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ANDREA LE MOLI

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Andrea Le Moli

1. Introduction

The question of the status and the rights of "animals", meaning with this term some living beings generally "other" than men and plants, constantly runs through the history of philosophy. It does not seem an exaggeration to speak, alongside an official history of philosophy centered on the question of man, of a "counter-history of animality" aimed at redesigning, by contrast, the boundaries within which the human thinks of himself and his place in the world.¹

In the second post-war period, this story underwent two transformations: 1. the awareness of the questions on the animal status in consequence of the development of the new technologies of breeding, manipulating and experimenting; 2. the tendency to trace back a general and widespread consideration of animality as an expression of a dominant cultural approach. This is what happens as a result of the publication of *Animal Machines*,² the first investigation into breeding technologies following the economic-industrial boom of the 50s by the English activist Ruth Harrison, and which continues with the collection *Animals, Men and Morals*³ (which the same Harrison participated) and the review of this text by Peter Singer⁴ which then gave rise to the groundbreaking *Animal Liberation*.⁵

Singer was the first one to address western consideration of animality as a historical sequence, whose theoretical ground was the idea that a living being could be exploited because, due to its species' differences, its skillset is considered limited. This idea constitutes the root of any discrimination among animals and the basis upon which a more general culture of discrimination can be developed by integrating other kinds of differences as ethnical, physical or sexual. To contrast

1. See on this [Gontier, 1999] and [De Fontenay, 1999].

2. [Harrison, 1964].

3. [Godlovitch et al., 1971].

4. [Singer, 1973].

5. [Singer, 1975].

this idea, according to Singer it is necessary to re-calibrate the scale of the living not upwards, i. e. giving greater value to beings apparently endowed with greater specific abilities, but downwards, that is by recognizing a basic form of the living whose possession grounds the superior ones and so represents the ontological basis of any dignity and value. Referring to a famous statement by Jeremy Bentham, Singer finds this basic form in the ability to experience pleasure and pain, or, better said: to be bearers of interests and to "suffer".

The idea of dealing with the question of animal discrimination in a sort of historical setting, leads Singer to the publication, together with Tom Regan, of the collection of essays *Animal Rights and Human Obligations*,⁶ whose thesis was developed by Regan in his most famous volume *The Case for Animal Rights*.⁷ In all these texts, the main point in the historical reconstruction of the discriminative culture of the West is found in the birth of modern thought. In particular in Descartes as a transition from humanistic hopes to the culture of the Enlightenment.

Singer-Regan's thesis highlights the elements that actually animated the debate following Descartes and helped to give birth to his vulgata about animals: 1. the idea that animals are comparable to mere self-propelled mechanisms, as if they were automata or watches; and 2. the thesis that they would not be endowed with a rational soul, linguistic-discursive ability and self-awareness. For these reasons, it does not seem possible to include animals in the same sphere and consideration of human subjects: i. e. of entities endowed with the capacity to take responsibility, speak in person and give account for their actions. According to Singer-Regan, a single line would link the Cartesian beginning and the author who connects explicitly recognition of rights and subjectivity: Immanuel Kant. Like Descartes, Kant also noted the minority of the animal in general in the lack of an adequate moral, rational and voluntary subjectivity. For Singer-Regan and the upcoming philosophy of Animal Rights, thus, the attribution of some kind of *personal subjectivity* to animals is the point that decides between a mere mechanical consideration and the possibility of including them in the circle of rights.

6. [Regan and Singer, 1976].

7. [Regan, 1983].

In most contemporary animalist culture, this seems the strongest point in the vindication of animal rights still nowadays. The idea of an animal subjectivity as the ontological claim whose recognition could lead to the attribution of some kind of personal status and rights seems to have been the crucial point of the debate from the seventies to the present day.

2. Animal Experience

Contemporary thinking has taken different paths in discussing the link between the recognition of animals' status and the issue of *subjectivity*. A 1974 article by Thomas Nagel foreshadowed the problem, connecting the emergence of the reductionist theories to the risk of relegating phenomena related to consciousness or subjectivity to the realm of the unexplainable.

According to Nagel

conscious experience is a phenomenon widely widespread: it is present at many levels of animal life, although we cannot be sure of its presence in the simplest organisms and it is very difficult in general to say what it feels like (some extremists have come to deny it even in mammals other than humans). No doubt it manifests itself in innumerable forms, for us quite unimaginable, on other planets of other solar systems in the universe. But whatever its form may vary, the fact that an organism has a conscious experience in general means that something is being tested by that organism (that is something it is like to be that organism). There may be other implications regarding the form of the experience; there may also be implications for the behavior of the organism; but fundamentally an organism has conscious mental states if and only if something is tried to be that organism: if the organism tries something to be what it is. We can call this the subjective character of the experience.⁸

On a similar line, scientific investigation has been linked to the development of etho-biological, cognitive and behavioral sciences which, by insisting on extra- and intraspecific differences and varieties, have made it problematic to talk about "animals in general". These investigations have led to a reformulation of concepts like behavior, cognition,

8. [Nagel, 1974], 436.

and consciousness in the light of the discoveries about the way in which different beings belonging to the animal kingdom orient themselves in their environment, interact productively with their partners, carry out communication exchanges and prove to be equipped with proprioception and self-recognition. The results of the researches that hold for continuity between the animal-man and the other organisms have made it very difficult to maintain the thesis of a radical separation. They rather have led to the recognition of a structural variability in the way of being "living", that is to operate effectively in one's environment and to be bearers of interests. The knowledge of the living world in which we are has evolved enormously since Singer/Bentham, and the ability to feel pleasure and pain is no longer the minimum common basis for attributing recognition and respect to an organism. This basis was instead shifted forward (or upward) to show how a huge number of animal organisms can be assigned a form of *subjective experience*, from time to time centralized, integrated or widespread. Once demonstrated in what terms it seems sensible to speak also of non-human animals as endowed with intelligence, consciousness, experience, language, and interests, it results that also to these organisms must be assigned subjectivity, in the sense of ability to grant and to demand recognition.

A decisive chapter in this sense is represented by *Human-Animal Studies*: perspectives devised to analyze the new and complex recognition dynamics resulting from human-animal interaction.⁹ And by the so-called *Philosophies of Animality*¹⁰ or *Animality Studies*,¹¹ which have as their object how human subjectivity is reshaped because of the contiguity it discovers with new animal subjects. Just to end with other uprising phenomenological approaches aiming to investigate how far non-human animals are capable of *intersubjectivity*, that is to include the subjective status of other organisms in the constitution of their own experience.

In many authors, this topics have crossed with that of *posthumanism*,¹² producing the need for a general rethinking of the human-nonhuman distinction and the consequent elaboration of a new concept

9. See on this e. g. [Bekoff, 2002] and [Rowlands, 2008].

10. [Cimatti, 2015].

11. [Lundblad, 2009].

12. [Wolfe: 2010].

of subjectivity, understood from time to time as “devolutive”, “dispersive”¹³ or geo-centered postanthropocentric subjectivity,¹⁴ no longer linked to the individual but the multi-individual. The advantage of these theories is to avoid, on the one hand, the paternalistic approach linked to the assumption of an evaluation scale in which some subjectivities are considered more complex and defined than others. On the other hand, to overcome the subject-centric approach in which the human continues to consider other subjects as ontologically separated. The meaning of the operation is to show how subjects, in general, are always structured according to practices of contamination, symbiosis, fusion, hybridization, and deterritorialization; each time related to biolinguistic recognition mechanisms and biopolitical dynamics of interaction.

3. Paradoxes

However, the very connection between animal and posthuman issues casts a shadow on the opportunity to maintain the notion of subject for the recognition of new configurations among living beings. In all those perspectives, it is not questioned that to extend the sphere of rights and reduce discrimination one must attribute subjectivity to overcome the moral blindness linked to the consideration of “animal in general”. But we can still ask to what extent the subjectivist approach is really useful to include non-humans in non-discriminatory contexts. That is to say: to what extent are we obliged to recognize new forms of identity and subjectivity to assign rights?

Remaining within animality, and following the evolution of etho-biological sciences, there seems indeed to be a correlation between the attribution of states of subjective experience to an organism and the recognition of rights. The latter being proportional to the ability of a living being to appear as a nucleus of self-aware organization. But if the extension of the rights to all the organic beings that prove to be capable of subjective experience would cause the collapse of anthropocentrism, it could also trigger a paradoxical effect.

13. [Marchesini, 2017].

14. [Braidotti, 2013].

By extending indefinitely the range of subjectivity our general notion of subject would change to recognize as an expression of subjectivity features that belong primarily - or exclusively - to other organisms. By this insertion of new features at the base of an idea that internally structures ourselves, our ability to recognize subjective behaviors could extend itself to include more and more "alien" behaviors as an expression of a Self. And so to make us recognize as subjects not only animals closest to us, or those whose existence does not threaten us directly, but also living beings as insects, plants or bacteria.¹⁵ This would produce a real "explosion" of subjectivity and apparently insuperable problems, such as that of considering an incalculable number of living beings like ants, jellyfishes or sponges in terms of individual subjects; or the question of what kind of subjectivity could belong to organisms that live in colonies (such as fungi or bacteria) or in multi-individual systems (such as plants).

4. Beyond the subject?

Being anchored to the notion of subject as an identity place in which unity of rights, duties, specific skills and bodily space is realized, could thus be part of the problem rather than the solution. Let us consider, for example, the paradox that boundary figures such as non-binary or non-conforming sexed entities (transsexuals, homosexuals, intersexuals, queers and so on) are each time compelled to define themselves in identity forms to see their claims recognized. Or, if we speak of structurally hybrid figures such as cyborgs or human-animal and human-plant organic symbioses, to the question of how (and why) we should attribute forms of subjectivity and identity to structurally relational configurations.

To face this and other issues, it could be useful to turn to authors belonging to different traditions, who affirmed that unexpected interactions among living beings can be realized only by going beyond the instance of subjectivity. This "going beyond" is pursued from time to time via an overcoming as a "leaving behind" or a "getting rid of" subjectivity, but also in terms of "haunting" subjectivity and tracing it back to its undisclosed foundations. This is what can be found along the

15. See on this [Godfrey-Smith, 2017].

line that from the elaboration of the connection between subjectivity, otherness and difference in Friedrich Nietzsche and Martin Heidegger passes in some key moments of French philosophy such as Gilles Deleuze, Michel Foucault, and Jacques Derrida.

Deleuze is perhaps the author most represented in the contemporary debate on animal status, has provided not only numerous problematic openings but also hypotheses of solution, most of which are centered on the deconstruction of the very instance of subjectivity.¹⁶ Foucault canonized the structure of subjectivity concerning biopolitical dynamics of power, domination and repression, although his commitment to the so-called «animal question» is sharply debated.¹⁷ Derrida was the one who claimed that

within the history of rights or law and the concept of the legal subject, the subject of rights and duties, within the history of the concept of the subject that is inseparable from it, one particular sequence is decisive for our time. [...] This sequence [...] turns out to have determined a certain concept of the subject, which, while founding law and right, will have led at the same time to the denial of all rights to the animal, or rendered radically problematic any declaration of animal rights.¹⁸

Trying to reverse this sequence, Derrida has explicitly theorized a "deferred" nature of the subject/self which is constituted by repression and cancellation of its impure and unrepresentable origins. So the very idea that we can use this paradoxical model to recognize animal rights would be excluded; while it would make more sense to include the whole of the living within the framework of a cancellation that every organism makes of its temporary identity form to enter into commingling of life with other organisms.

5. Ambivalence of Subject

But the theoretical stances which challenge us the most in taking inspiration for a post-anthropocentric consideration of the living, are those of Nietzsche and Heidegger. Both are at the boundary between a new

16. [Deleuze and Guattari, 1987].

17. See on this [Haraway, 2008], 59-60.

18. [Derrida, 2008], 87-88.

evaluation of animal life and the "anthropogenic" mechanism which, according to many authors, specifies western culture as a whole.¹⁹

For Nietzsche, the subject is the result of a dynamics which structures the "Self" by removing and disciplining the reactive and centrifugal instincts of the personality; and which is based on the ability that certain instincts have to coerce, repress and conceal some instances to the advantage of others. A complex distribution of power structures and keeps a personality cohesive every time until the repressed instincts accumulate enough energy to turn against the instances of control. This means that subjectivity cannot extend to grant equal power to all the instances that inhabit it, but is structured when there is a hierarchical articulation among the forces that run our psyche. Subjectivity is therefore born based on a structural exclusion that does not allow to internally include the Other except in the form of the removed or held-away. In being brought back to their unconfessed animal origins, logical-rational instances are deconstructed in their claim of purity and supremacy. This seems to establish a reversal into the traditional scale of life from non human animals to man. On the other side, though, the ability to affirm the real - animal - dynamics of "life" is in Nietzsche something only *human* animals seems to be entrusted with.

In Heidegger, the role of the animal "man" in the whole of living beings as described from the Aristotelian lecture courses of the 20s to the latest works is highly disputable; spanning in the various interpretations from a radical anthropocentrism to the opening of innovative biocentric and ecological approaches. The 1947 *Letter on "Humanism"* summarizes this path well:

[...] the essence of the human being consists in his being more than merely human, if this is represented as "being a rational creature". "More" must not be understood here additively, as if the traditional definition of human beings were indeed to remain basic, only elaborated by means of an existentiell postscript. The "more" means: more originally and therefore more essentially in terms of his essence. But here something enigmatic manifests itself: the human being is thrownness. This means that the human being, as the ex-sisting counterthrow of being, is more than *animal rationale* precisely to the extent that he is less bound up with the human being conceived

19. See on this [Agamben, 2004].

from *subjectivity* [my italics]. The human being is not the lord of beings. The human being is the shepherd of being. Human beings lose nothing in this "less"; rather, they gain in that they attain the truth of being. They gain the essential poverty of the shepherd, whose dignity consists in being called by being itself into the preservation of being's truth.²⁰

Whatever interpretation you might want to assign to this passage, one thing seems to be for sure: according to Heidegger, man's status in the whole of the living, be it a condition of eminence/excellence or deficiency/poverty, is bound to the ability to overcome subjectivity, i. e. to get free from the traditional representation of the subject as rational/emotional agent, individuated bodily substance, bearer of interest and holder of rights. According to Heidegger, what specifies man is the ability to carry on (*austragen*) his constitutive exposure to the world as Being-there (*Da-sein*), that is: to take care of (his) life beyond the subject/object or subject/subject polarities. And, in doing that, to serve as the "grounding" for the truth of being (*Seyn*) itself.²¹

In its claim not to be a subjectivistic, biological or anthropological approach anymore, Heidegger's late philosophy seems indeed to have put man in a sort of a renewed, though aporetic, centrality. In paraphrasing a famous statement from *Being and Time*, the problem would now not to be able to escape anthropocentrism, but to conceive of man's centrality properly. That it is to say, to think of man as the problematic center of an experience in which he appears both as potential threat for any living being and chance of salvation.

Conclusion

It happens very often that Posthuman thinking claims to have overcome humanism and anthropocentrism as discriminative without dismissing the categories upon which that discriminative culture is grounded. I'm still doubting whether this complete overcoming would be in general attainable. Maybe this contradiction is to be considered "endemic" for any perspective which define itself through a "post"-prefix, insofar

20. [Heidegger, 1998], 260.

21. See on this: [Heidegger, 2012].

it remains connected in many unexpected ways with the domain it wants to overcome.

But, with the help of the ambiguity embodied by Nietzsche and through the ambivalence Heidegger put at the center of our relationship with Being and life, we could read this aporia radically. And (re)start to think of the Human as the scene of a constant overcoming. That is, to think of the “post” as something which maybe defines the Human from its very beginning.

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