manner. Foucault’s suggestion seems to be that we should avoid these hypothetical/abstract philosophical beginnings; he would rather have us deal with the detail/complexities that confront us.
39 Sarah Whatmore presents a compelling picture of how enmeshment in a particular context causes Duchess, an elephant, to become a very different creature as compared to her wild counterparts. See the third chapter of *Hybrid Geographies: Natures, Cultures, Spaces* (London: SAGE Publications, 2002), “Embodying the Wild: Tales of Becoming Elephant,” 35-58.
40 I would primarily appeal to my own personal experience (with dogs in a shelter and in family context) to support this claim.
individual or group. We should not think of individuals as either powerful or powerless, as only power’s “inert or consenting target,” but as always in the “position of simultaneously undergoing and exercising this power.”41 This is one of the ways in which Foucault asks us to understand power as not only a repressive force, but also as a productive one. Power does not just say “no” – it can also produce, enable and empower. I have argued that other animals can be thought of as Foucauldian subjects, but perhaps here we are given another occasion to pause. Can they also be thought of as individuals who can exercise (or are exercised by) power in some meaningful way? Admittedly, this type of agency is difficult to visualize. Cows on the way to slaughter are sometimes quite reluctant to follow the herd (in which case they are prodded on towards their fate) and my cat puts up a real fuss when I try to clip his claws. Clearly, animals do resist in various scenarios. But I suspect that most would see this as a simpler form of resistance than the types of redirection and reappropriation of power that Foucault seems to have in mind. One explanation for this limited range of resistance may be the fact that many animals find themselves within human systems that are constructed so as to ensure a kind of perpetual domination. As Clare Palmer puts it:

from a Foucauldian perspective perhaps we can think of human/animal relations as, broadly, consisting of multiple individual micro-situations in a variety of environments where animals may respond unpredictably, resist human power, and even exercise power themselves; but these micro-situations are, “invested, colonized, utilized, involuted... by ever more general mechanisms and by forms of global domination.”42

41 Foucault, “Two Lectures,” 98.
42 Palmer, “‘Taming the Wild Profusion of Things’?,” 352. The quote in Palmer’s text is from Foucault’s “Two Lectures,” 99.
Thus, on the one hand, this methodological prescription may help us to pinpoint sites where animals are dominated in problematic ways by having their avenues for resistance and response foreclosed. On the other hand, in considering this particular point, we might also think of the various movements and responses—such as are advanced by activists of various stripes—43—which human beings forge on behalf of other creatures. These individuals respond and react within the web of power relations in a variety of strategic ways that other animals are largely incapable of (e.g. running for political office, working for legislative reform, disrupting whaling fleets, passing out literature on factory farming methods, etc.).44

The fourth prescription put forward by Foucault is that one must conduct an “ascending” analysis of power. This analysis must start with power’s “infinitesimal mechanisms,” each of which has its own history and trajectory, its own techniques and tactics. He does not think we should start with some general fact, such as the dominance of a particular class, and then proceed to account for particular phenomena in terms of this fact (a descending mode of analysis). Rather, one “needs to investigate historically, and beginning from the lowest level, how mechanisms of power have been able to function.”45 It is with this point in mind that I would like to use the slaughterhouse as a starting point. I am interested in determining how power is

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43 Here, we might think of groups like Greenpeace, the Animal Liberation Front, PETA, local vegetarian associations, etc. The tactics deployed by these groups exist along a broad spectrum, from leafleting to illegal direct actions (e.g. bombings).

44 This is not to deny that other species of animals will not display their own unique social/political complexities. See, Animal Social Complexity: Intelligence, Culture, and Individualized Societies, eds, Franz B. M. de Waal and Peter L. Tyack (Cambridge, Mass.: Harvard University Press, 2003), for an interesting selection of papers that explore a variety of topics (such as social cognition, communication, cooperative strategies, cultural transmission, etc.) related to the social lives of a variety of other animal species (such as dolphins, primates, elephants, hyenas, parrots, etc.).

45 Foucault, “Two Lectures,” 100.
able to function and circulate in this particular institution, and I am interested in exploring the consequences this circulation has for the various bodies situated within its walls.

Thus far two elements in Foucault’s conceptualization of power have been seen: a historical thesis about the development of *disciplinary* power and some methodological prescriptions with respect to theorizing power as a *productive* force. Finally, one finds a *power/freedom* connection in Foucault’s last work on the topic.

### III.3 Power/Freedom

In “The Subject and Power,” Foucault indicates – as is clear from my survey thus far – that it is the subject, and not power in and of itself, that has formed the general theme of his research. 46 When thinking about power, he is concerned with the way it affects and shapes the body and the individual, that is, with the way it subjugates and constitutes subjects. At this point, Foucault distinguishes power relationships from relationships of communication and from what he calls “objective capacities.” He characterizes objective capacities as powers that are exerted over “things” and which are able to modify, use, consume, or destroy them. 47 Conversely, the power he wants to analyze brings into play relations between individuals: “the term ‘power’ designates relationships between ‘partners’.” 48

One might wonder how other animals would fit into this distinction. They are certainly subjected to our objective capacities; that is, they are modified, used, consumed, and destroyed in a variety of ways, but I would balk at characterizing them simply as “things.” Rather, as I have

47 Ibid., 337.
48 Ibid.
argued throughout this thesis, I believe they should be seen as morally considerable, vulnerable beings. Furthermore, it seems to be a question whether we can think of humans as involved in “relations” with other animals and whether we can think of them as “partners” (a point that I touched on in the discussion of subject-hood above). It seems likely that Foucault would slot them into the “thing” category – at least he gives us no reason to think otherwise – and thus that he would exclude them from his central concerns. I would insist that a more expansive ontology is needed. The person/thing distinction does no justice to a world in which human beings exist, interact and communicate with, other animals. While it might be the case that other animals are not our “partners” in every way that other human beings can be, it is useful to conceive of them as subjects of power in Foucault’s sense. His person/thing dichotomy is ultimately inadequate, serving, as it does, to occlude a whole domain of social, political, and ethical questions/problems.

It is important to note, however, that Foucault does not think that these three domains (relations of power, communication and objective capacities) are always distinct; rather, they overlap and intersect with one another in various ways:

Take for example, an educational institution: the disposal of its space, the meticulous regulations that govern its internal life, the different activities that are organized there, the diverse persons who live there or meet one another, each with his own function, his well-defined character – all these things constitute a block of capacity – communication – power.49

It is illuminating to think of the slaughterhouse as another example of a block of capacity – communication – power. But I would stress, to expand on Foucault’s approach, that it is

49 Ibid., 338.
essential to resist the ontological reduction of other animals to “things,” and to consider how they are integrated into, and affected by their participation in this particular block.

The distinction between relationships of violence and relationships of power also raises questions about the application of Foucault’s thinking to relations between humans and other animals. On the one hand, according to Foucault, a “relationship of violence acts upon a body or upon things; it forces, it bends, it breaks, it destroys, or it closes off all possibilities”; on the other hand, a power relationship:

can only be articulated on the basis of two elements that are indispensable if it is really to be a power relationship: that “the other” (the one over whom power is exercised) is recognized and maintained to the very end as a subject who acts; and that, faced with a relationship of power, a whole field of responses, reactions, results, and possible inventions may open up.\(^50\)

In the case of an institution like the slaughterhouse, it looks as though we have a relationship of violence, not power, as far as the animals killed there are concerned. That is, there does not seem to be a field of responses that are available to them, and they are certainly not recognized as subjects in any meaningful way. As will be seen, the slaughterhouse provides us with a case where a relationship of violence is connected in an intimate way to a multitude of power relationships. Indeed, I will show that the violence inflicted on other animals, and the ontological reduction that undergirds it, is interwoven into the fabric of the human relationships found in the abattoir. Of course, things are different in other apparatuses of animality. An individual training a dog, or a horse, is perhaps more clearly involved in a relationship where communication and some form of reciprocity (and partnership) are possible. Thus, these might

\(^{50}\) Ibid., 340.
be cases where a relationship between a human and another animal can be seen as a proper power relationship, in the Foucauldian sense.

In “The Subject and Power,” Foucault defines “power” as a mode of action upon the actions of others and he explicitly connects it with the idea of freedom: “Power is exercised only over free subjects, and only insofar as they are ‘free’.”

By characterizing power in this way, Foucault connects his analysis with the idea of “governmentality,” which he presents as a form of power that structures the field of possible actions for the individuals under its dominion. He thinks that there is no relationship of power when determining factors are exhaustive (this would be a relationship of violence/domination) and, thus, that a relationship involving governance is one that allows space for mobility and resistance (a point that connects back to Foucault’s *productive* characterization of power). The idea of “government” is a useful concept for thinking about the ways that human beings relate to other animals (while realizing that we need to be mindful of the fact that “domination” also characterizes many interspecies interactions), since we structure the possible field of actions for many other animals in a large number of ways. And I think that the scare quotes around the word “free” in the quote above leave the door open to this particular application of Foucault’s thought. That is, they indicate that Foucault is skeptical of the idea that human beings possess an unconstrained autonomy/freedom. This skepticism would appear to undermine what has often been assumed to be one of the essential differences between “man” and “the animal,” namely, the human possession of a free will – and an accompanying responsibility – as opposed to the animal’s instinct driven, robot-like existence.

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51 Ibid., 342.

52 As I discussed in Chapter 2, one variation of this position can be glimpsed in Heidegger’s characterization of “the animal” as “poor-in-world,” whereas humans are taken to be “world-forming.” See, *The Fundamental Concepts of*
not radically free, that is, if they become what they are in local, specific, and power-laden contexts, then, perhaps, our grounds for assuming a sharp difference in kind between human beings and other animals is thrown into question.

To summarize, I believe that Foucault’s ruminations on the subject of power can be employed to help us think about the different ways that human beings relate to other animals. His discussion of disciplinary power allows us to begin thinking of other animals as “docile bodies” who are submitted to a variety of techniques, exercises, and regimens in a multitude of different contexts. I have indicated that, like Foucault, we should be cautious about seeing all instances of discipline as problematic, but reiterate that there are certainly cases where we need to critically evaluate discipline’s application and consequences. Foucault’s methodological considerations with respect to productive power point to new regional/local starting points for thinking about how other animals are implicated in our lives, and for thinking about how that implicatedness may call for an enhanced appreciation of the morally significant vulnerability of those other animals. Finally, Foucault’s insistence on the power/freedom connection opens new avenues for thinking about how the lives of other animals are governed (and dominated) in a myriad of ways. I pick up on these threads and develop them more concretely in what follows.

IV. The Slaughterhouse

In this section, I cast the slaughterhouse as a technology of power through an analysis of a journalistic depiction of one particular abattoir. This may seem odd to some, so I would like to take a moment to explain my use of this source. Obviously, LeDuff’s article is an account of one slaughterhouse – there are thousands of other stories to be told, all of which would come with their own nuances and idiosyncrasies. Racial tensions loom large in LeDuff’s account, situated as it is in the southern United States of the recent past. These tensions might be absent in other times and places, or to points-of-view blind to their existence. Different slaughterhouses may be managed in different ways, they may have workforces that are more or less harmonious, and they may be subject to different demographic realities. Generalization is not my primary goal. Rather, I am more interested in looking at a concrete example to enable a “sensitization.”

My adoption of this notion is inspired by a statement made by Foucault. In regard to the Hungarian revolution’s effect on Marxist thought, he claimed: “Since 1956 philosophers have no


54 LeDuff actually became a staff member at the Smithfield Packing Co.’s plant in North Carolina in order to conduct ethnographic research for his piece.
longer been able to think history by means of preestablished categories. They therefore have to
resensitize themselves to events. Philosophers must become journalists.” 55 Philosophers must
become journalists – that is, be sensitive to events – in order to develop more adequate analyses
of various developments. Generally, I take Foucault to be calling for openness to being affected,
displaced, and/or surprised by what happens around us, as opposed to attempting to fit particular
events into a pre-established framework that is built with stale categories and concepts. Using
journalism as a springboard for philosophical reflection is a way to remain open to being
unsettled; this sensitization, in turn, can be the starting point for new evaluations, insights, and
critique. It is in this spirit that I explore LeDuff’s article. My intention is to start at a local
source, to look at how power circulates there, and to use this exposure to draw more general
insights and conclusions about how particular human beings and other animals can be mistreated,
misrepresented, and misunderstood.

It is quite easy to see the slaughterhouse in Foucauldian terms, that is, as a site of
disciplinary power (and domination) where a multitude of bodies are rendered docile. 56 These
bodies are made the objects/targets of power and are thereby subjected, used and transformed.
One of the requirements of discipline, according to Foucault, is the distribution of individuals in
a space by means of enclosure and a partitioning into functional sites. 57 This distribution is

(New York: The New Press, 2000), xxxvi. It is unclear in what context this statement (from 1977, apparently) was
originally made, since Gordon leaves it unsourced.

56 My normative evaluations of the slaughterhouse share many affinities with the conclusions reached by Mick
specifically on the thought of Hegel, Bourdieu, and Levinas, his focus on “the evolution of deliberate managerial
and spatial techniques that seek to suppress the animals’ room for self-expression,” 50, is quite consonant with the
Foucauldian approach I will develop here.

57 Foucault, Discipline and Punish, 141.
certainly evident at the Smithfield Packing Co. pork processing plant (in North Carolina), where each individual is assigned a place in more ways than one. As LeDuff remarks: “Everything about the factory cuts people off from one another.” This partitioning takes a number of different, mutually reinforcing forms. First, individuals are cut off from one another by spatial organization and task assignment. Those on the kill floor are separated from those on the cut line. These types of workers are both, in turn, separated from warehouse workers and from the managers whose offices are positioned above the factory floor. This separation is intensified further by the noise in the establishment, that is, by “the hammering of compressors, the screeching of pulleys, the grinding of the lines,” which makes effective communication between employees in the same area impossible. Furthermore, these spatial and auditory separations are buttressed by other barriers, such as language, which separates Spanish and English speaking employees, nationality, which separates Americans from Mexicans, and race, which creates divisions between white, black and Latino workers. Finally, I would insist that species constitutes yet another axis across which bodies are partitioned. The pigs also have a space to occupy, and a role to play, in the continued functioning of this disciplinary mechanism. For the pigs, however, this particular system might be better conceived of as the endpoint of a docile life. From their perspective, the slaughterhouse can be thought of as the point where a docile body – a docility inculcated thanks to confinement and rearing in other agricultural contexts (i.e. a hog lot, free-range farm, etc.) – is transformed into a dead body.

59 Ibid.
Hierarchical observation is another instrument of disciplinary power highlighted by Foucault. This surveillance is one of the means by which coercion and a consequent docility are achieved. At this particular plant, the architectural design helps to create a literal hierarchy by placing the managers’ offices on scaffolding above the factory floor. This arrangement allows the workers to be surveyed and assessed. LeDuff describes one manager as looking like a “tower guard” or “border patrol agent,” which invokes the policing role they enact within the factory walls. If necessary, a manager can descend to the factory floor and discipline a worker who has fallen out of line. The raised location of the managers also helps, presumably, to induce a panoptical effect in the workers whereby they begin to discipline themselves; they are certainly all too aware that their actions could be under surveillance at any moment.

But, there are also hierarchies created amongst the employees on the factory floor. There are “dirty jobs,” such as killing and cutting, and “clean menial jobs,” involving warehouse work. This division of labor appears to intermesh with, and reinforce, hierarchies of a racial nature. Blacks and Mexicans get the “dirty” jobs; American Indians tend to get the “clean” jobs in the warehouse; and the few whites on the payroll “tend to be mechanics or supervisors.” And, again, we must also acknowledge that the pigs occupy a place in these various hierarchies. It seems to me that it is their absolutely commoditised bodies that create the base that keeps this whole pyramid standing.

These hierarchical positionings are signalled at a number of points in the article. For example, after being chastised by a white manager, one of the black employees threatens, “Keep

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60 Foucault, Discipline and Punish, 170.
treated me like a Mexican and I’ll beat him.” The comment clearly indicates that to be treated like a Mexican, for this individual, means to be treated as something less than he perceives himself to be. In other words, for him, Mexicans are positioned on a lower rung in the hierarchy.

As another example, one can consider a comment made by Billy, a convict working at the plant (quoted in this chapter’s epigraph). Having been assigned to the cut line, he feels cheated. He felt, according to LeDuff, as though he “wasn’t supposed to be doing Mexican work”; in his own words, he declares: “This job’s for an ass. They treat you like an animal.” So, again, we see an individual feeling as though he is being treated as something less than he really is. For Billy, this is work for a donkey, not a human being. The fact that he doesn’t want to be treated “like an animal” underscores the fact that other animals occupy a lower place in a hierarchal arrangement. Furthermore, in his eyes, cutting line work is for a Mexican, not a white American. Reading between the lines, we might infer that there is a pernicious parallel being drawn here that affects a conflation of the two hierarchical arrangements at play. By placing the animal/human hierarchy next to the Mexican/white American hierarchy, Billy invokes an equation of the Mexican with the animal, on the one hand, and the white American with the human, on the other.

As problematic as they are, the feelings expressed by Billy are intimately connected to the question of dignity. Human beings want to be treated with respect; that is, they want to be

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62 Ibid., 187.

treated like humans beings, and not like dogs, cattle or guinea pigs. In cases like these, the human/animal distinction is being used in a hierarchical fashion. To be treated “like a dog,” or “like a guinea pig” – to be treated “like an animal” – is to be treated as though one were not a human being; it is to be treated as though one is less than what one really is. People want to be treated like humans, not animals, and I wholeheartedly agree that humans should be treated like humans (whatever that might mean). But these particular formulations of that desire leave certain (hierarchical) assumptions about the human/animal binary unexamined. Furthermore, pleas for the recognition of one’s dignity that rely on the juxtaposition of the “human” and the “animal” leave the fact of human animality unacknowledged, fallaciously suggesting that human beings are not animals and ignoring the fact that to be treated “like a human” will involve being treated in ways that are becoming of a particular animal. This implicit hierarchy calls out for a deconstruction. Are nonhuman animals obviously “lower” than human ones? Is it problematic that other animals are treated “like animals?” We must acknowledge the possibility that nonhuman animals also have a dignity that needs to be recognized. I am not necessarily suggesting that other animals must be treated like human beings, but rather, that we make room for considering them on their own account, as vulnerable creatures that are worthy of a certain form of esteem.

Another concrete example of this type of concern occurs in the film Gene Hunters (prod. and dir. Torbjorn Morvik and Petter Nome, 54 min., Ying-Yang Films, 1988, videocassette). There, an indigenous activist (living in the rainforests of northern Columbia) speaks out against the collection of her people’s blood by scientists working on the Human Genome Biodiversity Project, asserting that the indigenous peoples should not be “treated like guinea pigs.”

Readers may detect some Kantian echoes in this paragraph (especially of the second formulation of the categorical imperative). I am happy to embrace those resonances, in so far as they enjoin one to never treat another as merely a means to an end. However, I would insist, obviously, that we must reject/question Kant’s particular formulation due to its exclusively human orientation/application when it comes to the “other”. I feel that I am close to Martha Nussbaum’s capabilities approach (and its assessment of Kant) in this respect. As she notes in Frontiers of Justice: Disability, Nationality, Species Membership (Cambridge, Mass.: Harvard University Press, 2006), “For Kant, only humanity and rationality are worthy of respect and wonder; the rest of nature is just a set of tools. The
Readers of LeDuff’s article can surely admit that a lack of inclusivity contributes to the problematic racial relationships in this slaughterhouse; the institution fails to foster, or support, the idea of a basic equality existing between human beings regardless of their race. I want to argue that this slaughterhouse (and perhaps slaughterhouses more generally) occasion a similar failure when it comes to recognizing a common vulnerability running between the pigs and their human counterparts – a commonality that opens up considerations about what dignity and respect will mean in both the human and the nonhuman case. It is clear, in the context of the slaughterhouse at least, that an acknowledgment of this common vulnerability will be next to impossible.

Ralph Acampora provides us with some theoretical tools that enrich my Foucauldian investigation of the slaughterhouse and which can help us to make normative evaluations of the power relations enacted in this particular space.66

Firstly, I am interested in what Acampora calls the dialectic between the carnal and the carceral, that is, the relationship between the fleshy, organic excess of the carnal body, on the one hand, and the rigid, bounded, and panoptical surveillance of the carceral institution, on the other. For his part, Acampora puts forward a model of animal individuality where the individual is conceived of as a “body-self,” which incorporates its surrounding, and not as an “atomistic

subject” or “mental monad.”  This is a model that characterizes the individual and environment as being in an inextricably intimate relationship of mutual constitution. The environment establishes the horizon in which, upon which, and with which an animal body can act. That animal body is, in turn, constituted and sustained by the opportunities that this horizon affords. Acampora suggests that the cage is the prime example of a carceral environment. If the individual is constituted by interactions with their environment, then the cage (or, carceral environments more generally), will create very particular types of subjects. In the case of a lab rat, Acampora suggests that the “rodent comes to phenomenally assimilate the carceral into the carnal.” The rat is transformed into what Acampora calls a “jailhouse” body; that is, a body that has incorporated its imprisonment. He also presents the zoo as another example of a context where the “carceral petrifies the carnal.” Following Foucault, I would say that a particular type of disciplinary environment works to create a particular type of (docile) body.

In LeDuff’s report, a number of ways in which the carcerality of the slaughterhouse is assimilated by the bodies bounded by its walls are in evidence. The workers are not encased in this building in any kind of abstract way. Their environment literally penetrates into the materiality of their bodies. Various examples are presented. The chlorine used in sanitation procedures burns the eyes and throats of the employees. After a shift on the cutting line, necks are strained and fingers no longer open freely – it is reported that one woman’s hands “swelled like claws.” Workers’ muscles are left sore and their minds are dulled. Knees lock, noses run and teeth throb. At the end of the day, they hurt and they are exhausted. As far as the pigs are

67 In this sense, Acampora’s discussion of the constitution of individuality is very similar to Foucault’s discussion of the development of the subject/subjectivity, which I discussed above.

68 Acampora, Corporal Compassion, 99.

69 Ibid., 111.
concerned, they assimilate this carcerality in a much more dramatic and terminal fashion. The slaughterhouse penetrates their bodies to the point of complete disintegration. Their lot is to end their phenomenal existence with a journey along the “disassembly” line. Thus, we see that both human and nonhuman bodies are deeply shaped by this (carceral) environment which they inhabit. In this light, a common saying from the plant is striking. It is said that, “they don’t kill pigs in the plant, they kill people.” The equivocation around the use of the word “kill” invokes an image of a kind of death in life, a zombie-hood grounded in the tasks performed at the plant. Workers simultaneously bring home “the bacon” and find themselves transformed by their environment into a slaughterhouse body.

A second operation enacted/enabled by this carceral abode is what Acampora refers to as the downgrading of particular bodies from “the somatic to the corporeal.” His terminology requires some elucidation. In his argument, the term “somatic” refers to live bodies in all of their phenomenal richness and unique, vulnerable singularity. Humans and pigs both have bodily existence in this sense. The somatic refers to living, autopoietic bodies. The corporeal, on the other hand, refers to the body as brute materiality and physical process. Organs and bacteria would be examples of corporeal bodies in this sense. Acampora argues that laboratories and zoos – and I would suggest that the slaughterhouse be seen in a similar light – have emptying effects that “reduce” the bodily beings that are situated there. In the case of the laboratory, rats are reduced to particular gene effects or physiological responses. One forgets that these laboratory rodents remain individual living creatures. They come to be identified with their

71 Acampora, Corporal Compassion, 101.
72 Ibid., 101-102.
provision of information, disappearing, in effect, as particular animals. This might also, then, be seen as a further way to flesh out what it means to be treated like a guinea pig or “like an animal.”

Analogous reductions take place along numerous lines in the slaughterhouse. Most obviously, porcine individuality is nowhere to be found. Their reduction – begun in the various locations where they have been reared to slaughter weight – continues with the killing of the individual pigs when they enter this establishment. They become “shoulders” that are segmented into different “cuts” as they travel down the line and are packaged for distribution. To echo Lynda Birke (whom Acampora quotes), I would say that in the production of “meat” at the slaughterhouse, the living, breathing animals who ate, slept and interacted – often in atrocious conditions – literally disappear. In the slaughterhouse, their vulnerability is completely elided as they become inert commodities for human consumption.

And it appears that human reductions also take place in this particular slaughterhouse – if not from the somatic to the corporeal, then at least from the particular to the (stereo)typical.

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73 This “emptying” can be seen in other types of contexts. It is presented very forcefully in the dramatic recreation of a Nazi propaganda video called Dasein ohne Leben (Existence without Life). All of the original copies where apparently destroyed at the end of the second World War, but the portrayal I am referring to can be seen in Selling Murder: The Killing Films of the Third Reich (prod. Steward Lansley, dir. Joanna Mack, 53 min., Domino Films Ltd., 1991, videocassette). In the video, a professor lectures to an auditorium full of people, arguing that the disabled and mentally ill are best seen as having an “existence without life,” which burdens the German health care system. This characterization represents a discursive attempt to enact what Acampora calls the downgrading of the somatic to the corporeal. The speaker says, in effect, that these individuals are not living (read: like “normal”/“healthy” human beings). Instead, we should see them as merely existing (read: like other animals? like inanimate objects?). Ultimately, in the film, this downgrading is used to encourage the euthanization (and, thus, a very literal reduction) of those who have “existence without life.” Another strong example is seen in the critically acclaimed HBO adaptation of Margaret Edson’s play, Wit (prod. Simon Bosanquet, dir. Mike Nichols, 98 min, HBO films, 2001, DVD). There, the protagonist (Vivian, a professor of English Literature) is frequently portrayed as a source of data for the doctors. They are more interested in the information/knowledge she is going to provide them and less concerned about the person/life/history that they encounter. The great emotional impact of the film is created by the juxtaposition of this instrumentalization, and coldness of Vivian’s interactions with the doctors, against her own very personal reflections on the life she has led and the impact that her cancer is having on her as an individual. Generally, we think that there is something troubling about reducing human beings from the somatic to the corporeal; it is perceived as an affront.
Individuals are continually typecast along racial lines: “Blacks don’t want to work…They’re lazy”; the Mexicans are “too small” for kill floor jobs; one Mexican worker declares, “I hate the blacks”; black workers complain that Mexicans are “dragging down the pay.” In yet another striking example of reduction, Mexican employees get called “Hey you” by white supervisors who cannot be bothered to learn their names. The people in this environment have a hard time seeing each other and this inability leads to distrust, segregation, and animosity. One very tangible effect of these reductions seems to have been the stifling of attempts at collective action with respect to unionization. In this carceral institution, the disciplinary partitioning and ranking of individuals along various axes causes individuals to effectively disappear.

I would like to address two issues here. First, I have been comparing the treatment of humans and pigs throughout my discussion of the slaughterhouse (in footnote 73, I even implicitly compared the reduction of laboratory animals and pigs being slaughtered to people suffering from cancer and to those who met their demise at the hands of Nazi “doctors”), but I want to stress that my point is not to say that exactly the same kinds of reduction are taking place in each case. However, I do think that there is a similar failure in each instance, namely, a failure to appreciate the vulnerability that is an essential facet of both human and other animal life. As I have been arguing in this thesis, it is this vulnerability, this shared animality – the deterioration of the flesh in the face of chemotherapy, the powerlessness of so many vis-à-vis those entrusted with their care, the squeals of a pig in pain – that opens up the space for comparison.

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75 Ibid., 194.
76 Ibid.
Secondly, some might be wondering about my appeals to “individuality” and “ontological reduction,” worrying that they are in tension with a Foucauldian account of subject formation and that they evidence an implicit regression to the language of “rights.” This type of worry is explicitly voiced by Lewis Holloway. As he puts it:

representations of animals as morally considerable, or as the bearers of `rights', risk attributing a particular, fixed subjectivity to animals. That is, they essentialise what it is to be a subject – accepting a centred subjective being rather than a continual process of becoming subject, and a heterogeneity of becoming which produces different subjectivities.77

I will make two points in response. On the one hand, it is not obvious to me that the use of rights language is necessarily a regression. This language can be used in a strategic fashion, in the context of a specific apparatus, without presuming any “fixed subjectivity” to whom the usage refers. Foucault himself seemed to do exactly this on at least one occasion.78 This is not to say that I think rights terminology is the best way to conceptualize the moral status of other animals.79 I would just point out that this language might be compatible with a “continual process” view of subject formation (which is advanced by the likes of Foucault and Acampora). On the other hand, I think that it is definitely possible to talk about the importance of “individuality,” or “unsubstitutable singularity,” in ethical thought in ways that entirely avoid framing the issue in terms of rights. Think, for example, of Derrida’s encounter with his little cat, “this irreplaceable living being” who, as he puts it, “one day enters my space, into this place

79 See my discussion of Regan’s rights view in the Introduction to the thesis, 8-10
where it [sic] can encounter me, see me, even see me naked."\(^80\) This is quite far from a rights claim and I believe that it is this individuality (understood as a type of encounterability) that the slaughterhouse ultimately destroys.\(^81\) Furthermore, I argue that one can consistently hold that this subjectivity – be it human or non-human – is constituted in continual processes of becoming\(^82\) (and in relation to a heterogeneity of power-laden apparatic structures) and, at the same time, insist that the subjectivities so constituted call for a particular kind of ethical consideration. Focusing on the effacement of individuality does not belie a Foucauldian approach; rather, it helps us identify processes (and structures) in which the creation (or destruction) of subjectivity has become intolerable.\(^83\)

Drawing again on Acampora, I would argue that a major consequence of the hierarchical reduction taking place in the slaughterhouse is that no “conviviality” – no “authentic encounter” – is possible. According to him, the authentic possibility of cross-species conviviality diminishes to the extent that “the carceral overtakes the carnal.”\(^84\) The adjective “convivial” can connote a fondness for the pleasures of good company, a sense of joviality, and a festive energy. A convivial atmosphere avoids instrumentalization, or reduction, of one at the hands of another.


\(^{81}\) I should note that I believe that it is possible that this type of individuality might be preserved (to a greater degree) in other contexts where animals are also ultimately killed for food (i.e. small scale farms, 4H clubs, etc.).

\(^{82}\) Recall, especially, my discussion of Margrit Shildrick’s work in Chapter 2, 41-46.

\(^{83}\) In his discussion of Foucault’s relationship to phenomenology, Todd May suggests that Foucault was concerned both with “explanatory reductionism” (in his early phenomenological work) and with “categorical reductionism” (in his later archaeological and genealogical projects). See, “Foucault’s Relation to Phenomenology,” in *The Cambridge Companion to Foucault*, 2nd edition, ed. Gary Gutting (New York: Cambridge University Press, 2006), 284-311. Obviously more needs to be said, but this at least gives me hope that my concern about “ontological reduction” may not be entirely alien to a Foucauldian investigation of animals/animality.

\(^{84}\) Acampora, *Corporal Compassion*, 100.
Consider the zoo as an example of a site that can inhibit conviviality. Acampora stresses that the “zooptical” nature of this environment – “constituted by capture, feeding schedules, architecture of display, and breeding regimens” – disables the possibility of authentic encounters between humans and other animals. Think of a surprise encounter with a deer while jogging in the forest in comparison to an encounter with a caged tiger at the zoo. Acampora would juxtapose the tension, heightened awareness, and potency of the gazes established between human and animal in the wild, in the former case, with the lethargy, boredom, and passivity of the communication between the humans and the incarcerated animal, in the latter case.

Authentic, convivial encounters with pigs are certainly impossible at the slaughterhouse. Authentic encounters with other human individuals seem equally stifled. I am not sure what an “authentic encounter” with a pig would ultimately amount to, but, at a minimum, it would have to resist a petrifying, anthropocentric reduction of those animals to mere means for the realization of human ends. Similarly, the authenticity of human interactions would be improved if there was less (stereotypical) reduction of individuals along racial, national, and linguistic lines. But this may also be impossible in the context of the slaughterhouse, given that, as Mick Smith so aptly puts it: “Its machinery dissects and grinds more than animal bones it also annihilates the space where care and compassion might otherwise survive.”

V. Conclusion

I imagine Foucault would be skeptical of calls for more “authentic” encounters. He would want us to be vigilantly cognizant of the introduction of new norms and new vectors for

85 Ibid., 113.
86 Smith, “The Ethical Space of the Abattoir,” 57.
power’s circulation, and to be doubtful of Edenic visions and utopian aspirations. And I do not mean to suggest, with my appeal to authenticity, that there is one perfect way that human beings might relate with other animals (or with other human beings). But, as I have been arguing throughout the thesis, I do think that we can relate to them in better and worse ways, and that we can envision contexts where the faces of other animals are met more forthrightly. I want to evoke something similar to what Donna Haraway intends when she talks about “truth telling” in human-animal relations – that is, “not some trope-free, fantastic kind of natural authenticity,” but a “co-constitutive naturalcultural dancing, holding in esteem, and regard open to those who look back reciprocally.”

Towards that end, I believe that a Foucauldian analysis is buttressed by certain normative considerations, for instance, a recognition that ontological reduction can be an affront to subjectivity and, thus, is something to be highlighted, and combated, when found in particular locations. An analysis directed in this way allows us to critically explore one of the apparatuses within which humans and other animals exist and subsist, and it helps us to begin to envision better forms of coexistence. This enhanced Foucauldian lens illuminates the obscured instances of power’s expression that color human interactions with non-human animals – instances that can often appear highly troubling.

In this chapter, I have shown how the idea of an “apparatus” (developed in Foucault and Agamben’s respective work) can be a constructive heuristic tool for envisioning the complexity, and the interconnectivity, that characterizes the multifarious places that other animals occupy in our thinking and in our lives. It allows us to conceptualize those spaces where living beings (both human and non-human) become subjects. Foucault’s work on the question of power helps to illuminate the nooks and crannies of these apparatuses in new and interesting ways. His

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87 Haraway, *When Species Meet*, 27.
approach has provided methodological guidance for this project – insisting that we begin with local, concrete situations. Acampora’s work provides normative guidance – insisting that we guard against the ontological effacement of vulnerable beings. LeDuff’s article provides a space for these various elements to intersect. Together, they enable a trenchant analysis of a very destructive technology of power.

In the next chapter, I continue my engagement with Foucault, exploring how “technologies of the self” might be useful notion for helping us to envision forms of resistance to, and transformations of, the power that characterizes relations between “man” and “the animal.”
To do criticism is to make harder those acts which are now too easy.

So many things can be changed being as fragile as they are, tied more to contingencies than to necessities, more to what is arbitrary than to what is rationally established, more to complex but transitory historical contingencies than to inevitable anthropological constraints.

- Michel Foucault, “So Is It Important to Think?”

*The most personal questions of truth.* – ‘What am I really doing? And why am I doing it?’

- Friedrich Nietzsche, *Daybreak*

In his last works, Foucault explored various “problematizations” that emerge with respect to the sexual lives of individuals in particular times and places. He asked “how, why, and in what forms was sexuality constituted as a moral domain?” and he endeavored to “define the conditions in which human beings ‘problematize’ what they are, what they do, and the world in which they live.”¹ The topic of sex was his focus during this period in his research, but his explorations also display a more general concern with moral experience and the diverse ways in which human beings come to constitute themselves as ethical subjects. For my part, I will ask analogous questions with respect to dietary practices – namely, how, why, and in what forms is eating

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constituted as a moral domain, and how do we constitute ourselves as the ethical subjects of our alimentary behaviors? More specifically, I employ the methodological framework established by Foucault in his last studies to explore some of the multifarious significations that the decision to abstain from the consumption of meat can embody.² Whereas Chapter 5 drew on Foucault’s work on “technologies of power” to examine an institution that transforms animals into food for human consumption, this chapter looks to his work on “technologies of the self” to consider how individuals embody particular dietary practices/norms.

I work in this direction for a number of reasons. The first is that, in general, the question of eating, and more specifically, the question of what it would mean to eat well, has not always been a central concern for philosophers. The history of philosophy attests to a more pressing, and more disembodied, engagement with issues surrounding the mind, the universal, and the transcendent – an engagement that is often accompanied by a concurrent neglect (or denigration) of questions about the body, the contingent, and the tangible.³ Consequently, the mundane activity of feeding has often been ignored as a site of philosophical inquiry. Secondly, while ethical and political philosophy has continually posed questions about virtue, the good, and the right in the context of human lives, it has largely disregarded nonhuman animals and the possible ethical/political dimensions of the relationships that humans form with them. The consumption of animals, and the industries which enable that consumption, are obviously some of the most important contexts in which those “relationships” are constituted, thus it is important to consider


³ As I noted in Chapter 2, feminist theorists have been especially active in highlighting/addressing this aspect of the philosophical tradition; for a selection of relevant essays, see Feminist Theory and the Body: A Reader, eds. Janet Price and Margrit Shildrick (Edinburgh: Edinburgh University Press, 1999).
these practices explicitly. Thirdly, eating is clearly one of the important activities through which we “problematize” what we are and the world in which we live. Eating is intimately connected to the establishment of a sense of self, to the establishment of the self’s relation to others, and to the constitution of a shared world.\footnote{See Deborah Lupton’s book, \textit{Food, the Body, and the Self} (London: SAGE Publications, 1996) for a very interesting discussion of eating/food from a sociological/cultural studies perspective.}

Thus, in this chapter, I want to foreground the questions of eating, of human-animal relations, and of the self’s relation to the self (and to its world). We must eat to subsist – indeed, the very possibility of my life is premised on incorporation – but the means for fulfilling that need seem perpetually open to reflection, transformation, and critique. The conceptual framework developed in Foucault’s later work can be fruitfully deployed to explore these issues.

This chapter is structured as follows: I begin with a brief overview of Nietzsche’s thought, since he addressed both eating in general and the specific practice of vegetarianism in his philosophical work, and because he was such an important influence for Foucault. Secondly, I consider the connections between Nietzsche and Foucault and I highlight the ways that each focuses on the “aesthetic” dimensions of character and self-formation. Thirdly, I outline the methodological framework that Foucault deployed in his later work and I consider how it can be put to service in a conceptualization of vegetarianism. Here, I compare an ancient philosopher (Porphyry) and a contemporary utilitarian (Peter Singer) to illustrate how Foucault’s conceptual framework can help bring the “soul” (or subjective experience) of particular vegetarianisms into sharper relief. Finally, I situate my insights in relation to recent work – by Chloë Taylor and Joseph Tanke – that brings Foucault’s later philosophy to bear on the topic of eating. Here, I also bring Foucault’s thought into contact with that of the contemporary virtue ethicist, Stephen Clark. I conclude that Foucault is best conceived of as a kind of virtue ethicist.
I. Dining with Nietzsche

For a number of reasons, it is helpful to start with Nietzsche. Most generally, from the perspective of the history of philosophy, it is important to trace continuities and differences between Foucault and a predecessor that influenced him so deeply. In relation to my present concerns, Nietzsche is also important for four more concrete reasons.

First of all, if Nietzsche advanced a systematic moral philosophy, or advocated a particular form of ethical life, it was most certainly not by way of logical argumentation leading to clearly stated prescriptive conclusions. For him, it was insufficient to simply reflect on maxims and codes of conduct encountered as abstract forms of knowledge. For Nietzsche, an ethics must be lived and embodied, and our values must be lit up and enacted in our own unique forms of life. This general approach to ethics (broadly conceived) is gestured at in a passage from *Daybreak*, where Nietzsche poses a number of rhetorical questions about his so-called “classical education”:

Did we learn anything of that which these same ancients taught their young people? Did we learn to speak or write as they did? Did we practice unceasingly the fencing-art of conversation, dialectics? Did we learn to move as beautifully and proudly as they did, to wrestle, to throw, to box as they did? Did we learn anything of the asceticism practiced by all Greek philosophers? Were we trained in a single one of the antique virtues and in the manner in which the ancients practiced it? Was all reflection on morality not utterly lacking in our education – not to speak of the only possible critique of morality, a brave and rigorous attempt to *live* in this or that morality?5

The implied answer to the first six questions is “no,” to the last one, “yes.” Nietzsche laments the fact that he has not received any new abilities (or capacities) from his educational experiences. Ultimately, rather than being versed in a way of life, he maintains that he has only

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received a “knowledge of what men were once capable of knowing.”

I want to highlight this stress and importance that Nietzsche places on practice, in contrast to what can be known. In conjunction with this, it is also important to consider his reference to asceticism in this passage. Nietzsche had a lot to say about ascetic ideals, souls, and practices, most of which is almost unfailingly negative. Yet, here, he seems to be longing for an encounter with a particular type of asceticism. This apparent tension indicates that further explication of this notion will be required (I will return to this at a number of points in what follows).

A second important aspect of Nietzsche’s thought is his use of aesthetic language to describe the ethical life. For Nietzsche, the ethical subject is not primarily somebody who conforms to universal moral laws, or who acts based on calculations of interests and utilities. Instead, this subject is envisioned to be a kind of sculptor. In fashioning a particular life, they add a little material here, cut some away from over there, all the while shaping and moulding their being into a specific form. For Nietzsche, the ethical subject is akin to a work of art that is fashioned “through long practice and daily work,” and what is most needful, according to him, is that one “give style” to one’s character. This ability to give style to one’s character, to shape and unify, is a “great and rare art,” which he holds in the highest regard. Nietzsche often contrasts the beauty, levity, and brightness of this form of existence with the ugliness, heaviness, and gloom of more unfortunate modes (of which “ascetics of the spirit” are often the primary examples). Thus, another philosophically important aspect of Nietzsche’s thought is his use of

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6 Ibid., 116.

an *aesthetic* idiom to characterize ethical subjectivity (in contrast to more dominant moral paradigms of the subject of practical reason).

Thirdly, in a philosophical tradition that has often neglected (or denigrated) mundane aspects of our world-bound and embodied existence, Nietzsche is one thinker who has gone against the grain by recognizing the importance of the stomach.\(^8\) For him, eating is an essential facet of the ethical life understood as a kind of aesthetic practice. In *Ecce Homo*, Nietzsche highlights his lack of interest in concepts such as “God,” “immortality of the soul,” “redemption,” and “beyond.” He declares that his curiosity and high spirits lead him to be much more interested in another question, namely, “the question of *nutrition*.”\(^9\) This is a very important matter, because, according to Nietzsche, “the ‘salvation of humanity’ is much more dependent on this question than on any theological oddity.”\(^10\) Formulating this question in more detail, he asks: “what do you *yourself* eat in order to achieve the maximum of strength, of virtù in the style of the Renaissance…?”\(^11\) While Nietzsche’s discussion of eating has some metaphorical valences – for example, he considers the time when he consumed Schopenhauer’s thought to be a period in his life when he ate badly – it is clear that Nietzsche is speaking of eating in the most literal way: alcohol is bad, coffee is to be avoided, there should be no snacking

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\(^8\) Obviously, appetite did play a central role in the work of other important figures in the history of western philosophy. For example, Plato designated the appetite as one of the elements in his tripartite division of the soul (alongside the spirited and rational components); see Book 4 of the *Republic* (in *Plato: Complete Works*, ed. John M. Cooper (Indianapolis: Hackett Publishing Company, 1997), 1052-1077) for Plato’s argument regarding the divisions of the soul. What distinguishes Nietzsche, and the reason I believe he represents an important shift, are his focus on very specific practices, foods, etc. and his positive valuation of these actual, mundane aspects of human life.


\(^10\) Ibid.

\(^11\) Ibid. (Nietzsche’s emphasis).
between meals, a small amount of strong tea is okay (but only in the morning), the German and English diets are deplorable, Italian cuisine (from the province of Piedmont, specifically) is the best, etc.

Nietzsche takes eating very seriously, believes that it is intimately connected to thinking, and sees it as something to foreground in philosophical investigations – I would like to follow him in these regards.

The last feature of Nietzsche’s thought that is relevant to my focus in the present chapter is that he did not have a single positive thing to say about vegetarians (or vegetarianism). In *Ecce Homo*, he describes himself as an “opponent of vegetarianism,” which he characterizes as a “spiritual beverage;” something, like alcohol, that should be entirely given up. In *The Case of Wagner*, he offers a definition of a vegetarian: “a being that needs a strengthening diet.” Nietzsche thinks that sick, exhausted people are tempted by things best avoided, things that individuals with a certain “vital” energy would be able to resist. Thus are the decadent drawn to Wagner. Thus are vegetarians drawn to vegetables. In *The Gay Science*, he highlights a number of dangers for vegetarians. Besides the fact (according to Nietzsche) that a diet primarily consisting of rice leads to the use of narcotics and opium, and one consisting primarily of potatoes leads to the use of liquor, he worries about the subtler effects of the vegetarian diet, namely, narcotic ways of thinking and feeling. In other words, he worries that vegetarianism will induce a kind of dull stupor. Finally, in the *Genealogy*, he submits the “nonsense of the

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12 Ibid., 86-87.
15 Ibid., 241.
vegetarians,” their “faulty diet,” as a potential cause of the “deep depression, the leaden fatigue and the black melancholy of the physiologically obstructed,” which he sees emerging, like an epidemic, in great numbers of people at different times and in different places.\(^\text{17}\)

The contemporary herbivore can be forgiven a chuckle (or two) at Nietzsche’s expense, though it would be important to recognize that his criticisms still have their echoes today, whether in the form of a biomedicalized discourse that worries about whether the meatless diet is “healthy,” in the form of a sexist discourse that worries about its effeminacy (in relation to vegetarian men), or, perhaps, in the form of a position that imagines a misanthropic denial of the “realities” of this world to be at the root of the decision to abstain from meat. At any rate, this brief encounter with Nietzsche’s thought highlights some of the terrains that I would like to explore by moving to Foucault’s later work. Nietzsche thinks of ethical life as an aesthetic practice, that eating is an important dimension of that practice, something that can enhance (or detract) from the beauty of a life, and that vegetarianism, as a particular form of dietary practice, is invariably life-denying and ugly.

II. From Nietzsche to Foucault

One can certainly see Nietzsche influencing Foucault’s later work on sexuality.\(^\text{18}\) An interest in Greek philosophy, a commitment to the genealogical method, and a conviction that a consideration of the past can be of important consequence to an interpretation of the present, are


all heavily at work in both thinkers. More concretely, Foucault follows in Nietzsche’s footsteps in at least two important respects.

First, he is primarily interested in practice. He is concerned less with “morality,” that is, with the moral codes and prescriptions that are prevalent in a particular time and/or place, and more concerned with “ethics.” Ethics, for Foucault, refers to the form of moral subjectivity (or experience) in a particular time and place or, in other words, that which “determines how the individual is supposed to constitute himself as a moral subject of his own actions.”

Accordingly, Foucault does not aim to engage in a genealogy of moral codes, which he thinks can remain relatively stable across different periods (a phenomenon which he believes can be seen in the moral codes governing sexual practice from Greek antiquity up into the early formation of Christian doctrine); rather, he undertakes a genealogy of ethics, which he believes evidence a number of interesting changes and transformations across different historical locations. Foucault is interested in asceticism, or askēsis, in the broad sense (which is alluded to in Nietzsche’s use of the term above); that is, asceticism not just as a life-denying self-immolation, but as “an exercise of the self on the self by which one attempts to develop and transform oneself, and to attain a certain mode of being.”

He includes these various ethical exercises within the category of “technologies of the self,” which was the domain of practical reason that most captured his attention in his last studies. Foucault believes that these technologies are present in all societies and he characterizes them as:


20 Michel Foucault, “The Ethics of the Concern of the Self as a Practice of Freedom,” in Ethics: Subjectivity and Truth, 282.
techniques that permit individuals to effect, by their own means, a certain number of operations on their own bodies, on their own souls, their own thoughts, their own conduct, and in this manner so as to transform themselves, modify themselves, and to attain a certain state of perfection, happiness, purity, supernatural power.²¹

Thus, he is less concerned with the particular rules that govern peoples’ sexual lives and more interested in how people establish their sexual subjectivity, in relation to various rules and norms, by way of a variety of practices (or “technologies”).

A second affinity between Foucault and Nietzsche is their use of an aesthetic idiom to conceptualize the ethical life. For Foucault’s part, he highlights what he believes is an important difference between ancient Greek and Christian forms of ethical subjectivity. Whereas early Christianity is characterized by a purificatory self-renunciation, and an intense form of self-analysis/decipherment that is focused on the internal life of desire, Foucault claims that Greek ethics, in contrast, bespeaks the formulation of an “aesthetics of existence”²² that is focused on an external arena of actions and relations. In Greek ethics, Foucault finds a unique type of concern for making one’s self a work of art.²³ And while Foucault does not call for a nostalgic return to Greek forms of life²⁴, he does think that we have lost sight of the possibility that our lives might be realms for the instantiation of aesthetic values; he remarks that “[the] idea of the bios as a material for an aesthetic piece of art is something that fascinates me” and he notes that, in our society, “art has become something that is related only to objects and not to individuals or

²¹ Michel Foucault, “Sexuality and Solitude,” in Ethics: Subjectivity and Truth, 177.


²⁴ Ibid., 256.
to life...But couldn’t everyone’s life become a work of art? Why should the lamp or the house be an art object but not our life?” \(^{25}\) And, elsewhere, he observes that we have “hardly any remnant of the idea in our society that the principal work of art which one must take care of, the main area to which one must apply aesthetic values, is oneself, one’s life, one’s existence.” \(^{26}\) The notions of invention, transformation, and artistic creation are invoked frequently in Foucault’s later interviews where he envisions, and expresses hope for, the creation of new ways of relating, new types of existence, and new forms of valuation that will break with attempts to discover a true self, or a secret side to our desire. He talks, for example, about the advancement of a homosexual \textit{askēsis}, which would involve working on the self and inventing a new manner of being, \(^{27}\) and he declares that “sex is not a fatality: it’s a possibility for creative life.” \(^{28}\) For Foucault, “aestheticism” means, “transforming yourself.” \(^{29}\) Thus, like Nietzsche, I would have to say that if Foucault advances an ethics in his work, then it is an ethics that is primarily concerned with the “style” of life that one might come to embody, and not with advancing normative prescriptions to be universally followed. \(^{30}\)

About the last two areas of Nietzsche’s thought that interested me, namely, eating and vegetarianism, Foucault has, respectively, very little and absolutely nothing to say. In the second

\(^{25}\) Ibid., 260-61.

\(^{26}\) Ibid., 271.

\(^{27}\) Michel Foucault, “Friendship as a Way of Life,” in \textit{Ethics: Subjectivity and Truth}, 137.


\(^{29}\) Michel Foucault, “Michel Foucault: An Interview by Stephen Riggins,” in \textit{Ethics: Subjectivity and Truth}, 130.

\(^{30}\) See, Foucault, “On the Genealogy of Ethics: An Overview of Work in Progress,” 262. Here, Foucault considers how his view relates to Sartre’s existentialism and he explicitly states that, “My view is much closer to Nietzsche’s than to Sartre’s.”
part of *The Use of Pleasure* (“Dietetics”)\textsuperscript{31} and the fourth part of *The Care of the Self* (“The Body”),\textsuperscript{32} he does highlight how eating was an important domain of concern for the Greeks, but Foucault is primarily focused on how the *aphrodisia* are conceptualized (and situated) in various regimens, not on food. But I argue that his methodological approach can be developed in a way that will apply specifically to the topics of eating and vegetarianism.

### III. A Foucauldian Exploration of Vegetarianism

In his history of ethical vegetarian thought, *Sins of the Flesh*, Rod Preece suggests that there are at least 8 reasons that individuals might appeal to in adopting a diet that does not include animal flesh: i) one is not able to afford the price of meat, ii) one refuses for religious (or spiritual) reasons to participate in any self-indulgence and practices instead self-denial (and self-purity); iii) one might hold a religious belief that animal sacrifice is not a just way to appease the gods; iv) one believes that a plant-based diet is healthier; v) one thinks that meat eating should be rejected on ecological grounds (i.e. it is environmentally harmful); vi) one is not opposed to the eating of animals per se, but is opposed to the way animals are reared in modern factory farm systems; vii) one may be part of a caste or religion that practices vegetarianism and adopts the practice to continue this tradition (Preece calls this “cultural vegetarianism”); or, viii) one may believe that the eating of animals is unethical in and of itself.\textsuperscript{33}

In his book, Preece is most interested in looking at those thinkers who have advocated become vegetarian (or vegan) for the last reason, but it is also important not to lose sight of the

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\textsuperscript{31} Michel Foucault, *The Use of Pleasure*, 95-139.


others, and of the ways in which they can intermingle. I focus especially on the second reason (i.e. the “ascetic” reason). For Preece, one can discern that “ethical vegetarianism” means something like, “done out of a consideration of the intrinsic moral worth of particular animals, as opposed to any extrinsic reason related to the eater themselves or to the wider environmental (or cultural) context.” In contrast, if one abstains from meat for religious or spiritual reasons related to purity, salvation, temperance, etc., then, according to Preece, they are practicing an “ascetic” form of vegetarianism. This is clearly the principal type of vegetarianism that Nietzsche has in his sights when he makes his various derogatory remarks – that is, he does not approve of vegetarianism because he thinks that it is a practice of self-denial that ultimately aims at some otherworldly form of purity. But, it is difficult (and undesirable) to make a sharp distinction between these two possible justifications for a vegetarian diet. I believe that Foucault’s way of thinking about “ethics” shows that there is an important sense in which an “ethical” vegetarianism can also be an “ascetic” vegetarianism.

When it comes to exploring the various forms, and possible transformations, of a “morality,” Foucault stresses that there are multiple ways that individuals can conduct themselves with respect to a prescription that remains relatively constant.\(^{34}\) These divergent forms of ethical subjectivity shape the different “ethics” he is interested in exploring. Foucault claims that the ethical relationship to oneself can be delineated along four major dimensions, namely, (i) ethical substance, (ii) mode of subjection, (iii) self-forming activity, and (iv) telos.\(^{35}\) Taken together, these dimensions establish the methodological filter that Foucault employs in his

\(^{34}\) Foucault, *The Use of Pleasure*, 26.

last works. And while Foucault puts this framework to use primarily for the purpose of engaging in a genealogical analysis (and comparison) of sexual practices in different historical periods, there may also be an important role for this framework to play in the analysis of contemporary practices that constitute other domains of ethical life. Arnold Davidson, invoking the aesthetic idiom that connects Foucault and Nietzsche, proposes that “we take each particular conceptual combination of ethical substance, mode of subjection, self-forming activity, and telos as representing a style of life. One’s style of life, as specified by a determinate content and mesh of each of these four components, gives expression to the self’s relationship to itself.”36 In what follows, I want to outline Foucault’s framework in more detail and explore how it can be pressed into service with respect to an investigation of styles of life that involve the eschewal of meat.

III.1 Ethical Substance

The first dimension of the ethical relation is what Foucault calls the determination of the ethical substance. This refers to “the way in which the individual has to constitute this or that part of himself as the prime material of his moral conduct.”37 This delineates the material, those parts of myself and my behaviors, that will need to be worked over by an ethical practice. To illustrate, Foucault suggests that the ethical substance of ancient Greek sexual ethics is the

36 Arnold Davidson, “Ethics as Ascetics: Foucault, the History of Ethics, and Ancient Thought,” in The Cambridge Companion to Foucault, 2nd edition, ed. Gary Gutting (New York: Cambridge University Press, 2005), 133. What Foucault gives us are the means to provide a rich descriptive account of an ethical subjectivity, or perhaps, in other words, of the “soul” of an ethical subject. His method allows us to see not only what individuals do and the rules they aim to follow, but the deeper picture of what they are aiming to do and what kind of persons they hope to become. But, as an addendum to Davidson’s observation, I believe it is important to recognize that a style of life can also give expression to the self’s relationship with others. Various feminist commentators have also stressed this point and have insisted that Foucault’s focus on the stylization of the self (and on an “aesthetics of existence”) is rightfully seen as involving ethical self-transformation in a social and political context; see, Margaret A. McLaren, “Foucault and Feminism: Power, Resistance, Freedom,” in Feminism and the Final Foucault, 214-234, and Dianna Taylor, “Foucault’s Ethos: Guide(post) for Change,” in Feminism and the Final Foucault, 258-274.

37 Foucault, The Use of Pleasure, 26.
aphrodisia, or the domain of actions that are linked to pleasure and desire.\textsuperscript{38} In contrast, Foucault argues that the ethical substance changes in early Christian sexual ethics. There, it is the internal desire of the individual that becomes the dominant focus of ethical concern. Foucault also refers to this as the “ontology” of moral experience.\textsuperscript{39} In order to see how Foucault’s conceptual framework might be put to service in a philosophical analysis of vegetarianism, it will be useful to have some other authors/textual sources in view. I will focus primarily on Porphyry’s third century work, \textit{On Abstinence from Killing Animals},\textsuperscript{40} and contrast it with Singer’s thought (as presented in \textit{Animal Liberation}\textsuperscript{41}).

Porphyry’s piece takes the form of an open letter to a friend – Firmus Castricius – who did not eat other animals for a time, but who subsequently reverted to his old, meat-eating ways. The primary goal of Porphyry’s letter is to convince his friend that he has many good reasons to return to abstention. In the course of presenting his arguments, Porphyry invokes a variety of imagery related to sleep and wakefulness, depth and height, and purity and corruption. Porphyry states that his discourse is directed to those who are awake, or who desire wakefulness, and who seek to live and eat according to specific principles.\textsuperscript{42} His arguments and advice do not address the “sleeper who tries to achieve sleep throughout his life” – these sleepers require drunkenness, hangovers and narcotics to ensure their “lethargy and oblivion.”\textsuperscript{43} But for those who do want to

\textsuperscript{38} Foucault, “On the Genealogy of Ethics: An Overview of Work in Progress,” 263-64.
\textsuperscript{39} Foucault, \textit{The Use of Pleasure}, 37.
\textsuperscript{43} Ibid., 40.
be awake, they need “sober drink and no wine, light food which comes close to fasting, a well-lit house with fresh air and a breeze, constant arousing of thought and concern, and a simple, rough bed.”⁴⁴ Consonant with Nietzsche, Porphyry is disgusted by the slothful stupor displayed by “sleepers,” and he enjoins those concerned with keeping their eyes open to avoid their yawning counterparts.⁴⁵ However, Nietzsche and Porphyry obviously disagree on whether abstaining from eating animals is, with respect to drowsiness, symptom or cure.

As far as the “ethical substance” is concerned, I would say that it is found in Porphyry’s distinction between the corrupted and the true self. Porphyry continuously advocates for concrete life practices that will enable a return to the “real self.” Consequently, I would say that, for Porphyry, the actual, corrupted self becomes the gravitational center of ethical concern and transformative practice. This is the material/substance that our ethical endeavours must seek to shape and mould. Like many Greeks, he subscribes to a dualistic partitioning of these two different selves, insisting that “one’s real self is the intellect,”⁴⁶ and that one’s corrupted self is coextensive with the life of impressions, passions and the body. Thus, throughout his text, Porphyry seeks to offer guidance with respect to purificatory practices (such as abstaining from eating animals) that he believes will enable this self-transformation that allows one to move away from a denigrated state.

What would we find if we tried to discover the ethical substance that contemporary vegetarians labor upon? Is it our corrupted selves that we attempt to transform? Our souls? Our

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⁴⁴ Ibid., 41.
⁴⁵ Ibid.
⁴⁶ Ibid., 42.
desires? Our actions? From the secularized perspective of rights discourse and the utilitarian language of interests (taken as two examples of prominent ethical theories), we might say that the ethical substance is primarily the domain of actions that an agent might perform, and that the realms of desire, character, and intention are often left in the background. It is not predominantly feelings, desires, or intentions that are expected to be worked over, but those actions that have implications with respect to the human use and treatment of other animals. Singer’s preference utilitarianism (as developed in *Animal Liberation* and elsewhere) is a clear example of this trend.\(^47\) In contrast to Porphyry, Singer’s approach displays little concern for the virtue and purity of the corrupted individual agent. Actions (and their consequences for other animals) are his main concern. In Foucault’s terms, actions are the substance that an individual striving to make themselves into an ethical subject is expected to be focused upon.

But, obviously, we are not all explicitly self-conscious preference utilitarians. As Preece’s list of reasons (which I mentioned above) alludes to, and as Foucault’s approach suggests, there are a multitude of different “styles of life,” and thus a multitude of possible ethical substances, in our pluralistic, global context. One might be a vegetarian for utilitarian reasons, but one might also be a vegetarian for a variety of, say, religious motives.\(^48\) It should be


\(^48\) For a number of interesting investigations of meat eating, from a variety of different religious perspectives, see Part 4 of *Food for Thought: The Debate Over Eating Meat*, ed. Steve F. Sapontzis (Amherst, New York: Prometheus Books, 2004), 167-246.
noted that many vegetarians echo a narrative of self-transformation in their accounts of transitions away from meat eating. They will use words like “epiphany” and “awakening,” discuss how they “broke away” from their old ways, or describe how they “leap from meat eating to vegetarianism.” The corrupt/true self dichotomy may not be explicitly invoked, but there is definitely a sense of transition to (what is experienced by them as) a new, and better, form of existence. It is clear that dietary restrictions on eating meat can be adopted for a variety of reasons and in relation to a variety of different concerns with respect to the self. Thus, one would have to say that the “ontology” of ethical vegetarianism is potentially quite multifarious.

III.2 Mode of Subjection

Foucault calls the second dimension in the formation of ethical subjectivity the *mode of subjection* (or *subjectivation*). This is the way in which, according to Foucault, an individual establishes a relationship with a particular rule, it determines “the way in which people are invited or incited to recognize their moral obligations. Is it, for instance, divine law that has been revealed in a text? Is it natural law, a cosmological order, in each case the same for every living being? Is it a rational rule? Is it an attempt to give your existence the most beautiful form possible?” With regards to sexuality, Foucault’s genealogy wants to show how very similar rules (say, the expectation of marital fidelity) can be observed/recognized for very different reasons in particular contexts. He also calls this the “deontology” of moral experience. 


51 Foucault, *The Use of Pleasure*, 37.
In effect, a mode of subjection answers the “why” question for any particular ethical behaviour. With regards to vegetarianism, a mode of subjection would specify the rationale for an obligation/injunction to abstain from consuming animal flesh. In Porphyry’s case, fostering a connection with the divine and engaging in a perpetual attempt to purify one’s existence are the primary motivating factors when it comes to abstaining from meat. As opposed to acting on a universalizable maxim, or with an eye to reducing aggregate suffering, becoming more god-like is the main reason why one should avoid eating animals. According to Porphyry, maleficent daimones are fuelled by sacrifices of blood and flesh, but holiness, “both internal and external, belongs to a godly man…who approaches the god in white clothing and with a truly pure dispassion in the soul, with a body which is light and not weighed down with the alien juices of other creatures or with passions of the soul.”

Human beings become more “riveted to the god” by enacting the virtues of temperance, simplicity, piety, and justice in our relations with other creatures.

With respect to the contemporary terrain, dominant answers to the question of why one should avoid meat would presumably not invoke the realization of a life as work of art, or the instantiation of a more god-like mode of being, as strong grounding reasons. Many are inclined (especially in philosophical justifications) to put forward some rational principle as the primary reason for recognizing this particular moral obligation. Singer, for example, argues that it is a principle of equality – “the principle of equal consideration of interests” – that we should be using to guide our actions with respect to other creatures. But, again, I would stress that we

52 Porphyry, 74.
must acknowledge that different modes of subjection are also in play, for example, in contemporary forms of vegetarianism that draw on religious doctrines (and cultural traditions) for justification.\textsuperscript{54} Considering the valuational ferment of contemporary, pluralistic environments, it must be acknowledged that there are a variety of “deontologies” potentially at work in relation to our dietary behaviours. The Foucauldian point to remember is that the prescription can be relatively uniform (e.g. “don’t eat other animals”), while the reasons (or authority, or spiritual ambition, etc.) a subject appeals to when embracing the prescription can be quite variable. Attending to this variety helps to bring a plurality of ethical subjectivities into sharper relief.

\section*{III.3 Ethical Work}

Thirdly, Foucault talks about different forms of \textit{elaboration}, or \textit{ethical work}, that one might perform on oneself, and which are “the means by which we can change ourselves in order to become ethical subjects.”\textsuperscript{55} This is what somebody does “not only in order to bring one’s conduct into compliance with a given rule, but to attempt to transform oneself into the ethical subject of one’s behaviour.”\textsuperscript{56} Foucault refers to this work as the “self-forming activity” that is brought to bear on the ethical substance. This is the activity that one engages in to modify the philosophical foundations/arguments that Singer deploys to establish his position with respect to the moral standing of non-human animals.


\textsuperscript{56} Foucault, \textit{The Use of Pleasure}, 27.
feelings, desires, intentions, actions, etc., in a particular domain of concern. With respect to sexual austerity, Foucault highlights four different forms, dominant at different historical times, that ethical work can take: (i) “a long effort of learning, memorisation, and assimilation of a systematic ensemble of precepts,” (ii) “a sudden, all-embracing, and definitive renunciation of pleasures,” (iii) “a relentless combat whose vicissitudes – including momentary setbacks – can have meaning and value in themselves,” and (iv) “a decipherment as painstaking, continuous, and detailed as possible, of the movement of desire in all its hidden forms.”

Foucault also calls this third facet of ethical subjectivity the “ascetics” of moral experience.

If we return to Porphyry’s work (and to the question of meat eating), we see that, like Nietzsche, he is concerned, not with abstract knowledge, but primarily with active engagement with the world. He thinks that purity, virtue, and security come to us “by actions, not just by listening to lectures.” According to Porphyry, a proper “ascetics,” which will enable us to work towards becoming our real selves, requires two types of exercises: (i) putting aside everything material and mortal (i.e. those things that drag us “down” and which mask our real selves) and (ii) working to “return and survive” (i.e. to “ascend” back up to, and uncover, our real selves). Porphyry juxtaposes frugality, self-sufficiency, and the necessary against extravagance, luxury, and unnecessary pleasures. Consuming flesh foods is, for him, a form of excess. He believes that ordinary, simple inanimate foods easily provide what nature necessarily requires. As he puts it, “[i]t is one thing to feed, another to fatten; one thing to give what is

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57 Ibid.
58 Ibid., 37.
59 Porphyry, 54.
necessary, another to provide luxuries.\textsuperscript{60} Thus, the avoidance of meat, and the consumption of inanimate foods, is a practice, an “ascetics,” that Porphyry believes can help to transform the individual into an ethical subject.\textsuperscript{61}

Contemporary vegetarians engage in many different activities that are constitutive of their ethical subjectivities. The most basic feature of contemporary vegetarian ascetics is, obviously, the avoidance of meat in one’s diet. But vegetarian ascetics are obviously much richer when looked at in more detail.\textsuperscript{62} One might think about the practice of reading (and using) vegetarian cookbooks, the creation of vegetarian associations, following vegetarian blogs, and the mounting of vegetarian fairs as other practices that can contribute to the formation of a vegetarian identity. Participating in vegetarian support groups, frequenting vegetarian restaurants, and attending lectures on animal welfare could be others. Advocacy (e.g. handing out literature, displaying placards, picketing a KFC, etc.) is also often an important domain of vegetarian practice. It is important to keep in mind that when Foucault highlights “ascetics” as an essential domain of ethical subjectivity, he is not just referring to practices that involve some form of self-denial, but to a wider realm of practices that have as their goal the creation of a certain kind of being. There is often a general perception of vegetarianism that sees it as involving a certain kind of deprivation, or self-denial (as being an asceticism in the more narrow

\textsuperscript{60}Ibid., 117.

\textsuperscript{61}Porphyry also heavily criticizes the practice of animal sacrifice – he believes that animal sacrifices are impious and he extols the simplicity (and purity) of inanimate (and purely intellectual) offerings. This offers another example of an ascetic practice that Porphyry believes enables a desirable transformation of the subject.

\textsuperscript{62}It must be acknowledged that the examples/details that follow are relevant to/drawn from my own relatively affluent, North American frame of reference.
sense). This seems to be the picture of vegetarianism that Nietzsche was working with. But, one should keep in mind that vegetarian ascetics need not be so sallow.

### III.4 Telos

Finally, Foucault discusses the telos of ethical life. He believes that an action is not only moral in its singularity, but in its “circumstantial integration and by virtue of the place it occupies in a pattern of conduct.”

63 The fourth dimension of ethical subjectivity answers the question: “Which is the kind of being to which we aspire when we behave in a moral way? For instance, shall we become pure, or immortal, or free, or masters of ourselves, and so on?”

64 This is the “teleology” of moral experience.

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When it comes to vegetarianism, I believe that this is an aspect of moral experience that does not get a lot of explicit attention. The question, namely, “what end am I aiming at when I decide to eschew meat?” is an important one. For Porphyry, the telos of abstention is a kind of purity and ascension towards the gods. Meat eating is a corrupting activity that stains our souls and drags our true selves down into the mire of bodily existence. Abstaining is a way to cut that tether. Porphyry recognizes that we are bodily beings and that we must eat to exist, that we cannot “keep the divine untouched and harmless in relation to everything, for we are not without needs in relation to everything;”

66 but our goal should be to try to lessen this attachment as much

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65 Foucault, *The Use of Pleasure*, 37.
66 Porphyry, 99.
as possible. For Singer, on the other hand, the telos of a vegetarian practice is the reduction of suffering. This goal gives direction and unity to a (utilitarian) subject’s activity.

To summarize, Foucault thinks that these four dimensions are present in the creation of any moral experience (or form of ethical subjectivity): “There is no specific moral action that does not refer to a unified moral conduct; no moral conduct that does not call for the forming of oneself as an ethical subject; and no forming of the ethical subject without “modes of subjectivation” and an “ascetics” or “practices of the self” that support them.” Following Davidson (whom I mentioned above), I would add that any particular combination of these four elements can be taken to represent a “style of life” that gives expression to the self’s relation to itself (and to others). As I have highlighted with respect to vegetarianism, very different styles are possible. This is made especially clear when one juxtaposes the differing approaches of an ancient thinker like Porphyry and a contemporary philosopher like Singer.

IV. Contemporary Applications of Foucault to the Topic of Meat Eating

In the last section, I outlined how Foucault can be seen as providing us with a framework for considering different forms of vegetarian ethical subjectivity. This allows us to get a good sense of the texture and shape of particular vegetarian “souls.” Thus far, I would say that Foucault has given us a variety of analytical tools. But can he give us more than this? Does Foucault have something more normative to say, about the style of life we should try to adopt when it comes to our dietary practices? I think that he does and that these prescriptions can be framed in relation to the “aestheticism” he endorses in his later work. Two contemporary

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theorists – Joseph Tanke and Chloë Taylor – have looked to Foucault for normative guidance on the topic of eating animals. I would like to engage with them, and with the work of the virtue ethicist Stephen Clark, directly in this section. In doing so, I will argue for a particular form of virtue ethics that I believe is ultimately compatible with Nietzsche and Foucault’s focus on the aesthetic.

IV.1 Tanke

Tanke draws on Foucault’s later lecture courses at the Collège de France in his attempt to reinterpret vegetarianism as a form of self-practice that is linked with truth and critical speech.\footnote{Joseph J. Tanke, “The Care of the Self and Environmental Politics: Towards a Foucaultian Account of Dietary Practice,” \textit{Ethics & The Environment} 12 (2007): 79-96.} Invoking Foucault’s aesthetic idiom, Tanke indicates that he wants to rethink vegetarianism as a “stylization of the self.” In doing so, his main goals are to (i) reconcile vegetarianism and environmental politics – two commitments that are often seen as being at odds with one another\footnote{Basically, the tension is seen as arising from the fact that an animal-rights based vegetarianism focuses on the individual (and holds that they cannot be sacrificed for the greater good), whereas many environmental ethical positions give priority to the biotic whole (and allow for the sacrifice of individual animals (i.e. culls) that promote the good of the whole).} – and (ii) to establish a Foucauldian account of vegetarianism as a potential alternative to (what he labels) the “norm-governed” approaches of ethicists like Singer and Regan.

With respect to the first goal, Tanke criticizes eco-holistic rejections of vegetarianism (he focuses on J. Baird Callicott’s work\footnote{J. Baird Callicott, “Animal Liberation: A Triangular Affair,” \textit{Environmental Ethics} 2 (1980): 311-338.}) for overlooking the ways that the actual, physical practices of a vegetarian diet implicitly critique the common enemy (to environmentalists and...
animal liberationists alike) of agri-business. Tanke insists that a vegetarian ethics must recognize its connection with environmental goals, while environmentalists must also recognize how vegetarian strategies may be useful in realizing their ends; in his words, vegetarianism is a form of self-relation that holds “eco-political possibilities.”

As far as the second goal is concerned, Tanke argues that Singer and Regan’s normative theories offer “flawed” accounts of vegetarianism. He believes that these approaches share both the strengths and weaknesses of the liberal tradition from which they are derived. On the positive side, he thinks that they give a relatively clear account of a moral obligation to refrain from meat-eating and good reason not to support factory farming. On the negative side, however, he suggests that:

these approaches are laden with metaphysical assumptions, emotional appeals, and scientific speculation. They generate abstract moral principles, which are supposed to be obligatory for all and sundry regardless of time, place, and economic, social, and nutritional background. Most significantly, neither endeavor to treat the real reasons why people become and remain vegetarians. Finally, these accounts neglect the relationships between the ethical practices of vegetarianism and the politics of environmental truth.

Furthermore, following Kathryn Paxton George, Tanke also criticizes these normative approaches to vegetarianism for creating a “moral underclass.” Basically, the charge is that Singer and Regan set up an ethical ideal that it would be impossible for everybody to follow and, consequently, those who fall short will inevitably be seen as failures in relation to that normative standard. George, for her part, argues that the vegetarian ideal is premised on what is healthy for the normal, male body and that women (and children), whose health may be jeopardized by such a diet, will come to be seen as less ethical. See, Kathryn Paxton George, Animal, Vegetable, or Woman? A Feminist Critique of Ethical Vegetarianism (Albany: State University of New York Press, 2000).
I am not convinced that all of these criticisms are well-placed. For example, it seems to me that Singer does endeavor to avoid stipulating abstract moral principles that disregard important circumstantial contingencies (i.e. he does not think that vegetarianism is a universal moral obligation that cannot be qualified\textsuperscript{75}). At any rate, much more could be said about these criticisms, but I will leave that task to the side for now. Given my focus, I want to look more closely at Tanke’s suggestion that a Foucauldian account of vegetarianism can address the theoretical shortcomings of these “normative” approaches.

Tanke argues that vegetarians have the ability to “testify to a different way of being” and that Foucault helps us to develop an account of vegetarianism that “does not rely on abstract, normative principles or shaming others.”\textsuperscript{76} Tanke suggests that Foucault offers us a “creation aesthetic” (which is an account of the means by which subjectivities can be created and/or transformed) that can be used to conceptualize the practice of vegetarianism.\textsuperscript{77} This is contrasted with a “reception aesthetic,” which is understood as a framework for making determinations about whether or not a particular lifestyle is beautiful or ugly. At the heart of Foucault’s creation aesthetic, according to Tanke, is the notion of an askesis.\textsuperscript{78} The self is constituted by the practices it engages in and, thus, our practices will be the primary means through which our selves can be transformed and created anew. Adopting a vegetarian diet is a particular askesis that stylizes a life of protest and which opens up transformative possibilities for the subject. In Tanke’s words, vegetarians are “engaged in practices of the self that foster different ways of


\textsuperscript{76} Tanke, 88.

\textsuperscript{77} Ibid., 87.

\textsuperscript{78} Ibid., 90.
living; such practices forge subjectivities that reject anthropocentric modes of thought and action. This is evident in the way that the vegetarian askesis problematizes the meal, its production and its environmental costs.”

It is also important to note that Tanke, taking his lead from the content of Foucault’s lecture courses, privileges the notion of “truth” (as opposed to, say, “beauty”) in his discussion of vegetarianism. Here are a few examples. He states that conceiving of vegetarianism as an askesis “allows us to highlight the diet’s unique relationships with truth and the ways in which it might function in substantiating environmental discourses.” He thinks that there is an “unspoken truth that is attested to in the exercise of the vegetarian self: things can be different because the self is malleable.” Finally, he declares that the vegetarian “ethical-political stylization thus forges a physical relationship with truth, in which an environmental politics can find refuge.”

79 Ibid., 92.

80 Tanke focuses most extensively on the lectures from February and March 1984. These have been published in English as: Michel Foucault, The Courage of the Truth (The Government of Self and Others II): Lectures at the Collège de France, 1983-1984, ed. Frédéric Gros, trans. Graham Burchell (New York: Palgrave MacMillan, 2011). It should be noted that Foucault’s focus (with respect to an analysis of truth) at this stage in his research is different than that in his work from the 1970’s (for an example of Foucault’s earlier thinking about the relationship between truth and power, see the interview, “Truth and Power,” in Power/Knowledge: Select Interviews and Other Writings 1972-1977, ed. Colin Gordon (New York: Pantheon Books Edition, 1980), 109-133). In the lectures that Tanke focuses on, Foucault acknowledges that “the analysis of the specific structures of those discourses which claim to be and are accepted as true discourse is both interesting and important,” but he indicates that “it would be equally interesting to analyze the conditions and forms of the type of act by which the subject manifests himself when speaking the truth,” 2 (Foucault’s emphasis). It is the latter direction of analysis that he pursues in the lectures (and in his last works more generally).

81 Ibid., 91 (my emphasis).

82 Ibid., 92 (my emphasis).

83 Ibid., 93 (my emphasis).
At this point, I would like to make a few critical remarks. Tanke sees Foucault as providing us with a clear alternative to “normative” accounts of vegetarianism, but I think that it is a mistake to bifurcate the theoretical possibilities in this manner. On the one hand, I think it is important to recognize that Foucault gives us a variety of conceptual tools that can be used for descriptive purposes. These tools can be put to use to get a richer sense of the ethical subjectivities that are possible in different times, places, and circumstances. In the last section, I showed this was the case with vegetarianism in particular by looking at Porphyry and Singer. What I wanted to convey there is the idea that Foucault can help us to think about vegetarianism, “normative” or otherwise, from a broader genealogical perspective. In this light, Foucault does not necessarily provide us with an alternative to normative accounts of vegetarianism, but a means to analyze them in more detail. And this is why it is important to think about all the dimensions of ethical subjectivity that Foucault highlights, not just the askesis (which is what Tanke primarily focuses on). Tanke seems to think that vegetarians are necessarily acting in the interests of the wider environment and that this askesis necessarily translates into some kind of broader environmental political action. But this does not seem quite right to me. The vegetarian diet can “aim,” implicitly and explicitly, at a lot of things, not just, or necessarily, the preservation of natural resources and ecosystem stability. A vegetarian askesis can be transformative, no doubt, but it may not be obvious what is guiding the transformation in particular cases, nor will it necessarily be obvious to what ends the transformation is directed. This is why it is important to also think about the ethical substance, the deontology, and the telos of a particular ethical subjectivity.

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84 For example, somebody might have been raised as a vegetarian and continue the practice for familiarity’s/tradition’s sake (this would be an example of what Preece (who I discussed above) would refer to as a “cultural vegetarian”). This person may not have any great concern for the plight of animals or for the natural world more generally.
On the other hand, I do agree, with Tanke, that Foucault can provide us with the resources to conceptualize a particular approach to vegetarianism. But, if we are going to work with Foucault in this manner, then it must be acknowledged that this will involve stipulating a new normative approach. Any theory that prescribes (or endorses) a particular way of life will also, implicitly or explicitly, suggest that a variety of other paths are less than ideal, to be avoided, etc. And it is not clear to me how a Foucauldian approach would be able to bypass this implication, especially if it is going to be built on the idea of aesthetic self-transformation. Beauty goes hand in hand with the ugly, truth with falsehood. If one thinks that the vegetarian ideal is related to truth and beauty, and that one should attempt to stylize their life in this fashion, then meat-eating will have to be presented as falsehood, deception, unnecessary, ugly, etc. For this reason, I think that it is also difficult to demarcate a strict separation between a reception aesthetic and a creation aesthetic, as Tanke tries to do. It seems to me that it will be difficult to separate these two aesthetics in practice, since I will always be creating myself, or striving for beauty, in relation to particular frameworks that delineate what will count as beautiful. In turn, my striving, and the practices I embody, may be the beginning of new frameworks of evaluation and perception. I am happy to follow Tanke and make use of Foucault for normative ends, but we should acknowledge that we are doing so explicitly and not assume that Foucault could help us to construct some kind of non-normative account of vegetarianism.

IV.2 Taylor

Chloë Taylor’s engagement with the later Foucault helps to further develop this new normative approach.\textsuperscript{85} In her work, she begins by highlighting some of the ways that eating is

an important part of the constitution of racial, class, gender, and species identities. She stresses how vegetarianism can be adopted for a variety of reasons and how it can signify in various ways. For instance, in many cases, vegetarianism can be a marker for a particular racial identity (usually white) and class status (usually educated, economically secure, etc.). With respect to motivations for not eating meat, one might become a vegetarian as part of a feminist politics, which seeks to acknowledge the interlocking oppressions of women and nonhuman animals; in other cases, one might adopt a vegetarian diet as a way of forsaking human privilege and acknowledging a kinship with other species of animate life.

For her part, Taylor draws on Foucault in order to argue that the “manner in which we regulate our food consumption has been revived as a means of ethical and aesthetic self-constitution in the West” and that certain “counter-cuisines” can become a mode of political resistance to disciplinary forms of power. Eating can be shaped by disciplinary power, according to Taylor, “in so far as we are inculcated with specific eating habits or are corporeally constituted to eat in certain ways that are highly difficult to get away from because they have become our habitual means of relating to our bodies, emotions, and selves.” Meat-eating, in particular, can be a practice into which we become disciplined “by (among others) our families and organizations such as the FDA as these are manipulated by the financial interests of agribusiness,

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86 Ibid., 75.
87 Ibid., 74-5.
88 Ibid., 75.
89 Ibid., 73.
90 Ibid., 78.
in manners which become inscribed on our identities.”91 From this perspective, the “naturalness” of meat-eating can be called into question and we can get a better sense of the wide array of forces that are at work in encouraging the continuation of this practice. This, in turn, can be a starting point for critique and self-transformation.

Taylor encourages us to see ethical vegetarianism as a counter-discipline, a self-transformative practice, and an ethico-aesthetics of the self.92 Given the disciplinary forces at work in our gastronomic lives, “a vegetarian diet can be theorized as an aesthetics and ethics of the self, a resistance to discipline, or a self-transformational re-disciplining…choosing a vegetarian diet…is a difficult practice of self-overcoming and self-transformation, of undisciplining and redisciplining ourselves.”93 Thus, like Tanke, Taylor highlights the malleability of the self to which vegetarian practices and actions can attest. These are forms of self-transformation that can, to use Tanke’s words, stylize a life of protest, or which can be thought of, to invoke Taylor’s terms, as “micropolitical practices”94 that boycott, resist and refuse to participate in the oppression of non-human animals. But, whereas Tanke privileges the relationship between vegetarianism and truth, Taylor places more emphasis on vegetarianism’s relation to the aesthetic.

First of all, while she does not make this explicit, I read Taylor as specifying a criterion that can be used to make particular aesthetic judgments. She argues that room must be made for

91 Ibid., 80.
92 Ibid., 73.
93 Ibid., 80.
94 Ibid.
a consideration of the pleasure of the other in the creation of an ethico-aesthetics of the self.\textsuperscript{95} In her response to Elspeth Probyn’s characterization (and dismissal) of vegetarianism as a rule-bound dogmatism (and Probyn’s attempt to eroticize/aestheticize the preparation of a chicken cadaver),\textsuperscript{96} Taylor draws on a thought that Foucault expressed about Greek practices and states:

> While I do not want to deny that, as Probyn describes, a carnivorous regime can be an ethico-aesthetic technology of the self on Foucault’s terms, I am suggesting that it would be as “disgusting” an ethics as the self-constituting practices of the ancient Greeks, dependent as they were on slavery and misogyny, oppressions to which the non-human flesh industry has often been compared.\textsuperscript{97}

One can make the aesthetic judgment that meat-eating is disgusting because it is a practice that does not account for the pleasures of the other in any significant way (and here, “the other” can be a non-human animal) and it completely subordinates those pleasures to the whims and desires of the self. Thus, it is whether or not a practice “accounts for the pleasures of the other” that allows us to determine whether it is beautiful or disgusting. In this light, the vegetarian diet can be thought of as more aesthetically pleasing because it is an \textit{askesis} that attempts to integrate the pleasure of the other into my own. I would certainly endorse this criterion with respect to broad aesthetic judgments. But, it does seem important to consider whether it speaks to the ugliness of meat-eating \textit{simpliciter}, or whether it speaks primarily to particular practices related to the consumption of meat (e.g. contemporary factory-farming methods). Some defenders of meat consumption agree that the way most animals are treated before they are consumed is disgusting and reprehensible, but that, nonetheless, a respectful (and beautiful?) relationship with the

\textsuperscript{95} Ibid.

\textsuperscript{96} Elspeth Probyn, \textit{Carnal Appetites: FoodSexIdentities} (London and New York: Routledge, 2000), 59.

\textsuperscript{97} Taylor, 80.
animals we eat can be envisioned and/or enacted. Resolving this question would require more thought about what it would mean to take the pleasures of other animals sufficiently into account. Still, suffice it to say that even a minimal accounting along these lines would call for fairly radical responses/changes to the disciplinary apparatuses that currently shape our eating practices.

In addition to specifying this criterion for aesthetic judgment, Taylor also assesses how a Foucauldian, aesthetic approach to vegetarianism might compare with more traditional theoretical approaches. In this respect, her argument parallels Tanke’s by casting a Foucault-inspired account as a viable alternative to “normative,” or “moral,” approaches to vegetarianism. Taylor fleshes out her position by considering how an aesthetic approach might be relevant to the Animal Liberation Movement. She notes that individuals often take on a vegetarian diet not primarily as a consequence of being confronted with moral argumentation (à la Regan and Singer), but for aesthetic reasons. This coincides with my earlier observations (in Chapter 3), namely, that it is often the case that being confronted with a grisly scene can effect (and motivate) in a way that a pristine, logical argument cannot. Similarly, narratives of self-

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99 What I have in mind here are, on the one hand, changes to the ways animals are reared, housed, shipped, slaughtered, etc., and, on the other hand, changes to the ways that we shop for, buy, and consume animal flesh.

100 Taylor, 81.

101 Ibid., 82.

102 See Chapter 3, 80-91.
transformation and conversion, in the face of the horrors of meat production and consumption, may speak directly to the hearts of individuals in a way that more abstract considerations cannot. And, consequently, aesthetic tactics (e.g. showing the ugliness of the meat-based diet and the beauty of the vegetarian alternative) will often be very effective in encouraging a transformation to a meat-less diet, often more effective than deontological and utilitarian forms of moral argumentation will be on their own. In this respect, Taylor’s (and my) comparative analysis turns on Foucault’s morality/ethics distinction that I highlighted earlier, that is, the distinction between a moral code and a fully realized ethical subjectivity. The thought is that vegetarianism will be more attractive if it is presented as a life to be embodied as opposed to simply a rule to be followed.

There is much to recommend Taylor’s presentation of eating as an aesthetic form of self-stylization. In particular, I think she does a better job than Tanke of acknowledging (and attending to) the normative dimension of a Foucauldian approach and of working to specify some of the criteria that will be relevant to aesthetic judgments, as far as eating is concerned. I would like to develop these considerations further by looking at the virtue ethical approach to vegetarianism that is presented by Stephen Clark.

IV.3 Clark

Both Tanke and Taylor want to mark a distinction between a Foucauldian approach to vegetarianism and other, more dominant philosophical alternatives. Clark is also interested in developing a novel approach to animal ethics. For his part, he looks to the tradition of virtue ethics to address some perceived deficiencies in utilitarian and deontological approaches to
ethical reasoning and argumentation. In particular, he argues that these approaches fail to offer an ideal of character and action that encourages the agent to “act consistently with some vision of a better world, whether or not the final calculation of expectable outcome, or the definitive judgment on what maxim can or cannot be universalized, has been achieved.”

Instead of focusing exclusively on the outcomes of particular actions (as a consequentialist might), or on the rational rules that should be adhered to (as a deontologist might), Clark maintains that we ought to think about what an admirable agent would be inclined to do. On a virtue ethical approach, the “right action under any circumstances is the one the virtuous agent would perform in seeking to do right – not as a means to some imagined outcome, but as the finest or most beautiful available option.” Thus, for Clark, the right action is not only to be cashed out in terms of consequences or adherence to rules, but – similarly to Nietzsche, Foucault, Tanke, and Taylor – in terms of its aesthetic qualities. Acting so as to create and/or instantiate something beautiful can also be ethically praiseworthy.

But how, as far as Clark is concerned, are we to determine what is the most beautiful? Providing an interesting contrast to Tanke (who, as I noted, privileges the notion of truth), Clark develops his position via a discussion of the notion of purity. In particular, he draws on Porphyry’s work in his attempt to develop an account of this concept that will be palatable to contemporary sensibilities. Recall that much of Porphyry’s plea to his friend involved images of

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104 Ibid., 140.

105 Ibid.
purification and detachment from the corrupting forces of this world. Clark notes that many will be skeptical of this notion and that modern egalitarian moralists will be likely to distrust any talk of purity, cleanliness, and spiritual health (and beauty?). Many might worry that to speak of purity involves separating oneself, or a class of actions, from the common human condition, and that it involves creating a favoured class of person who are virtuous enough to live beautiful, pure lives (in contrast to the “moral underclass”). Furthermore, echoing Nietzsche’s denigration of ascetic ideals, Clark notes how purity rules “are bound to be considered antilife.”106 That is, they are bound to be seen as rejections of the messy contingencies of the world human beings inhabit and as a flight to the otherworldly.

But Clark wants to insist that there are other ways to conceive of purity and corruption. He proposes that the “unclean” be conceptualized as: “an offence to an unarticulated image of what it is to be decently human.”107 From this perspective, an aspiration for purity is not antilife; rather, it bespeaks a particular aspirational conception/ideal for human being. But what is that image? For Porphyry, purity involves being unmixed, whereas contamination involves the mixing of opposites. There is a certain kind of separation, or detachment, that a virtuous life must embody, and Clark wants to endorse this appeal to separation. To do so, he insists that Porphyry’s focus on detachment need not be read as a denigration of corporeal things – “on the contrary, it is by disengagement that we come to see their beauty.”108 Thus, to be pure (i.e. decently human) with respect to other animals, to be able to see their beauty, we need distance between them and us. This means recognizing that other animals are centers of “needs, value

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106 Ibid., 142.
107 Ibid., 143.
108 Ibid., 148.
and striving on [their] own account,”109 or, to steal a Heideggerian methodological prescription, that we should let what shows itself be seen from itself. In other words, we need to resist the temptation to look at other animals through the lens of our own desires, passions, habits, and prejudices. This is what meat-eating can so often fail to do, treating other animals, as it so often does, as mere instruments for the satisfaction of our personal whims. We don’t see the beauty of other animals because we often do not see them at all. It is in this light that the ascetic/aesthetic nature of the vegetarian *askesis* can be properly understood. As Clark puts it:

> The charge against vegetarians has been that they must despise the world, and wish to be detached from it…The converse claim is that it is vegetarians who have the chance of valuing what is: by stripping away the false perception that such creatures exist *for us*, we are enabled to see them in their beauty.110

Thus, contra Nietzsche, I would argue that we need not think of a vegetarian purity as necessarily life denying. Purity might also be a way to figure the decently human and to conceptualize an aesthetically pleasing orientation to the other creatures that inhabit our worlds. Buttressing Taylor’s criterion of aesthetic judgment, I would add, following Clark, that perceiving beauty, and instantiating it in the world, requires a certain type of detachment from our immediate passions, desires and habits. This detachment opens up a space for critique and reflection – a space where, I can only hope, those acts which are now too easy will be made more difficult.

V. Conclusion

In conclusion, I would like to integrate these contemporary discussions with my earlier account of Foucault in a more direct manner. By starting with Nietzsche and moving on through Porphyry to Tanke, Taylor and Clark, I think it becomes clear that the best way to think of


110 Clark, 149 (Clark’s emphasis).
Foucault is as a kind of virtue ethicist. This is true from both from the perspective of the descriptive tools he gives us and from the perspective of the normative approach that can be gleaned from his work. From a descriptive perspective, he gives us the means to get a rich sense of the ethical subjectivities that existed in different times and places. I used the word “soul” to describe this textured picture at a couple places, but one might also use the virtue ethical concept of “character.” Foucault isn’t concerned with ethical codes or rules per se, nor with actions and consequences, but with the self’s relation to itself and the world it inhabits. I would say that he engages in a genealogy of character (or virtuous agency), with a particular focus on the topic of sexuality. From a normative perspective, it is clear that Foucault privileges the aesthetic and that, like Nietzsche, he wishes to see a revival of the idea that the self can be a work of art. This view is clearly much more amenable to approaches to ethics that stress the virtues, as opposed to deontological and consequentialist forms of moral argumentation.

Can we say a bit more about the kind of ethical subjectivity that Foucault might endorse, about the ethical substance, the deontology, the askeses, and the telos he would have liked to have seen fostered? He gives us a clue in an interview conducted early in 1984.\footnote{Foucault, “The Ethics of the Concern of the Self as a Practice of Freedom.”} There, Foucault stresses the point that he believes it is wrong to see power as an evil.\footnote{Ibid., 298-299.} For him, it is simply not possible to live outside of power relations. Power, in and of itself, is not a problem, rather, it is domination that is the real evil. After making these points, his interlocutor asks: “Are we to take what you have just said as the fundamental criteria of what you have called a new ethics? It is a question of playing with as little domination as possible...,” to which Foucault replies, “I believe that this is, in fact, the hinge point of ethical concerns and the political struggle...”
for the respect of rights, of critical thought against abusive techniques of government and research in ethics that seeks to ground individual freedom.\textsuperscript{113} I think of this as the “mode of subjection” – the “deontology” – that Foucault would endorse, that is, “play with as little domination as possible.” The corresponding telos would not be a utopian state free of power relations (which would be impossible), but a proleptic vision of a space where strategic games between liberties, and creative possibilities, can be fruitfully pursued. The corresponding ethical substance is not an internal life of desire, but the self in its capacity to become an embodied, living object (and subject) of beauty.

This chapter has argued that vegetarianism is an \textit{askesis} that would fit comfortably within Foucault’s ethical vision. The maxim to follow, if we need one, might be “eat with as little domination as possible.” Refusing meat can be one of the ways to acknowledge (and resist) the domination of other animals that occurs at human hands. In doing so, we might strive for detachment, truth, purity, etc, and we just might help to instantiate a little beauty in our own lives and make it easier to perceive the beauty in the other creatures that surround us.

\textsuperscript{113} Ibid., 299.
Chapter 7
Conclusion: Summary and Future Avenues for Investigation

In this final chapter, I would like to (i) briefly recapitulate the structure of the thesis and the central claims that it puts forward and (ii) consider some possible future investigations that could draw on (and further develop) the concepts explicated, the theoretical frameworks elaborated, and the conclusions arrived at.

I. Summary

To frame my summary, I would like to highlight two quotations (both of which are included in the thesis) that are helpful for thinking about the work as a whole. The first quote (discussed in Chapter 1) is from a paper by Josephine Donovan. Her view is that “a sympathetic imaginative construction of another’s reality is what is required for an appropriate moral response.” ¹ The second quotation (discussed in Chapter 2 and used as an epigraph for Chapter 6) is from an interview with Michel Foucault. In one of his answers, Foucault states that, “To do criticism is to make harder those acts which are now too easy.” ²

Broadly, these two quotes encapsulate what I see as the primary goals of my thesis, that is, (i) to encourage/enable the “sympathetic imaginative construction of another’s reality” (especially the reality of other animals) and (ii) to engage in an act of critique that seeks to make

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harder certain acts that are now too easy (I mean to refer to both practical/everyday acts and philosophical/theoretical acts that pertain to other animals). In general, I have pursued these goals via a discussion that interweaves first- and second- generation interspecies ethics and animal studies. On the one hand, I have been very interested in exploring new resources for thinking about animal ethics (for example, the conceptual tools offered by Foucault), but, on the other hand, it has also been important for me to stay conversant with earlier approaches (for example, the work of Regan and Singer), since I think there are important insights there to stay in contact with. In relation to these earlier approaches, I would say that my engagement with them has been primarily additive and enriching (as opposed to categorically rejecting and replacing).

Now, I will briefly revisit the five chapters that make up the body of the thesis in order to highlight the ways that they allow me to achieve these two broad goals that I have just specified.

If I had to pick one word to describe the focus of the first substantive chapter (Chapter 2 – The Vulnerability of Other Animals), it would be “ontology.” Here, I was particularly interested in critiquing a common tendency, namely, the tendency to believe that there is a sharp difference in kind that exists between human beings and other animals. Put in terms of Foucault’s understanding of critique, the act that I wanted to make harder in this chapter is the institution of a deep chasm between the beings we call “human”, on the one hand, and the beings we call “animal”, on the other.

I did this by explicating the notion of vulnerability, since I believe that this is a fruitful way to conceptualize the common existential space that humans and other animals occupy. To develop this line of thought, I used three particular authors as foils. Each of them gives the concept of vulnerability a central place in their ethical thought (which I think is laudable), but, at
the same time, each develops their position by having something important turn on the human/animal distinction (a move that I believe needs to be challenged).

In the end, I turned to the work of Ralph Acampora to endorse and develop a view that holds, first, that the live body should be seen as the primary locus of existential commonality between humans and other animals and, secondly, that the perception of this commonality can be an important basis for an expanded sense of moral community. Thinking in this direction is an important part of a “sympathetic imaginative construction” (to invoke Donovan’s words) that will enable us to perceive kinship between humans and other animals. Ultimately, it is my hope that this perception will be a basis for transformed relations between these two groups.

If I had to pick one phrase to label my focus in third chapter (Chapter 3 – The Ethic of Care and Other Animals), it would be “moral experience” (to borrow a phrase from Virginia Held, whom I discuss in the chapter). Therein, I focused on sketching out a framework that can effectively capture essential elements of our lives as embodied, situated, and emotional practical reasoners who often try to act based on good moral reasons. In the first part of the chapter, I argued that the feminist ethic of care – which focuses on the particular, the concrete and the communicative elements of our lives and relationships – supplies this framework and that it can be fruitfully extended so as to capture important elements of human relations with other animals. The act that I wanted to make harder in this chapter is a tendency to disregard the relationships that can be formed with other animals when conceptualizing moral experience.

In the second part of the chapter, I sketched out a picture of the ways that both “reason” and “emotion” can be seen to be at work in our moral lives. In animal ethics debates, as in debates in ethics more broadly, there is often an opposition set up between rationalistic and care-based approaches. I argued against this dichotomization and insisted that both rational,
justificatory thinking, on the one hand, and sympathetic motivation and imagination, on the other, must be seen as important, interacting elements of our moral experience when it comes to thinking about, living with, and acting with respect to, other animals. To borrow from Held again, I would say that, in this chapter, I ultimately endorse a picture of practical moral reasoning that privileges the idea of “reflective equilibrium.”

The key notions in the fourth chapter (Chapter 4 – Life and Death, Hope and Pain: Thinking (with Wittgenstein) about Humans and Other Animals) are “concepts and context.” This chapter, structured around a creative reading of Wittgenstein’s *Philosophical Investigations*, focused especially on the concepts of life and death, and hope and pain.

Two of the things I was drawn to in Wittgenstein, and which I think resonate with the account of moral experience that I developed in Chapter 3, are (i) his attention to contextual details and specificities and (ii) the importance he places on these factors when it comes to understanding the ways that language, actions and concepts convey (and/or accrue) meaning. Another aspect of his thought that I was drawn to, and which I think connects to my discussion of vulnerability in Chapter 2, is (iii) the role that life and the living body seem to play in Wittgenstein’s thought, especially with respect to his discussion of pain.

Some thinkers have appealed to Wittgenstein to try to argue that it is anthropomorphic to ascribe many concepts to other animals. In the chapter, I discussed one author (Michael Leahy) who thinks that there are even reasons to doubt that we are justified in using the concept “pain” in their case. I countered this trend, arguing instead that we can see the vulnerable, living body at work in Wittgenstein’s thought and that we can see him as implicitly appealing to it as a basis for the legitimate ascription of certain concepts (like “pain”) to both humans and to other animals. This points to one act that I wanted to make harder in this chapter, namely, a certain
kind of scepticism about the legitimate application of particular concepts (especially morally salient concepts like “pain”) to other animals.

In the last part of the chapter, I turned to the work of Cora Diamond. Here, I was more interested in the ways that human beings conceptualize themselves, other animals, and the differences and similarities between them. Diamond believes that many traditional approaches to philosophy can abstract an issue in a way that distances us from a more direct appreciation of bodily life. This is one of the places where I think Diamond can be brought into explicit contact with Wittgenstein. That is, we can see them being joined by a careful attention to the textures of our embodied lives and language games, by the injunction to “look and see” the different forms of life (including the lives of other animals) which surround us, and by a desire to diagnosis (and resist) the abstraction and reification that have been common in philosophical thought.

Diamond is particularly interested in the ways that non-philosophical discourses, such as literature, can allow us to imaginatively conceive of other animals as “fellow creatures” and as our companions in a vulnerable life. I endorsed her approach because it allows us to appreciate the full importance of moral imagination and the imaginative reconstruction of another’s reality. I believe that this kind of imaginative reconstruction is one of the tools that will be essential for displacing entrenched “pictures” of the human-animal divide and for enabling new forms of categorization.

In the last two substantial chapters, I turned my attention to the work of Michel Foucault. Foucault’s work is not often considered in animal ethics discussions, but I believe that many of his insights can be fruitfully extended into this area of philosophical inquiry. I took my cue from the distinction he draws between technologies of power and technologies of the self (which are
the focus of his middle and late period work, respectively) and I devoted a chapter to each concept.

In the fifth chapter (Chapter 5 – Apparatuses of Animality: Foucault Goes to a Slaughterhouse), I focused on “technologies of power.” More specifically, I presented the slaughterhouse as a technology of power that is complicit in the domination and objectification of both human and nonhuman animal subjects. I began the chapter by arguing (i) that Foucault’s notion of an “apparatus” is a useful methodological tool for thinking about the constellation of spaces and discourses in which various bodies (both human and nonhuman) find themselves enmeshed, and (ii) that it makes sense to think of other animals as implicated in “power relations” in the various Foucauldian senses. Finally, I analyzed a journalistic account of a contemporary slaughterhouse. There, I argued that a variety of hierarchies (spatial, racial, species, etc.) dovetail to create an environment in which care and concern are rendered virtually impossible. By coupling my Foucauldian analysis with certain insights developed in the bioethical work of Ralph Acampora (which expands and develops my initial engagement with him in Chapter 2), I was able to offer a normative critique of an institution that has pernicious effects on both human and nonhuman animals.

In this chapter, I developed a top-down (or macro-political) approach that enables the exploration of the larger social/institutional mechanisms that structure the power-laden environments in which human beings interact with other animals. What I make harder in this chapter is the complacent acceptance of an institution that structures the lives of many animals (and human beings) in the North American context.

Finally, in the sixth chapter (Chapter 6 – Vegetarianism as Technology of the Self: Thinking (with Foucault and Nietzsche) about Dietary Practice), I stayed with Foucault, but I
shifted my focus to “technologies of the self.” In particular, I presented vegetarianism as a practice that can be conceptualized in an illuminating way by being looked at through the lens that Foucault develops in his late period work. This chapter developed a bottom-up (or micro-political) approach that enables an exploration of the ways that individuals can care for and fashion themselves as ethical subjects in a world where they must relate to other people, their environment, and, most importantly for my discussion, other animals. In this light, one way to think of this chapter is as a development/enrichment of my discussion of moral experience in Chapter 3. If I had to specify what it is that I am trying to make harder in this chapter, I would say that it is the continuation of status quo dietary practices that have a direct impact on other animals.

I began the chapter with a brief overview of Nietzsche’s thought, since his work addresses both eating in general and the specific practice of vegetarianism, and because he was such an important influence for Foucault. After this, I considered the connections between Nietzsche and Foucault and I highlighted the ways that each focuses on the “aesthetic” dimensions of character and self-formation. Thirdly, I outlined the methodological framework that Foucault deployed in his later work and I considered how it can be put to service in a conceptualization of vegetarianism (particularly through a comparison of Porphyry and Singer’s respective works). Finally, I situated my own insights in relation to recent work – by Chloë Taylor and Joseph Tanke – that brings Foucault’s later philosophy to bear on the topic of eating. Here, I also brought Foucault’s thought into contact with the thinking of Stephen Clark (a contemporary virtue ethicist). In the end, I argued that Foucault’s later thought is best conceived of as a kind of virtue ethics.
Taken together, the five chapters that make up the body of the thesis present a cluster of investigations that serve to trouble and displace certain ways of thinking about other animals and the moral consideration that is owed them. My hope is that I have made it harder to assume a sharp divide between humans and other animals, and harder to exclude those other animals from our moral, social and political philosophy. I also hope that I have laid the foundation for a new philosophical picture that acknowledges kinship between humans and other animals. In sum, other animals are often not in the picture, and this thesis has been an attempt to address that omission.

II. Future Avenues for Investigation

I’m eating at the King’s Cafe in Kensington Market (Toronto), enjoying the taste of the tofu stir-fry in my mouth and glancing at passersby walking along Augusta Avenue. My attention turns to a sign posted on a billboard which is mounted just inside the restaurant’s front door. The top half of the sign consists of a large barred circle (as might be seen in “no smoking” icons). Inside the circle are representations of three animals: a parrot, a dog, and a cat. The lower half of the sign contains text. The first and most prominent declaration reads: “No live animals allowed*.” The “*” below indicates that, pursuant to Ontario Regulation 562/90, sec. 60, an exemption will be made for service animals. Finally, we learn that this injunction has been brought to us by Toronto Public Health. The sign seems mundane, and innocuous enough, but I am inclined to pause and give it further consideration…
I want to use this scene to think about some of the new avenues along which the framework I’ve established in this thesis might be developed and to consider where concepts like “vulnerability,” “care,” “life,” “death,” “apparatus,” “power,” and “technologies of the self” might merit further elaboration.

My initial response is to find the sign deeply ironic. As I look around, I notice that I am, indeed, surrounded by live animals. The one next to me is drinking some tea and the two behind me are engaged in conversation. An assumption implicit in the sign’s imperative makes its way to the foreground, namely, that the use of the word “animal” does not mean to include humans within that category. A visit to the city’s website reveals that the section on animals in the Municipal Code explicitly defines “animal” as including “all species of fauna excluding humans, fish and aquatic invertebrates.” This exclusion unsettles me a bit. It seems to acknowledge that “human” is a species of fauna, while simultaneously seeking to disavow that recognition. This exclusion exemplifies the fact that the human/animal dichotomy – a dualism that continues to play a significant role in many conceptualizations of human being (as was made clear by my discussion of vulnerability in Chapter 1) – persists as a picture that holds us captive, despite the influence of biological/scientific theory that positions human beings squarely within the “animal” category. For me, it also highlights the fact that the struggle to situate ourselves and other animals in the order of things remains an ongoing – and contested – project.

The sign, and the bylaw it refers to, also makes assumptions about the cleanliness of other animals and about the threat they pose to human health. I assume that the sign needs the adjective “live” to differentiate certain animals from the “dead” ones (i.e. meat) that are allowed in restaurant settings (and which are presumably regulated by another group of codes and bylaws). The assumption seems to be that in a space where food is prepared and served, live,
nonhuman animals pose a threat to the health of the human proprietors and customers; they are “unclean” or “dirty” in some way that human beings are not. Therefore, in the interest of protecting the health of those involved with the establishment, other animals must not be allowed onto the premises. These concerns about cleanliness recall the elaborate codes found in various texts – Leviticus in the Judaic and Christian traditions, for example, and in a thinker like Porphyry, as was seen in Chapter 6 – that dictate prescriptions related to the preparation and consumption of food.

As far as a genealogy of ethics is concerned, this would be one place to witness the movement/transformation of certain prescriptions pertaining to human conduct, and to observe the development of new discourses and technologies of the self. In particular, this would be one place to trace shifts from a religious idiom to a more secular, (bio)medicalized vernacular. As far as apparatuses of animality are concerned, this would be a place to explore the codes and regulations which structure certain aspects of our gastronomic lives in contemporary communities.

Relatedly, the sign points to one of the ways that inhabitants of the city of Toronto are “governed.” Here, one can adopt a Foucauldian understanding of “government” and think in terms of the “techniques and procedures which govern and guide people’s conduct” and the “institutions and knowledge which manage the population.”

The city has taken on a paternalistic role whereby it accepts a responsibility for encouraging and ensuring the health of a

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particular population. This responsibility is met via a number of tactical means. For example, a
regulatory frame is constructed (i.e. bylaws), which inhabitants are expected to respect in the
conduct of their lives. In the case of restaurant licensing, these regulatory bounds can be
justified by appealing to a discourse of disease prevention and health promotion. Another
example of how the city “governs” or “administers to” the health of its inhabitants is through the
creation of databanks and the dissemination of various types of information. This project is
facilitated by technologies like the Internet.\(^4\) By accessing this repository, city inhabitants can
learn about a variety of topics ranging from bed bugs, to bird flu, to listeriosis, to mosquitoes, or
rabies. In light of the fact that many bylaws and much of the information available pertains to
other animals, I believe it is important to consider the ways in which they also come to be
implicated in the forms of governance being practiced in cities like Toronto.

Thinking more broadly, a Foucauldian approach allows us to explore the different
biomedicalized locations that other animals occupy in certain societies. I would like to briefly
highlight three different areas that could be investigated in future research.

One position, interestingly, is that of health care “provider.” The exemption for “service
animals” on the sign in the restaurant signals this particular role. Guide dogs for the blind are
just one example of a service animal that receives specialized training so that they can assist their
human companions. The “credentials” these animals possess, in turn, grant them certain
privileges that other animals do not possess, such as being allowed to enter a restaurant or ride on
public transportation. Dogs and cats are also being put to work in hospitals and other health care
settings, as there are indications that positive physiological and psychological health benefits can

\(^4\) See [http://www.toronto.ca/health/az_index.htm](http://www.toronto.ca/health/az_index.htm)
be reaped from the presence of companion animals and that “animal-assisted therapy” may be a useful clinical practice. In light of the bylaws that ban live animals from restaurants, it would be interesting to explore how concerns about animal cleanliness are dealt with in these particular contexts. Furthermore, it would be interesting to see how the notion of “care” is biomedicalized in this space where humans and other animals interact with one another.

From the standpoint of biomedicine, these forms of “treatment” are likely to be seen as archaic (unless, perhaps, animals are genetically bred to serve in these capacities). That is, if the “ongoing technoscientization of biomedicine is at the heart of biomedicalization,” then these therapeutic uses of companion animals will likely be thought of as peripheral, sentimental and/or unscientific. Alternatively, they might be conceptualized as a counter-current (or a site of resistance) that runs against the grain of nanoscience, genetic engineering and the research into pharmaceutical cures which characterizes biomedical culture.

Secondly, other animals are also often the “recipients” of health care in a variety of contexts. “Livestock” and companion animals will often be exposed to veterinary care, though often with different ends in mind. In a global, capitalist economy, animals used in agricultural practice need to be kept “healthy” for instrumental reasons, so that they can become a marketable product (when being raised for meat production) or continue to perform a particular role (when being used to provide milk, or lay eggs, for example). On the other hand, we often want our companion animals to be healthy for their own sake, so that they have longer, higher quality

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lives. In both contexts, however, other animals become “consumers” of a wide variety of nutritional and pharmaceutical products which are marketed to human care givers via a number of familiar discourses. For example, I buy a “holistic” cat food that is “high in fiber” and contains “cholesterol free olive oil,” and which is also marketed as a “weight control” product for my “inactive” feline. The idea of being “cholesterol free” resonates for me and conjures up images of “good” as opposed to “bad” fats, but it is unclear how pertinent this fact is in the life of my carnivorous friend. Interestingly, the biomedical shift “to behavioral and lifestyle modifications (e.g., exercise, smoking, eating habits, etc)”\(^7\) seems to have spawned analogues in the lives of our nonhuman companions. We worry about whether or not they are obese, about whether or not they are active enough, and we look for dietary solutions to these particular problems. Agricultural animals, on the other hand, will be “traditionally raised” on “organic” feed that is untainted by growth hormones and antibiotics, so that they will appeal to “health conscious” consumers when they are slaughtered and packaged. So, both the animals we eat and the animals we feed find themselves enmeshed in a variety of discourses that structure our thinking about health and illness, and about “good” and “bad” foods. Here, one could explore a variety of biomedicalized technologies of the self that shape human-animal relations.

Furthermore, as recipients of health care other animals also come into contact with large institutions, such as insurance companies that offer coverage for cataract removal, cancer treatment, and other health care expenses. “PC Financial® pet insurance” and “Secure for Life™” are just two of the packages that are available from Canada-based insurance companies. The marketing of these products appeals to a concern about “unexpected illness,” about illness’

\(^7\) Ibid., 182.
inevitability, and to the mitigation of risk. Pet insurance is a commodity/service that will be familiar to individuals that have become accustomed to “the management of complicated regimens around risk,” or, similarly, to a biomedicalized conceptualization of our essential vulnerability. Thus, it is apparent that in our culture many nonhuman animals are also biomedical subjects that find themselves embedded in a variety of discourses that emphasize health, prevention, and an attention to risk. In addition, this highlights the fact that stratification of companion animals along economic lines, due to owners (in)ability to pay for particular services and insurance premiums, is also a real possibility.

Thirdly, many animals are situated as “resources” in biotechnical innovations. A great many animals are positioned less as agents or subjects of biomedical culture and are ontologically reduced to “property” or “tools” that can be used in the pursuit of that culture’s ends. The clearest example of this type of location is the research laboratory. The advancements of genetic engineering, bioengineering, and pharmacology inevitably involve an immense variety and number of nonhuman animals on the journey that stretches from discovery, through to trials, and on to patenting and regulatory board approval. Furthermore, many animals have become “biomedical technoscientific transformations” in their own right. The prospect of using transgenic pigs in xenotransplantation procedures is one example of a way that other animals are being bioengineered to address a human biomedical problem (i.e. the scarcity of transplantable organs).

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8 Ibid., 172.
9 Ibid., 169.
10 For some interesting reflections on technoscience, in general, and creatures such as the patented “OncoMouse,” more specifically, see, Donna Haraway, Modest–Witness@Second–Millennium. FemaleMan©–Meets–OncoMouseTM: Feminism and Technoscience (New York: Routledge, 1997).
At this point, it should be clear that other animals, like human beings, can occupy a variety of diverse locations in the various apparatuses of animality that pervade (and overlap within) our (biomedicalized) culture/society. It is important – and this thesis has endeavored to stress this point – to unsettle the pictures that hold us captive and to become aware of the other animals that are also widely and inextricably implicated in our lives and practices. This awareness is lacking in many of the major theoretical contributions to such areas as philosophy, political theory, medical sociology, etc. The nonhuman animals that are caught up in and affected by biomedicalization (and other macro-institutions of the contemporary world) remain largely invisible. Future work should aim to address this occlusion. In order to develop a “bioethics” that will be responsive to the questions and dilemmas that are raised by the increasing biomedicalization of our societies, we must remain aware of the other animals who also find themselves embedded in that complex process.

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…I end my trip to Kensington with a stop at Ideal – my favourite coffee shop. It is a beautiful sunny day and the front door is propped open to let in the breeze. I’m sitting at the front, on an old bench that looks like it could have come from a school bus, drinking my coffee and struggling with a crossword puzzle. I am startled when a thin, grey and white tabby leaps up onto the seat to join me. I immediately feel like I am doing something wrong and I glance around to see if anyone else has noticed the cat’s entrance. No one has. I am confident he is not aware of the bylaw he is violating – he is much too relaxed! I consider chasing him out for a second, but then decide to call him over. I gently stroke the fur on his back and he settles in next to me. Together, we defy the law and relish in the warmth radiating through the window.

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Bibliography


Copyright Acknowledgements

A version of Chapter 2 was previously published as “The Vulnerability of Other Animals,” in the *Journal for Critical Animal Studies* 9 (2011): 182-208. (The publishing contract afforded the author the right to re-use the published work, as long as this re-use was not for commercial purposes.)

A version of Chapter 5 was previously published as “Apparatuses of Animality: Foucault Goes to a Slaughterhouse,” in *Foucault Studies* 9 (2010): 89-100. (According to this journal’s copyright notice, “Authors retain the copyright in their own work, and papers can accordingly be translated or reprinted in another format such as a book providing full reference is made to Foucault Studies as the original place of publication.”)