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**States of Nature:
The Animal as Object and Ancestor in Political Thought**

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Abstract of the Dissertation

States of Nature:

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By

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Abstract: Concepts of personhood result from a repression of the animal and nature in the history of political philosophy. I examine the historical significance of the philosophical and political removal of the animal from the human domain. In particular, I turn to the history of metaphysical humanism and social contract theory to argue that the hierarchy of human over animal is a baseless and ultimately inhumane distinction of kind. Traditional contract theory presents a logic of mastery that collectively fictionalizes tales of savagery and cultural stagnation outside of industrial development. Consequently, both animals and nature are seen to lack moral worth outside of their applications to human labor.

By plotting the historical origins of the human/animal divide, I ultimately offer a rethinking of the human subject, not as anti-animal, but fundamentally comprised of animality. To rethink subjectivity in relation to animal life, I argue, will grant animals a subject position worthy of philosophical consideration, and thus entail an ethics based on the vital interests that they claim in their own right.

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Introduction

My interest in the animal as a topic in philosophy was highly personal: At sixteen, I read Singer's *Animal Liberation* for a high school English class project on how I would change the world, and it stuck with me. In particular, the chapter "Down on the factory farm," exposed the reality of mass-meat production industry, and debunked the mythical image of down-home country farms of iconic American pastimes. Real meat production is more like a prison-industrial complex, governed by a methodical, economic calculation of minimizing cage space and maximizing profits, all at the uncommodifiable expense of the animal's lost quality of life. Heartless, unhealthy, and gruesome, this chapter of Singer's book presented a brutally clear schism in American approaches to the animal: on one side, the vision of the animal's place in our food economy, and on the other, the excessively overcommercialized market of domesticated animals and animal companions.

But it was social contract theory, and my reading of the *Republic*, that started my awareness of the conceptual and philosophical importance of the animal in political thought. In particular, political philosophers gestured to the animal as a mirror, a distant ancestor of humanity and symbol for both our inherent sociality and our enlightened evolution into modern polities. The social contractors looked to nature to garner the ethical life of the human species: we are humans, but by positing this trope of a hypothetical past (the state of nature) we

once again became animal – in some philosophies to our chagrin and loss, in others to our pleasure and benefit.

I knew this topic could overwhelm me. Pursuing the broad topic of the animal in political thought had such a broad scope that I had to perform my own mental balancing act of academic trapping and caging in. Thus, I attempted to set limits. My intention in the dissertation was to: first, posit the animal as an anthropological ancestor in the history of political thought; second, see where and how humanity originated as a distinct species in political thought; third, to locate the origins of humanity's dominion over animal life, and to determine if this dominion necessitates the exclusion of the animal from ethics; finally, and this is an area that I returned to in the last chapter, I wanted to incorporate what I thought to be the significance of my personal relations to animals into an ethics that did justice to their significance as companions, and to what I saw as an immediate ethical recognition that we should extend to animals' vital interests. Thus, I combined a personal phenomenology of my experiences with particular animals and contemporary environmental ethical theory, in order to propose a broad concept of ethical obligation, an approach which I call vital ethics. My hope is to provide an ethics that will grant the moral importance of an organism's interests while applying systemic value to the insentient, but nonetheless vital, components to an ecosystem.

My goal here is not to limit moral value to specific duties, and not to enter the atomistic approach of hedonistic calculations based on a particular organism's sentience, but rather to spread value through the whole of an ecosystem by

rejecting an individuated or atomistic approach for the logic of environmental ethics.

Since my method is historical, my chapters follow a figure-based approach that focused on the animal's prominence in the political thought of Plato, Hobbes, Locke and Rousseau. However, I quickly realized that the political exclusion of the animal, and the creation of a distinctly human territory – the government – is premised on an undercurrent of metaphysical distinctions, which I found to be most clearly stated in Descartes.

The complete objectification and commodification of the animal was actually relatively modern in political theory, resulting from the distinctly economic basis for government that was justified by Locke's *Second treatise*, as well as the creation of the human government as the artificial animal distinct from the “naturally social” animals in Hobbes.

Thus, viewing the animal as outside of the domain of the government and therefore outside of the moral protections of laws aligned with a concomitant assertion of the ontological superiority of humanity over animality. The animal now became a purely mechanical, “soulless” object to be utilized in any way for its instrumental value to human ends. Like any object of property, animals could now be treated as inanimate objects of exchange, even when this meant their destruction.

Environmental philosophers and animal rights theorists have attempted to establish ethical obligations toward animals through existing moral principles. But animals still remain contested as legitimate subjects of ethical theory and

normative obligation. The contradictory status of animals as social companions and food or research material resources renders them simultaneously valuable and valueless, subject to our relationships of dependency or appropriation for human utility. The understanding of animals as beings that possess only instrumental value to our ends solidifies the impossibility of incorporating animals into our moral considerations.ⁱ

To extend existing moral theory to the domain of animals, however, is an entirely different project than examining the absence of subject position for the animal in philosophical and political foundations. We experience the human condition as somehow necessarily animal, yet we immediately presume that both the nature of human experience and the moral considerations of human subjects are superior and more significant than those considerations for nature and nonhuman animals. Consequently, though much attention has been paid to animal sentience and the imperative to avoid cruelty, we do not see a concept of animal otherness emerging from these considerations just as we do not see an alignment of animality with human experience.

This analysis will attempt to dethrone the philosophical and political reality of removing the animal from an account of human subjective experience. By uncovering the logic of mastery that governs humanity's relationship to animal others and the appropriation of natural resources, I question the distinction of human over animal as premised on a baseless and ultimately inhumane distinction of kind. These narratives collectively fictionalize a history of savagery

and cultural stagnation outside of industrial production, and consequently view nature as lacking moral worth outside of its application in human labor.

By examining the historical origins of the human/animal division, I hope to offer a rethinking of traditional accounts of the human subject: humanity is not anti-animal, but comprised of animality itself. A rethinking of the nature of personhood in the history of political thought, I believe, will grant animals a subject status as “others” worthy of philosophical investigation, will blur the boundary between human and nonhuman animal domains, and will thus treat animals as morally significant beings to be incorporated into our ethical horizon.

Chapter One

Guardians or good dogs? *Plato's animality in the Republic*

Apart from us dogs there are all sorts of creatures in the world, wretched, limited, dumb creatures who have no language but mechanical cries; many of us dogs study them, have given them names, try to help them, educate them, uplift them, and so on...

But one thing is too obvious to have escaped me; namely how little inclined they are, compared to us dogs, to stick together, how silently and unfamiliarly and with what a curious hostility they pass each other by, how only the basest of interest can bind them together for a little in ostensible union, and how often these very interests give rise to hatred and conflict.

Consider us dogs, on the other hand!

One can safely say that we all live together in a literal heap, all of us, different as we are from one another on account of numberless and profound modifications which have arisen in the course of time...

We are drawn to each other and nothing can prevent us from satisfying this communal impulse; all our laws and institutions, the few that I still know and the many I have forgotten, go back to this longing for the greatest bliss we are capable of, the warm comfort of being together.

- Franz Kafka, "Investigations of a dog"

The animal inhabits a marginal space in philosophy. In particular, there's a tendency in the history of political philosophy to reduce the animal and the natural world to external objects, unworthy of serious consideration. However, the animal is significant in these texts to the extent that it is used to define human particularity, or through abstraction, to justify the necessity of an artificial human community. The collective nature of organic life is frequently contrasted to the private interests of human individuals. Not infrequently, the animal and the environment are understood as instruments to our ends, tools valued solely for the

sake of human utility. Current animal philosophy is missing an inquiry into the importance of the animal and its subjugation in the origins of government. Given the prevalence of animal life in the history of political theory, an investigation of the function of the animal and the “natural” in the origin of the society is warranted.

Animality is, first, an ontological concept that reframes our relationship to the animal, as a tool to theorize how human life may be understood by material needs, bodily drives, and our necessarily mortal and environmentally-dependent animal processes. The experience of animality in humanity thus helps us to theorize the common traits shared by human and nonhuman animals, and recognizes how that experience is situated within shared ecologies, through which organisms have shared, fundamental, and vital needs. When speaking of “the animal,” by contrast, we often refer to the object of humanity’s relationship to nature. The animal, then, typically functions as that which is external to the species life of humanity: the animal is a representation of the other in the human/animal divide, must in the same way nature is conceptually juxtaposed to culture. Animality, however, is a relational concept of embodied experience that recognizes the primacy of earthly bonds, prompting one to theorize the relationships shared between humanity, nature, and nonhuman animals.

Contemporary work on animality speaks of the important, even therapeutic effect of those phenomena of affective union that characterize human bonds with animal companions.ⁱⁱ Animals are not only good for us and our purposes, but we have a sense in which we are compelled to treat animals well –

even as we instrumentalize them for human ends. In some way, then, our obligation to treat animals well is neither contractual nor based in the dictates of legislation; instead, we treat our companion species with dignity and respect out of an obligation prior to ethics, a primordial sense of respect for the vitality and flourishing of another being's goods.

But there was also a stage in the course of human affairs, and in the primordial condition of the species, in which we based our morality on distinctly pre-ethical motives. For example, in the state of nature narratives, our primitive ethical sentiment toward others grounds a move into political life through shared needs. Theoretical assessment of animality is useful to trace an account of this human history, and to remind us of the embodied nature of human experience and the necessary life processes that make humans ecologically contingent subjects.

While investigation into the animal's philosophical significance may seem to be in its historical infancy, emerging into prominence only in contemporary environmental and animal rights theory, animality actually finds its origins in ancient philosophy. Aristotelian theorizing of the human soul, for instance in *De anima* and *The parts of animals*, offers an extensive natural philosophy that treats the organism as a properly scientific natural object. The notorious division of the soul into vegetative, animalistic and rational parts identifies the animal not only as a component of the natural world, but sharing the universal features of animated life. Humanity is theorized (though quite hierarchically) as part of the great organic chain of beings, all of which are animated by a similar energy and possessing the same life force shared by the class of animate beings.

Later, however, a metaphysical humanism arises which attempts to articulate the distinct nature and supremacy of the human species. As the virtues of detached reason are upheld as the definitive marker of human particularity, humanity tends to be identified solely with rationality. Consequently, the animal becomes a marginal subject for philosophical inquiry. In an extreme view, animal life comes to be synonymous with deficiency, as animals are rendered unable to reason (to participate in *logos*). This view portrays animals as irrational beings with perceptual faculties, yet ignorant of morality. The animal is portrayed as absent when it is theorized as an essentially valueless other of the human/animal divide, an object unworthy of substantial philosophical investigation.

In Peter Singer's famous defense of animal sentience, *Animal liberation*, he aligns the animal's subordination to human utility with the Western theorizing of the animal in Aristotle's *Politics*. Humanity is explicitly animal for Aristotle. In fact, humanity surpasses animal life in being "more of a political animal than a bee or any other gregarious animal," but it is the particularity of the human's ability to "have perception of what is good or bad, just or unjust" that cements the formation of a primitive community and eventual political order (Aristotle 2000, 4). But just as Aristotle's political society falls into the purportedly natural order of master and slave, the animality of the human species does not prevent him from asserting another hierarchy of kind: in his philosophy, as master over slave, so man over woman, and so too human over animal. Animal life is viewed as a naturally-ordained tool for human use:

[P]lants are for the sake of animals, and that the other animals are for the sake of human beings, domestic ones both for using and eating, and most but not all wild ones for food and other kinds of support, so that other tools may be got from them. If then nature makes nothing incomplete or pointless, it must have made all of them for the sake of human beings. (Aristotle 2000, 14)

The influence of Aristotle's claim of the natural superiority of man over animal corresponds to the ideological dominion over nature in the development of concepts of the person in political thought. As Singer writes, "If difference in reasoning powers between human beings is enough to make some masters and others their property, Aristotle must have thought the rights of human beings to rule over other animals too obvious to require much argument. Nature... is essentially a hierarchy in which those with less reasoning ability exist for the sake of those with more" (2002, 189).

Further, in the history of Western metaphysics, René Descartes is traditionally read as treating animals as unconscious machines. This interpretation questions the legitimacy of claims to animal consciousness, and places animals beyond the scope of ethical consideration.ⁱⁱⁱ Animality, under a post-Cartesian humanist framework, corresponds to a deficiency in faculties, and to an absence of human capacities. Humanity, by contrast, becomes synonymous with the ability to calculate, to foster rational consciousness, to have belief states, and to become enlightened through education and the exercise of superior faculties.

Even with the vast history of the animal in philosophy, it is Plato who is the focus of this analysis. This choice is deliberate, since I believe Platonic theory places nonhuman animal life in a different relationship to human experience than other figures typically aligned with metaphysical humanism. This dissertation is not an attempt to debate the actual and pragmatic possibility of Plato's *polis*; rather, I will read the animal as a thematic trope, and a figure that serves as a metaphor for pedagogy and human relations. As I will argue, Plato's animals depart from the narrative of animals as absent of value. Plato offers a more convincing view of the animal, and he persistently uses the animal as a pedagogical tool, as a way of understanding the human subject and its ideal cultivation.^{iv} As a consequence, Plato's *Republic* provides a rich network of concepts for understanding the subject as sharing features of the animal, which reminds us that human thinking may not solely be identified with *logos*. Plato's tripartition of the human *psyche* or soul, established in the *Republic*'s theorizing of the just individual, establishes a tempered animality as one method to understand the features of human experience.

Thus, my goal here is to utilize animality as a thematic trope in order to investigate ancient theorizing of the psyche/soul, and how these beliefs shape our concept of humanity and impact considerations of metaphysics. If philosophy has depended on the animal to define concepts vital to human virtue and social organization, then an inquiry into how the animal was utilized in the canon of philosophy is long overdue. Philosophy can tend to distance itself from

corporeality and the natural world as components for an accurate portrayal of personhood, so metaphysical implications are clearly at stake.

So how, precisely, is animality invoked in Plato?^v Even casual readers of the *Republic* will notice the animal's appearance throughout the theorizing of the *kallipolis*: Socrates' incessantly swearing "by the dog," the passing observations about domesticated animals and their wild opposites. These references to the animal, and in particular to the processes of rearing and domesticating animal companions, are raised as crucial support to Plato's argument for the conditioning of a just humanity, an argument that culminates in the creation of the ideal city and the achievement of reason. The premises in the Socratic line of questioning rely on a familiarity with the training and breeding of animals, paralleling those features of cultivated animal life to the virtues of the ideal human person and, yes, even the philosopher.

Human tribes: Dependency and cultivation

What is understood by subjectivity – as a modern concept in political liberalism: independent, private personhood free from external constraints – may not have been appropriate for understanding the experience of humanity with regard to the logic of the *Republic*. For Plato, it's an open question whether individual subjectivity may be considered free from the political arrangements in which he is theorized. And, in fact, this unity of subject and state, this political personhood, has vital importance for theorizing on the animal. In the *Republic*, we never have

an individual without his state; we don't have a subject outside of a primitive social network. In the logic of the *Republic*, the class divisions in the state are established prior to the tripartite division of the individual soul (*psuche*). Only through the division of labor in the ideal city are we able to conceive of the state as simultaneously philosophical, spirited and appetitive.

Plato conceived of the social order with clans, not individuals, as the principal organizing unit. Even Mill's *On liberty*, in its argument to protect the individual rights of citizens, refers to the notoriously intrusive Platonic regimen for the guardian class: "The ancient commonwealth thought themselves entitled to practice, and the ancient philosophers countenanced, the regulation of every part of private conduct by public authority, on the ground that the State had a deep interest in the whole bodily and mental discipline of every one of its citizens" (1989, 16). What Mill fails to notice, at least for structure of the *Republic*, is that private conduct and private life figures little into the features of ideal human life for the guardians, from whom the ruling philosophers were chosen. Some degree of unsupervised life was granted to the lowest class, the producing class, such that the government would remain relatively laissez-faire with regard to the economic negotiations of the craftspeople. However, for the guardian class (Plato's idealized race of über-humans), autonomy, privacy and individual subjectivity truly have no place.

The lack of self-sovereignty for the guardians, and the lack of independent subject status in this class, was a consistent function of the *Republic* as it sought to guarantee the constitution of its members toward the end of creating a unified

and harmonious social order. Existence in the idealized *polis* also was thought to have positive consequences for the guardians, since they were thought to obtain virtuous character through the development of superior human faculties. Yet, the development of these rational faculties comes only after an extensive state-controlled rearing process, one that was both concerned with pedigree and domestication, and one that relies little on developing the individual will or private interests of its citizens. For Plato, as in Aristotle, the state is prior to the individual, the perfection of the whole resulting in the perfection of its parts. The result of this idealized, vigorous physical and mental educational process, despite creating hierarchies of power and ability among the classes of the *polis*, would yield a city in which “all sing the same song together” (Plato 1992, IV 432a).

The model class structure of the *Republic* depends on a concept of the human person as always simultaneously animal. The animal is not used merely as comparative evidence in the development of subjectivity and citizenship; rather, animals and animality are used as ways of establishing pedagogical methods for humans, and as evidence of social and psychic development.

For example, the animal recurs in the *Republic* as a symbol for the development of virtue. Indeed, it is only through the animal that we get some of Plato’s broadest ethical claims. For instance, Plato parallels justice to animal rearing in order to refute a strictly retributivist version of ethics. Plato rejects the first definition of justice offered by Cephalus in Book I, that justice is a form of repaying debts that “should give [individuals] what is owed to them” (I 332b). Plato parallels this to the ideal cultivation of animal life:

Do horses become better or worse when they are harmed?

[Worse.]

With respect to the virtue that makes dogs good or the one that makes horses good?

[The one that makes horses good.]

And when dogs are harmed, they become worse in virtue that makes dogs good, not horses?

[Necessarily.]

Then don't we say the same thing about human beings, too, that when they are harmed they become worse in human virtue?

[Indeed.]

But isn't justice human virtue? (I 335b)

The absurd consequence of this line of reasoning, Plato believes, is a contradictory conclusion in which we are using justice (harm to one's enemies) in order to make someone worse in human virtue, and in a sense more unjust. If one is using justice to render someone unjust, this qualifies as a *reductio ad absurdum*, a contradiction that would make a strictly retributive justice untenable in his account.

But animals are more than passing references or moments of support for Plato. Aside from Plato's assertion that animals have a specific function, virtue or excellence, Plato's political theory, and the cultivation of faculties of an ideal

human being, depends on a pedagogy that initially mimics the logic of domestication and animal breeding. For Plato, the human is the animal par excellence, but in many cases, the faculties that make us human in particular (the so-called “rational” component) need not be fully developed to achieve one’s function in the social order. Rather, it is what we share with animals that informs Plato’s educational program for the guardians.

Plato’s ground-up political theory starts with a concept of mutual dependency in which no person is independent, and the aptitudes of the individual are fostered by the political arrangements in which one is embedded. From the belief that “none of us is self-sufficient” (I 369b), we see a blossoming *polis* in which specialized labor is valorized as a method to maximize productivity and political strength. This is also the moment where we are introduced to the guardian class, who specialize as protectors of the state, and who represent the ideal development of human potential. The guardians demonstrate their ability to rule through a rigorous physical and mental training intended to tame the basest inclinations and create loyal, faithful protectors of the state. It should be said, briefly, that the creation of three distinct classes corresponds to the three distinct parts of the human soul (*psuche*) in Plato’s theory, relating each class’s particular function to the *polis* as a whole: craftspeople, fulfilling the appetitive components of one’s being; guardians (auxiliary), representing courage and warfare, the spirited component of the soul; and the philosopher-kings, or ruling guardians, representing the highest development of rational faculties, who would ascertain the nature of the Platonic forms.

The training and cultivation of the guardian class, and the corresponding development of superior faculties in the human person, are explicitly drawn from the ideals of animal rearing. In particular, the qualities of the guardian class are likened to the qualities of a well-trained and carefully bred canine. Often, the comparison is so explicit that Plato fails to distinguish man from animal, simply referring to the “guardian watchdogs,” or “hard, lean dogs” with the qualities of “sleepless hounds”(III-IV 451d, 422d, 404a).^{vi}

The comparison of guardians to watchdogs is more than metaphorical; Plato is making a faculties claim. The *Republic* asserts animals as possessing qualities of virtuous character to be fostered and cultivated, sharing in the spirited component of experiential life; for Plato, the best of animals and the best of humans achieve virtue in the state through the recognition of place within the established rule, vigorous physical training, and the cultivation of loyalty to the social order. In addition, the guardians are to avoid the so-called worldly vices (money, precious metals, unhealthy delicacies) that are provided to the producing class, in order to avoid the possibilities of excess consumption, jealousy or corruption of faculties. The guardian watchdogs have their needs met but not exceeded, lest they become spoiled. Similarly, we don’t see in Plato an animal reduced to appetites or bodily drives, but animals with the potential to exhibit excellence, and to obtain many qualities of moral virtue. Plato’s vision of developing the life of human guardians does not stray far from the cultivation of these animal qualities.

Since the guardians exhibit unusual qualities of excellence, rendering them fit for political power, the selection process for the guardians is a stringent process of discovering those with the potential to protect and rule the *polis*. Such a process would follow the natural aptitudes of the young, rearing them in such a way as to maximize the development of their superior faculties and subjecting them to the least possibility of excess indulgence in appetites. These pedagogical methods would seek out the qualities of “keen senses, speed to catch what it sees, and strength in case it has to fight it out with what it captures,” leading Socrates to ask his interlocutor the question: “Do you think that, when it comes to guarding, there is any difference between the nature of a pedigree young dog and that of a well-born youth” (II 375a)?

The rearing of the guardians mimics the raising of pedigree dogs so closely that it is not only watchdog-like character traits that are sought; indeed, the guardian class is to be reared by the state, and the guardians are to be bred specifically to maximize these qualities. Guardians eat together, are housed in groups, and lack the material possessions and private existence of the craftspeople. Private property is largely forbidden for the guardians. Similarly, the private family relationship of contemporary parenting, viewed by Plato as a relationship tantamount to the ownership of children, provides too many opportunities for faulty breeding, familial bias or nepotism in state structures. These considerations lead Plato to make the controversial assertion that in matters of child rearing and reproduction, the *polis* will be guided by the “old proverb: Friends possess everything in common” (IV 423e). Such an assertion abolishes

the traditional family structure in exchange for a shared concept of family (the class of guardians are all “brothers” and “sisters”) and state-regulated breeding ritual. The abolition of the private family is intended to provide for the uniformity of lifestyle that will allow those with superior qualities to be more readily recognized, and dispose of the preferential prejudice that family members might extend to each other above the interests of the state as a whole.

An interesting benefit to this proposal, which indeed renders it internally consistent, is the relative gender equality that is established in the guardian class. Arguments over Book V have raised academic debate over whether the *Republic* is the first “feminist” text in the history of western philosophy, or on less generous (and more plausible) interpretations, a text that asserts some basic level of gender equality through equal access to non-domestic labor.^{vii} But it is little noted how this purported gender equality finds its logical grounding in methods of rearing animals:

Do we think that the wives of the guardian watchdogs should guard what the males guard, hunt with them, and do everything else in common with them? Or should we keep the women at home, as incapable of doing this, since they must bear and rear the puppies, while the males work and have the entire care of the flock?

[Everything should be in common, except the females are weaker and the males stronger.]

And is it possible to use any animals for the same things if you don't give them the same upbringing and education?

[No, it isn't.]

Therefore, if we use women for the same things as men, they must also be taught the same things.

[Yes.] (V 451e)

Women, at least in the guardian class, would be relieved of the labor of motherhood, the burden of “rearing the puppies,” toward the end of developing their ability to serve as protectors (and possibly, rulers) in the *polis*. The relative gender equality of Plato's guardian class can be juxtaposed to the distinction of the “nature” of the sexes in Aristotle's *Politics*, in which the hierarchy of man over animal is likened to the essential difference of kind that governs the dichotomy of men's dominance over women:

In these cases it is evident that it is natural and beneficial for the body to be ruled by the soul, and for the affective part to be ruled by understanding (the part that has reason)... The same applies in the case of human beings with respect to other animals. For domestic animals are by nature better than wild ones, and it is better for all of them to be ruled by human beings, since this will secure their safety. Moreover, the relation of male to female is that

of natural superior to natural inferior, that of ruler to ruled. But, in fact, the same holds true of all human beings. (Aristotle 2000, 8)

For Plato, however, there is no distinction of sex difference in terms of a naturally-ordained classification of kind. Plato rejects any claimed difference of positional aptitude or mental capacity between women and men. Yet it is the explicit comparison to the animal functions of humanity, the use of animals “with the same upbringing and education” for identical purposes, that grounds his claim to gender equality (Plato 1992, V 451e). Plato’s proposal to welcome women as full members of the guardian class is grounded in his belief of the lack of any fundamental difference in the nature of the sexes, and the essential correspondence of function between human and nonhuman animal life.

Yet another animal quality of guardian development is their breeding. This relationship is less about a private love relationship of mutual consent than mass reproduction under state control. “Breeding” is truly accurate here, since procreation is controlled by state authorities that select to pair up those parties with the best physical and mental attributes of the clan. This feature of guardian life, too, finds its basis in the rearing of animals:

Tell me this, Glaucon: I see that you have hunting dogs and quite a flock of noble fighting birds at home. Have you noticed anything about their mating and breeding?

[Like what?]

In the first place, although they're all noble, aren't there some that are the best and prove themselves to be so?

[They are.]

Do you breed them all alike, or do you try to breed from the best as much as possible?

[I try to breed from the best...]

What about horses and other animals? Are things any different with them?

[It would be strange if they were.]

Dear me! If this also holds true of human beings, our need for excellent rulers is indeed extreme.

[It does hold of them...] (V 459c)

For Plato, the cultivation of virtuous faculties initially rests on methods of breeding, taming and disciplining the best possible animal. The use of pedagogical methods, while invoking distinctly cultural phenomena like training in music, mathematics, poetry and organized athletics, emphasizes the bodily nature of the guardian and the metaphysical character qualities that are shared with nonhuman animal life. The rearing of the guardian is distinctly clan-oriented, and lacks the characteristic private life and individual autonomy that is so deeply entrenched in many modern concepts of subjectivity.

Domesticating the guardians

In Plato's discussion of the features of the human soul/*psuche*, we once again see a convergence with the animal. The features of individual guardian life define the human subject not as anti-animal, but comprised of animality. Guardians are defined more by the qualities shared with cultivated animal life than what they possess in its absence.

Just as some animals exhibit courage, according to Plato, the guardians must develop a restrained bravery, a component of "spiritedness" (*thumos*),^{viii} alongside their physical potency. There is no doubt that nonhuman animal life shares in the spirited life of the *psuche* or soul. Animals clearly express anger, courage and bravery, a feature shared with children: "Even in small children, one can see that they are full of spirit right from birth...[And in animals too one can see that what you say is true]" (IV 441a). Plato is clear to distinguish the difference between courage or bravery and savagery; he seeks to establish in animals and human guardians a shared spirited nature to be cultivated in obedience and loyalty in order to the *polis*. The potential danger is an educational curriculum that lacks balance, either with an overemphasis on athletics or brute strength, or overindulgence in poetry and musical education in lieu of bodily exercise. The resulting vices, Plato states, can be seen in "savagery and toughness in the one case and softness and overcultivation in the other" (III 410d).

Here, the problems with cultivating the spirited component of the person are made clear. When developing the guardian's "spirited" nature, we are faced with seemingly contradictory social consequences: being "spirited" can result in a

potentially rash or unduly violent person as well as brave one, and an overemphasis on physical strength presents the hazards of savagery through unbridled harshness or the lack of moderation of untamed physical faculties; the virtuous spirit avoids both excess and deficiency.

The problem of the human spirit – a problem of combining passivity with fearlessness – is resolved in the theorizing of the third, and highest, component of the soul for both humans *and* nonhuman animals. This problem is resolved in the ability to have true knowledge, expressed in terms of loyalty to friends and protection against enemies. And, for Plato, this is a facet of the philosophical component of consciousness that is shared with nonhuman animal life. Plato writes on the spirited nature of the soul:

We overlooked the fact that there *are* natures of the sort we thought impossible, natures in which these opposites are indeed combined.

[Where?]

You can see them in other animals, too, but especially in the one to which we compared to the guardian, for you know, of course, that a pedigree dog naturally has a character of this sort- he is gentle as can be to those he's used to and knows, but the opposite to those he doesn't know.

[I do know that.]

So the combination we want is possible after all, and our search for the good guardian is not contrary to nature.

[Apparently not.]

Then do you think that our future guardian, besides being spirited must also be philosophical?

[How do you mean? I don't understand.]

It's something else you see in dogs, and it makes you wonder at the animal.

[What?]

When a dog sees someone it doesn't know, it gets angry before anything bad happens to it. But when it knows someone, it welcomes him, even if it has never received anything good from him. Haven't you ever wondered at that?

[I've never paid any attention to it, but obviously that is the way the dog behaves.]

Surely this is a refined quality in its nature and one that is truly philosophical.

[In what way philosophical?]

Because it judges anything it sees to be either a friend or an enemy, on no other basis than that it knows the one and doesn't know the other. And how could it be anything besides a lover of learning, if it defines what is its own and what is alien to it in terms of knowledge and ignorance.

[It couldn't.]

But surely the love of learning is the same thing as philosophy or the love of wisdom?

[It is.]

Then, we may confidently assume in the case of a human being, too, that if he is to be gentle toward his own and those he knows, he must be a lover of learning and wisdom?

[We may.] (II 375d-376c)

Plato is claiming that animals share the ability to make knowledge claims on the basis of loyalty – they exhibit a recognition or familiarity on the basis of past experience, and the ability to defend against what is unfamiliar and unknown. This distinction is very much a matter of trust: animals, governed by past experience, may exhibit trust in the knowledge of their masters and friends. The higher faculty of the soul/*psuche* is what tempers the potential viciousness of the guardians and watchdogs, cooling the guardian spirit.^{ix} This faculty is the philosophical component, with a corresponding capacity for memory and the ability to make distinctions between the known and the unknown, the familiar and unfamiliar. The abilities to establish informed beliefs, to be loyal, and to govern one's aggression in the face of friends are all judgments exercised by the philosophical component of a being. And many of these faculties of judgment are shared with the best of dogs – an assertion that permits the conclusion that Plato has extended some features of rationality to animal life.

For Plato, this ability to learn through experience and possess knowledge renders the guardian philosophical, and this may be a faculty shared with certain nonhuman animals. This view is supported by Richard Sorabji's work in *Animal minds and human morals*, where he sees Plato to be offering a clear division between reasoning (*sullogismos/logos*) and perceptual faculties, but allows for the capacity for belief (*doxa*) even if we were to relegate animals to perception. The ability to acquire belief is a properly philosophical component of being. Beliefs are shared with all beings with perceptual capacities, understood as the ability to recall perceptual memories over time. As Sorabji writes, "beliefs...require no more than fitting perception to a memory imprint" (1993, 12). What's more vital to my argument is Sorabji's claim that Plato does *not* reduce the animal to perception; rather, Plato repeatedly suggests some "extension to animals of a rational part of the soul," a contention which is echoed in the philosophical nature of knowledge distinctions in the guardian watchdog (1993, 10). Finally, Sorabji's work entices us with the suggestion that, "[a]n attentive reader might well wonder whether Plato...is likely to count beasts as capable of education (*paideia*)" (1993, 11). This reader does wonder, and answers that wonder in the affirmative.

Again, the potentiality of the philosophical component and the capacity for belief states is innate, but finds its practical expression for the guardians only through education, conceived of as a vast state-governed protocol. And as animals are granted a similar capacity for memory and belief states, components of high-order faculties, it seems likely that these, too, would find their expression through education. We may say at least that the comparison of this tempering of guardian

spiritedness to the shared experience we have with nonhuman animal life clearly parallels the process of rearing the ideal human with a specific form of animal cultivation: namely, domestication.

I should offer the caveat that, even as I offer the direct textual evidence from the *Republic*, translator G.M.A. Grube offers a substantial footnote to the passage on Plato's "philosophical dog," and introduces the claim that Plato intended to limit the meaning of philosophy in this context. He claims that the word "philosophical" (*philosophos*) is used here, "in its general sense to refer to intellectual curiosity or wanting to know things without ulterior motives. Plato is not suggesting...that pedigree dogs have the traits that he will attribute to full-blown philosophy in Books V-VII" (Grube 1992, 51).

While Grube's point is legitimate regarding the elaborate conditions of philosophic life that render the philosopher fully rational, it is interesting how quick Grube is to distance Plato from the claim that animals may share some features of higher life. This is only reinforced by the fact that the word "philosophical" first appears in the passage above from Book II of *Republic*, where the first philosophical knowledge distinctions (between the familiar or trusted and the unfamiliar or foreign) are analogous to the knowledge distinctions made by domesticated dogs. Grube may be misleading the reader by claiming this stark contrast between philosophical consciousness and animal minds in Plato, since philosophic knowledge distinctions between the familiar and the alien – the ability to remember friends and enemies – are facets of memory and conscious life explicitly extended to animals. Indeed, taken with Sorabji's work, it seems

likely that Plato was attributing both memory and belief states to animals, regardless of what Grube meant by “full-blown” philosophy. Thus, suffice it to say here that the animal is granted components of mental life that, traditionally, would be extended exclusively to humans.

The domestication of the guardian soul/*psuche*, the regulation of the spirited component, is also what drives the guardian to seek justice when harmed, and to exercise self-control. Tempered by reason, it is the spirited component that allows the guardian to identify as protectors of the citizens and guide them as a flock, and it is their loyalty to the rulers that renders them obedient followers of superior rule. Plato writes on the relationship of spirit to reason:

But what happens if...[the guardian] believes that someone has been unjust to him? Isn't the spirit within him boiling and angry, fighting for what he believes to be just? Won't it endure hunger, cold, and the like and keep on till it is victorious, not ceasing from noble actions until it either wins, dies, or calms down, called to the heel by reason within him, like a dog by a shepherd?

[Spirit is certainly like that. And, of course, we made the auxiliaries in our city like dogs obedient to the rulers, who are themselves like shepherds of a city.] (IV 440d)

In relation to the rulers who are the best of the guardians, the “philosopher-kings,” the auxiliary guardians must recognize their purpose in

maintaining the social order through virtuous character and development. As such, Plato despises the forms of government (famously argued for in Book I by Thrasymachus) in which ruling classes seek their own benefit at the expense of the citizens. This social arrangement, too, is likened to the worst and most predatory character qualities of undomesticated animals: Plato writes, “the most terrible and most shameful thing of all is for a shepherd to rear dogs as auxiliaries to help him with his flocks in such a way that, through licentiousness, hunger, or some other bad trait of character, they do evil to the sheep and become like wolves instead of dogs” (III 416a). And again, it is only through a domestication of the spirit that prevents this hazard, an education process that avoids producing guardians that act as “savage masters instead of kindly allies” to the citizens (III 416b). Here we begin to see the formation of an ideal structure: shepherds, dogs, and the flock, cultivated to operate as organic union.^x

Reframing autonomy: Guardian interdependence

What about the animals? ...No one who hasn't experienced it would believe how much freer domestic animals are in a democratic city than anywhere else. As the proverb says, dogs become like their mistresses; horses and donkeys roam freely and proudly along the streets, bumping into anyone who doesn't get out of their way; and all the rest are equally full of freedom. (VIII 563b-c)

It remains to be seen how precisely we should apply these considerations to a political proposal or ethical treatise, or whether we should at all. Still, it is clear that Plato's hypothetical *polis* is definitively anti-democratic, especially in the sense in which contemporary liberty is comprised of a domain of substantive privacy. Plato does not assume an intrinsic value for detached, individual autonomy – or the so-called “negative liberties” that value freedom from and noninterference with the social body. Undeveloped, unbridled individual liberty is tantamount to letting wild animals parade freely through the streets of a city. Just as there are reasons to inhibit the unbridled freedom of animals in “civilized” terrain, there are reasons to educate and cultivate learned citizens from youth.

While we might question to what extent Plato's criticism of democracy applies today—since modern democratic societies surely value some degree of education and unequal distribution of political power—it is most interesting to see how his criticism of democracy is really a criticism of a culture that refuses to domesticate its animals. And, we (today) may use domestication as a metaphor for pedagogy, or as a way of providing citizens with the tools to participate in the social order.

Freedom, for Plato, is conceived in terms of rearing toward the end of character development and social welfare. As subjects-in-process, we should view the achievement of distinctly superior faculties as a potentiality. Intertwined with the pedagogical necessity of maximizing this potential is a concept of the person as coexistent – interdependent with the world and the others that produced him. The person is a subject requiring nurture, and education about the conditions of

the social world in order to develop a concept of ethical obligation. *Ethos*, as its etymology of habit suggests, requires practice and conditioning for good conduct to develop. Ethics, then, is inextricable from the methods and goals of pedagogy.

Returning to the hypotheses of the political order, it was vital for the guardian class to not only receive this domestication, but also to view themselves as ecologically and politically embedded subjects with obligations to their environment and their cohabitants. Concepts of the guardian “individual” as fundamentally relational – always inhabiting codependent space, and always having primary ethical obligations to that environment – echoes some of the primary tenets of contemporary environmental philosophy. While it does not make sense to reduce the human person to the animal, we should still use the animal as one way of speaking of human experience. The guardian never exists or has interests outside of her environment and social relationships, and she is endowed with ecological responsibilities.^{xi} The metaphor of guardian ecology is so prevalent that, indeed, Plato asserted that the ruling guardians were to tell a tale in which the guardians were born from the earth: in this tale, members of the *polis* were born with precious metals embedded in their soul corresponding to their position in society. The myth of the metals served the end of obliging the citizens to the homeland, viewing the national soil as mother and the members of society as natural family. We are deeply responsible for our environment and social world, to the extent that, “if anyone attacks the land in which they live, they must plan on its behalf and defend it as their mother and nurse and think of the other citizens as their earthborn brothers” (III 414e).

Such a metaphor for the guardian's relationship to the world, again, abolishes the concept of individual, autonomous existence and rather obliges the guardians to view their existence as fundamentally interdependent, with their welfare a product of their social world. The guardians are cultivated to conceive of the world as a part of themselves, with the needs of other beings as intrinsically valuable, and the land and natural world in which they are reared as deserving of conservation and freedom from exploitation. Guardian subjectivity is deeply otherness-oriented.

This abolition of the autonomous subject is echoed in Platonic theorizing of property, and in particular in the lack of any real concept of private property in the guardian class. As has been stated, since private family represents a property relationship of children – owning one's offspring – here, too, we see the obliteration of the individual subject and the traditional, private family structure as key to the achievement of human excellence. For the guardians, to the creation of group kinship, a clan or herd-like understanding of family, is reminiscent of the animality of their breeding.

The overriding lack of a detached self-concept for all classes in the ideal *polis* results in the guardians' "primitive," or perhaps nonexistent, concept of property ownership. Plato restricts the ability to own material objects as private property for the guardian class. Without an autonomous self-concept, without the ability to call a thing (or person) "mine," the guardian's relationship to the object world becomes one of interdependence on the basis of use value: material

resources are functional for oneself, but are accessible to others on the basis of shared needs. As Plato writes,

Then isn't it true, just as I claimed, that...[this] makes even better guardians out of them, and prevents them from tearing the city apart by not calling the same thing "mine"? If different people apply the term to different things, one would drag into his own house whatever he could separate from the others...and this would make for private pleasures and pains at private things. But our people, on the other hand, will think of the same things as their own, aim at the same goal, and, as far as possible, feel pleasure and pain in unison. (V 464c)

The same relation, too, holds with dealings with other citizens, as the specialized nature of the labor of each craftsperson (guardian or not) embeds Plato's citizen in a fundamentally relational, hence intersubjective world. This is vital to understanding guardian life as necessarily animal: a communal, cooperative and truly pack-like mentality governs their relationship to the environment and each other. The lack of any right to private property in this class parallels the conditions of life in the "state of nature," the pre-political existence in the world elaborated by political philosophers such as Hobbes and Rousseau.

Certainly, here, Plato evokes animal activity as constitutive of political arrangements—one might think of the shared activity of ants in building an

anthill, or a pride of lions sharing the pursuit of a hunt. In these contexts of interdependence, the symbiotic relationships between organisms and between organisms and the surrounding world make it less useful to speak of private property ownership centered on a solitary, autonomous subject. However, it definitely does make sense to speak of the relationship of a class of beings to the world, as a simultaneously collective and ecological endeavor with shared labor, shared tools, and shared goals. In fact, this is frequently the way in which the excellence and function of an animal is truly realized: on the basis of species activity. The guardians, as a very well bred species, are no different.

The guardian watchdog and concepts of the person

To learn from the *Republic* is to render the political subject human with relation to visceral needs, and the development of cognitive and perceptual faculties. While the guardian is always conceived of as a physically superior being, it is not the fulfillment of this sheer athleticism that renders the guardian necessarily animal. Guardian life is fundamentally comprised of animality, sharing the needs of cultivation and restraint that correspond to the breeding and rearing of a very fine species. One must abandon concepts of personhood that present models of the human subject as essentially detached, identified solely with rationality, or as primarily egoistic and removed from the interests of others.

Such a shift in conceptualizing personhood emphasizes the relational nature of subjectivity: just as the subject is domesticated in guardian life, we vitally depend on others and on ecology to foster and rear the superior qualities of the human being. Our sense of independent interest is developed by a network of relationships that extend beyond human others and into the natural world.

Offering a new account of subjectivity is consistent with the goals of care ethics and environmental philosophy, which have long recognized that dependency on others and the material world is intrinsic to human development and the moral considerations of ethical life. As ecological theorist Chris Cuomo writes: “Caring is woven thoroughly into our being and, hence, our values and deliberations. We have fundamentally dependent and social natures but also a sense of ourselves as isolated and independent. Despite the latter, our commitments to others, and to our projects together, create a framework in which others’ well-being remains necessary to our conception of the good” (1999, 271). Similarly, Donna Haraway’s work on animals emphasizes the “contingent foundations” of human superiority to nature, and instead shifts her focus to theorizing interspecies relationships as a constructive practice in reframing personhood. To maintain an ironclad distinction between man and animal, or culture and nature, reduces the complexity of our world to a dyad of mastery. We find ourselves more often crossing these false boundaries than maintaining their absolutism as a preexisting foundation, especially in our relation to domestic and companion animal species. Our fundamental connection to the animal world is of

primary importance when conceiving of the nature of life. Haraway puts the point concisely: “Beings do not preexist their relatings” (2003, 5).

These considerations resonate in Plato, where the animal (exemplified in the figure of the watchdog) shared facets of the highest human faculties. To be human, then, and to rise to the pinnacle of human potential in the *Republic* was not understood as a relationship of presence to absence, of what humans have and animals lack. Instead, in order to foster human faculties we must be subject to an animal pedagogy, the process whereby humans become domesticated by cultivation. The tempering of innate animal faculties is requisite for healthy ecological arrangements and a productive social world. This view emphasizes the collective interests of the species rather than defining the human animal as a being determined by egoistic or detached individualism.

Animals shared many of the best qualities of humanity in the *Republic*, but they also were metaphors for human development, pedagogical tools from which human education could originate. The animal’s significance in Plato may be a tool to uncover the significance of domestication. Further, animality is significant for the practice of rearing as educational practice, recognizing the relational nature of life and the essential networks of care at the origin of ethics. The underlying animality of humanity is a reminder of the subject’s embeddedness within a context of dependency, a primitive reliance on others and world that prefigures her autonomy. The fullest implications for the animal’s impact on contemporary political and legal reform, and correspondingly a fully satisfactory account of animal ethics, have yet to materialize. Still, in Plato we see an account of animal

processes that are vital to human existence, which yields an imperative to reframe our understanding of both human nature and social obligation.

Chapter Two

Animal spirits and animal machines in Descartes' account of embodiment

[F]rom the fact that the human mind, when turned in on itself, does not perceive itself to be anything other than a thinking being, it does not follow that its nature or essence consists only in its being a thinking thing, such that the word only excludes everything else that also could perhaps be said to belong to the nature of the soul.

- René Descartes, from the Preface to the reader, *Meditations*

Cartesian senses and the animal

Historical examination of the metaphysics of man often points to the impact of Descartes, who identified personhood with the reflective consciousness of the human mind. However, Descartes has long been recognized to be less than generous to the nonhuman animal world, distancing the human world from the world of animals and nature, and presenting animals as objects no more complicated than the automation of a wristwatch. This deliberate distancing of humanity from the animal has implications for our embodied experience of animality and for a more general account of human ontology. If humans are fundamentally anti-animal, then this shapes how we identify the essential features of personhood and how we relate to the natural world. Thus, an investigation into the reality of animality, understood as the embodied human experience of being animal, raises the more general ontological question of the nature and existence (or nonexistence) of a distinctly human essence.

As philosophy unveils its inquiry into the significance of sensation and emotional life, some aspect of these considerations must extend to animal others and the ecological world in which we are embedded. Philosophical treatment of animal others, too, will remind us how political structures and moral codes have been construed as exclusively human pursuits. By thinking of the commonalities that bridge the animal/human divide (if such a divide may be maintained), I hope to argue for new considerations of ontology in the wake of the embodied nature of lived experience and humanity's collective environmental dependency.

The search for an account of the human condition is of primary importance for Descartes; as he claims in the *Meditations*, "...one can prove the existence of God by natural reason, but also...the knowledge of this is easier to achieve than the many things we know about creatures" (1993, 11). Cartesian inquiry is an examination of the nature of mind and body, but the goal of knowing ourselves goes further than the force of intuition. The immediate relationship to detached thought through natural reason is, according to Descartes, less complex and easier to obtain than the goal of science – an inquiry into the matter and form of the diversity of existent life. Thus the difficulty of knowing creatures, as a method of knowing ourselves, requires analytic investigation rather than mere intuition.

Descartes on nature: A logic of mastery

Understanding humanity through Descartes, and in particular through his assessment of the passions and emotional life, is as difficult as it is theoretically necessary for ontology and natural philosophy. When reading Descartes on the senses, I think it's vital to recognize how the distinction between mind from body has impacted contemporary metaphysical humanism. Under an extreme version of Cartesian skepticism, he writes off the reliability of human sensation entirely; such is the infamous chimerical nature of sense-data: the illusions of the stick in water that now bends, now is straight. Sensation becomes synonymous with deception. Descartes fought with the nature of the body and the reality of sensory life in his time, yet he returns to sensation as an irreducible component of life, connecting emotions to the force of animation in *The passions of the soul*.

So, what precisely is the significance of animality in light of the Cartesian analysis of human sensation, and how does it relate to the passions? An investigation of animality should assess the treatment of the senses by the history of philosophy, since nonhuman animal life is frequently reduced to base perceptual capacities. Similarly, the animal components of human experience fail to be recognized as essential to personhood.^{xii} But, one should also engage the impact of a certain Cartesian metaphysical humanism on humanity's relationship to nature. This is the case since investigations into the nature of the person can have the hazardous potential to result in solipsistic and ecologically detached models of personhood, with no true obligation to the earth.

The proof of the primacy of the human mind, and the existence of nonhuman others, originates in the *Third meditation* where Descartes includes

animals among the realm of ideas. However, Descartes falls into the pitfall of devaluing the senses, and with them the worth of nonhuman animal life. Reflecting on the content of ideas, Descartes initiates a skepticism in which animals are entities that do not exist outside of the conceptual content of his own detached mind:

Among my ideas, in addition to the one that displays me to myself...are others that represent God, corporeal and inanimate things, angels, animals, and finally other men like myself.

As to the ideas that display other men, or animals, or angels, I easily understand that they could be fashioned from the ideas that I have of myself, of corporeal things, and of God – even if no men (except myself), no animals, no angels existed in the world. (1993, 29)

If we read Descartes as giving ontic status to the tangible and phenomenal world solely by virtue of an egoistic reduction of the content of mind – i.e., ideas exist because they exist for me – then one may argue that there is a tendency to view natural environments, animals, and anything exterior to oneself as lacking intrinsic, noninstrumental worth. Knowledge of the world is secondary to, and more dubitable than, knowledge of oneself. Both the environment and its cohabitants exist solely as an extension of individual ego: one knows oneself; therefore one has the capacity to know the world.

The particular focus of this work – on the animal – draws attention to this primary absence of worth that animals possess in accounts of personhood, and this is a tendency that recurs in political thought.^{xiii} Animals, for Descartes, lack the essential features of mental and metaphysical existence that would warrant their normative treatment as subjects of morality. In the *Discourse on method*, Descartes is clear to establish the medical and scientific distinction “between the soul of man and that of brutes,” claiming that reason or sense “is the only thing that constitutes us men and distinguishes us from brutes” (1996, 2-4). Thus, animals lack the ability reason in Descartes’ ontology. While reason does not bridge the human/animal divide, its potential realization is universal to humanity, present in “the *forms* of natures of the *individuals* in the same species” (emphasis his, 4). As Verena Conley notes in *Animal philosophy*, reading nature under the Cartesian model carries the dangerous potential to reduce animals “soulless machines,” paving the way for Enlightenment philosophies that generally reduce the natural world to an external object, finding value in nature only through its submission to human utility (Corley 2004, 157). For example, Descartes writes in his letter to More:

I soon perceived quickly that [animal movement] could all originate from the corporeal and mechanical principle, and I regarded as certain that we cannot at all prove the presence of a thinking soul in animals. I am not disturbed by the astuteness and cunning of dogs and foxes, or by all things animal do for the sake

of food, sex, and fear; I claim that I can easily explain all of them as originating from the structure of their bodily parts...since art copies nature, and people make various automatons which move without thought, it seems reasonable that nature should even produce its own automatons, which are more splendid than artificial ones – namely the animals. (1649, 365-366)

Cartesian skepticism also has a tendency to treat nature as an object of the human mind. Descartes famously claims, in part six of the *Discourse on method*, that philosophy is not merely speculative but also highly practical; philosophy initiates an investigation into the natural elements, examining “the force and the action of fire, water, air, the stars, heavens and all other bodies that environ us,” toward the end of appropriating those resources for their use value and to “thus render ourselves the masters and possessors of nature” (1996, 38). Taking this lead, a Cartesian humanism implies a lack of intrinsic worth for the external object world, including those ecosystems on which we thrive. This view, too, can have the harmful consequence of removing nonhuman life and natural resources from the domain of ethics.

The Cartesian account of the environment and its animal inhabitants is one that identifies nature as a mechanical object of inquiry, discernable not by phenomenal experience but by scientific analysis. This tendency, as David Abram notes, extends back to Galileo, who attempted to explain the material world in terms of measurement:

Galileo had already asserted that only those properties of matter that are directly amenable to mathematical measurement (such as size, shape, and weight) are real; the other, more ‘subjective’ qualities such as sound, taste, and color are merely illusory impressions... Yet it was only after the publication of Descartes’ *Meditations*, in 1641, that reality came to be commonly spoken of as a strictly material realm. (1996, 32)

Both the unreal nature of phenomena and the Cartesian identification of humanity with rationalism contribute to a dyadic view of humanity’s relationship to ecology. The material world of nonhuman anima was contrasted to the metaphysical exclusivity of human thought. As Abram writes:

In Descartes’ hands...[the] hierarchical continuum of living forms, commonly called ‘The Great Chain of Being,’ was polarized into a thorough dichotomy between mechanical, unthinking matter (including all minerals, plants, and animals, as well as the human body), and pure, thinking mind (the exclusive province of humans and God)...Hence, we humans need have no scruples about manipulating, exploiting, or experimenting upon other animals in any manner we see fit. (1996, 48)

The view of animals as unthinking machines sets the foundation for seeing the human condition as ontologically superior to nonhuman animal life. Under an extreme humanist position, the natural world is valuable only insofar as it contributes to human progress. In other words, the animal is an object of instrumental value to human ends. Whether a being has intrinsic worth is determined by if that being possesses value beyond its use for some other purpose: the entity itself must possess some particular quality that has objective worth. Correspondingly, the recognition of harm in animals presupposes normative considerations that extend noninstrumental value to that being.^{xiv} If something possesses only instrumental value to our ends we would not be wrong in appropriating that thing for its utility, regardless of its suffering.

In Descartes' *Passions of the soul*, we are offered a treatment of personhood in terms of its physical functions and emotional life. However, this attempt to understand emotional life is just a method to control the emotions – ruling the passions such that they are always contributing to our good. Descartes writes, “Wisdom is useful here above all: it teaches us to render ourselves such masters of [the passions], and to manage them with such ingenuity, that the evils they cause can be easily borne, and we even derive Joy from them all” (1989, 135). To the extent that Descartes views his goal as enhancing the ability to rule the passions, his logic of mastery extends beyond the individual ability to control one's emotions; it also applies to the external world. By controlling our emotional life and bodily functions, we strive for a scientific reduction of life that renders our life processes manageable, explainable. And by becoming masters of our

bodies, masters of ourselves, we thereby become masters of our environment. As Stephen Voss notes,

The primary use of Wisdom is to teach us mastery over our passions. What is distinctive about ‘the greatest souls’...is that their reasonings ‘are so strong and powerful that even though they also have passions, often even more forceful than the usual, their reason always remains mistress [over them]’...That mastery is one aspect, indeed the central aspect, of the ideal dominion over the external world, body and soul which gives direction to Cartesian science – ‘to make ourselves, as it were, masters and possessors of nature.’ (Voss 1989, footnote 135)

By speaking of our own animality, however, I attempt to argue for a new understanding of the particularity of bodily being as an irreducible component of humanity. Personhood cannot be distanced from the conditions of lived experience, including one’s emotional and sensory life. When rethinking the nature of subjectivity itself,^{xv} it’s helpful to unify this goal with the philosophical treatment of sensation and the passions, which Descartes himself thoroughly theorized.

To be fair, however, one must recognize how Descartes never escaped from theorizing the body and the sensory world under a substance dualism, and one that lends itself to the problematic treatment of the animal world. His

scientific and methodological approach toward the body suffers from a core impossibility of uniting humanity with other forms of organic life. My approach to Descartes is deliberately historical, if not genealogical. That said, one of my goals is to uncover the construction of the human mind and body as fundamentally anti-animal, to see what is lost in traditional accounts of personhood. Quoting Foucault, Amy Allen writes, "...the aim of a genealogy is not to develop a new science...The aim of genealogies is to take seriously subjugated knowledges and to entertain their claims against those of a 'unitary body of theory which would filter, hierarchise and order them in the name of some true knowledge and some arbitrary idea of what constitutes a science and its objects'" (Allen 1999, 40). This historical approach is helpful to unravel the subjugation of animality in the history of rationalism, and to draw attention to the animal as a possible locus and eventual subject of knowledge.

The traditional separation of the force of the body from the "soul" or essence of detached mind in the *Meditations* can be seen to argue that the inescapable and controllable processes of the body are limitations for the soul, which is the very essence of identity. In addition, the separation of the force of the body from the "soul" or essence of detached mind treats the animation of the human body as metaphysically separate from and superior to natural anima. One's corporeal being, like the surrounding natural world, is a material object to be mastered. Thus, his scientific treatment of the passions as the energy that motivates the "heat and movement" of the body still rests on a faulty reluctance to admit the possible physical unity of mind and body.^{xvi}

When speaking of what humanity shares with nonhuman animal others, it is vital to connect the animal processes of the body that render us fundamentally organic beings, and to recognize that these processes are shared (to varying degrees) with nature. There are good reasons to qualify Descartes with an extensive caveat against his appraisal of nature. Contemporary environmental philosophers have their own skepticism for Descartes, as he is notoriously attributed with an exclusive metaphysical humanism that cares little for its natural environment. Cartesian rationalism, too, has not been very kind to the natural world, as animals are theorized as objects unable to reason. Descartes' assertion of an absolute and utter mastery of the natural world is reiterated in his account of the passions, which become a force to be dominated or controlled. To follow a Cartesian line on nature, then, would run the risk of being so broad that it could conceive of human ontology as the only discourse of moral or epistemic worth. Clearly, this line is one that should not and could not be followed.

A post-Cartesian humanism, as a doctrine of mastery over nature, shows the modern reader the extent to which Descartes missed the mark in offering anything that might be considered an environmental ethics that will be fair to animal life. Still, it is fruitful to see what (if anything) may be recovered from the explicitly "animal" quality of Cartesian passions, even as we recognize the limitations of a Cartesian reading of nature.

Passions and the force of life

By attempting to link the passions to nonhuman animated life, I think it's helpful to start with the analysis of the passions understood as emotional or sensational forces. It was not until late in his life that he wrote *Passions of the soul*, as an attempt at providing a scientific and proto-medical treatment of the human person. Descartes writes: "even though it does not seem to be one of the most difficult [topics], because, as everyone feels them in oneself,^{xvii} one need not borrow any observation from elsewhere to discover their nature" (*fr. ed.* 1988, 19). To return to the passions, then, is to grant importance to the phenomenal and perceptual life of our corporeal being.

Still, Descartes remained convinced that the Ancients had done little justice to the passions, declaring that "I cannot hope to approach the truth unless I forsake the paths they followed" (*fr. ed.* 1988, 19). Thus, we shouldn't write off an account of the passions, and Descartes explicitly doesn't, but it should be recognized that there has been a theoretical absence in rendering the passions an appropriate subject for inquiry in philosophy.

The significance for awakening an account of the passions is not just to revitalize the significance of animal processes and sensation in theories of personhood. The passions were also distinct energy for Descartes, one that linked ideas to action, a power that mediated motivation between thought and the creation of new ideas. The passions are the force that brings intentions to their consequences, and sees their fruition through bodily motion and action. Thus, the passions are a key for understanding agency, which for Descartes is comprised of inclinations for actions (passions originating in the soul and body), which affect

the decisions of the will. The passions are thus allied with intentions, the thought initiating action.

The initiative for new knowledge is explicitly a creative force, one that is mediated by the link between thought and consequence. This connection is channeled by the force of the passions. For Descartes, “all that is done or that arrives anew is generally called by philosophers a passion with regard to the subject to which it arrives” (*fr. ed.* 1988, 155).^{xviii} Passions are also the forces that initiate new life and new ideas. This link of the passions to generation applies to theoretical investigation, as a real energy that incites the revitalization of interest or inquiry. When passion is combined with action, for Descartes, this constitutes the process of creation, the manifestation of new ideas in philosophy.

Descartes offers an extensive scientific treatment of the passions as a fundamentally creative force, but also as a force grounded in the energy and physical structure of the body. While Descartes reduces the emotional range of the human to a core of six “primitive Passions...namely, Wonder, Love, Hatred, Desire, Joy, and Sadness,” his goal in this inquiry is more concerned with a recognition of the vitality of emotional states and bodily drives in concepts of the person (1989, 56). As such, reading *Passions of the soul* moves somewhat against interpretations of Descartes that claim an utter detachment of thinking from corporeality – the separation of the mind from the body that would create the infamous mind/body problem. A foundational element of Cartesian dualism persists in his works, but the *Passions* offers a new tale of human experience where emotional energy is a vital component to life, and in fact connected to

agency and the force of the will. But what precisely is meant by the passions, and how are they linked to a discussion of animality?

Article 27. The Definition of the Passions of the soul.

After having considered wherein the passions of the soul differ from all its other thoughts, it seems to me that they may generally be defined thus: perceptions or sensations or excitations of the soul...which are caused, maintained, and strengthened by some movement of spirits. (1989, 33-4)

Passions, for Descartes, are linked phenomenal experience, but also to heightened sensation, and “excitation” of the spirit that drives the being into action. The character of the passions is also clarified by his discussion of the difference between life and death. The passions are the “heat” or fire of being, a drive that originates in the energy of the body itself. Life understood as animating energy was, for the Ancients, the spirit that originates in the heart. Without this energy, vital life functions ceased. As Geneviève Rodis-Lewis writes, “For the scholastics, Platonists, and neo-Stoics, ‘*anima*’ and ‘*spiritus*’ designate the soul, or breath, which ‘animates’ the body...According to Descartes, the mind submits to the action of the body before reacting: the *passions of the soul* are truly so called” (1989, xvii). This heat is shared by animate beings, and as such is connected to considerations of the value of animal life and the natural world.

However we do interpret the passions with regard to agency, it seems fair to say that the passions are, for Descartes, an essential component of existence that drives bodily functions. Passions are also forces that mediate life and death; it is only through the flow of their energy that we may distinguish how “the body of a living man differs from that of a dead man as much as a watch or other automaton (that is, other self-moving machine)” (1989, 21). Thus, for Descartes, personhood could not be reduced to mechanistic processes. Our passions, the fire of life, are “extinguished” at the moment when nature ceases to animate the being. As he writes:

On seeing that all dead bodies become devoid of heat and then movement, people have imagined that it was the absence of the soul that made the movements and the heat cease. And so they have groundlessly believed that our natural heat and all the movements of our body depended on the soul – whereas people ought to think, on the contrary, that the soul departs when someone died only because the heat ceases and the organs used to move the body disintegrate. (1989, 21)

Death, then, and the departure of the soul from the body, is determined by a metaphysical release after the physical functioning of the body ceased. When the passions cease to drive motion in the body, the soul is then “freed.”

Passions of the soul, in its attempt to treat the physical processes of the body, may seem to be the closest thing to a materialist conception of the person as one may possibly see in Descartes. Yet, there is still an absence of sheer physical determinism. Even in his scientific and medical treatment of the human person, one does not see in Descartes a reduction of the person to matter. His methodological analysis of the sensory life of humanity uses the volition of a being and its emotional life to further an understanding of personhood. While hard determinists might chalk this up to vague speculation, or worse, erroneous proto-science, for Descartes the passions are a distinct, animating energy.

By understanding the passions as the force of animation, one might argue for a broader concept of this life force than Descartes allows. The passions are not only components of human life situated in ecology, but also shared between various forms of animated life – human animals, nonhuman animals, perhaps even plants or the natural forces of the earth itself (i.e. weather, seasons or tectonic change).^{xix} This understanding would not go so far as to reduce humanity to animality; rather, reading the passions would further investigations into the nature of the human/animal bond, the nature of sentient life, and humanity's relationship to the world in general.

Thus, Descartes resists an equation of the emotional life of the human person with physical sensation. There is neither a reduction of human life to the robotic automation of organs and parts, nor a transcendental abstraction that rejects the philosophic necessity of sensation. Rather, we're given a new concept to meld tangible body and abstract mind: that connection is found in the passions.

Animal (e)motion: Passions, movement, and the force of intention

With Descartes, we have a rich body of philosophical inquiry into the passions, yet it still takes a careful reading to unearth its modern significance. By recognizing the component of the passions which Descartes identifies as animal spirits,^{xx} I attempt to engage both the theoretical potency of perception and open philosophy to questions, “[i]ncidentally about the Entire Nature of Man” (1989, 18). These questions address the nature, existence and reliability of qualia, the sense-experiences that ground our certainty (and pleasure) in the perceptual and phenomenal content of our lives. In addition, as has been argued, an analysis of the passions flows directly into a discussion of the nature of the emotions.

The passions were significant for the Cartesian account of human life. Even given the crudely “scientific” treatment of the person by Descartes’ physical and medical analysis, he still makes the remarkable claim that the motion of the body, and indeed the relationship between the volition of the person (intention/will) and its consequence in action (bodily response), is primarily due to the motion of animal spirits through pathways of the body.

Animal spirits are introduced as a force that, starting in the mind, moves through the body’s pathways to initiate motion. A potent ambiguity is found in the refusal to reduce the body to biological process, and as such the animal spirits remain a simultaneously physical and metaphysical energy, yet still one with distinctly physical consequences: bodily movement: “[I]t is known that all these

movements of the muscles, as well as all the senses, depend on the nerves which are like little filaments or little tubes which all come from the brain and which contain, just as it does, a certain very fine air or wind, called the animal spirits” (1989, 22).

Animal spirits are distinctly located in the mind, while the passions, as the “fire” of being, originate in the body and are distributed around the heart. The spirits’ circulation from the heart to the brain is similar to the force of intention submitting to will, where, according to Descartes, the animal spirits are separated from other components of the blood and sent out to initiate motion in parts of the body. He writes:

For what I name spirits here are nothing but bodies; their only property is that they are bodies which are very small and which move very rapidly – just like the parts of the flame that emanates from a torch. So they do not stop anywhere, and to the extent that some of them enter the brain’s cavities, others leave through the pores in its substance; these pores guide them into nerves and thence into muscles, by means of which they move the body in all the different ways in which it can be moved. (1989, 24)

Just as modern medicine looks to the heart’s pulse as an indicator of life, the animal spirits were entities that flowed through the pathways of the nervous system. These components of the blood are animated by the fire of life, the energy

of the passions: “But the way in which these animal spirits and nerves contribute to the movements and senses is not commonly known...I shall nevertheless say briefly here that while we live there is a continual heat in our heart...and that this fire is the bodily principle of all the movements of our members” (1989, 23). It’s notable that modern medicine has really not departed from the Cartesian theorizing of the significance of the heart and the circulation of the body. We still recognize the force of life as vitally connected to the energy of the heart and the circulation of blood, even as we fundamentally are at a loss to explain what generates the energy of animation. The initial energy of the heartbeat, which seems to constitute the “fire” of life, is one of the forces of motion that aids the travel of animal spirits to the limbs, providing the animating force of the body.

Even though the animal spirits may be correlated to the animation of nonhuman life, for Descartes the passions are unique to the emotional life of humanity. As such, he distances nonhuman animals from the potential for emotions, even as he recognizes their limited sentience. The reason for this claim is that, even given the presence of animal spirits in animal bodies, the movements of animals do not originate in a thinking soul:

I see no argument for animals having thoughts except this one: since they have eyes, ears, tongues and other sense-organs like ours, it seems likely that they have sensation like us; and since thought is included in our mode of sensation, similar thought seems attributable to them...But there are other arguments,

stronger and more numerous, not so obvious to everyone, which strongly urge the opposite. One is that it is more probable that worms, flies, caterpillars and other animals move like machines than that they all have immortal souls.

[It] is certain that in the bodies of animals, as in ours, there are bones, nerves, muscles, animal spirits and other organs so arranged that they can by themselves, without any thought, give rise to all the movements we observe in animals. (Descartes “Letter to More” 1649, 365-366)

Animal motion is equated to a mechanical process of reaction to physical stimuli. All animals are driven by the natural attraction to pleasure and the natural deterrence of pain; however, for Descartes, since animals lack the ability to reason, they also lack the higher-order emotional life of humanity found in the primitive passions.^{xxi} This intentional hierarchy of human emotion over animal sentience is also seen in Descartes’ assessment of the particular pleasure of intercourse. Descartes identifies the passion that drives sexual attraction as “Delight” – a variant of Desire that is similar to Joy (1989, 67). The delight of sexual desire is particularly driven by a heterosexual difference that completes the egotism of the individual mind. He writes:

But the principal [delight] is that which comes from perfections one imagines in a person who one thinks can become another

oneself. For with the sexual difference which Nature has placed in men, as in animals which lack reason, she has also placed certain impressions in the brain which make one at a certain age and season consider oneself as defective, and as though one were only half of a whole whose other half has to be a person of the other sex – so that the acquisition of this half is represented by Nature as the greatest of all imaginable goods (1989, 67-69).

The entirety of sexual attraction ending in love is identified with the completion of self-knowledge: one does not seek to love another, one seeks the person who “one thinks can become another” version of oneself (1989, 69). The “other” is a piece of oneself that is identical to oneself; in other words, for Descartes love is primarily about egoistic fulfillment.

And, the delight in acts of physical love – as natural and carnal as any passion in the human body – is still not so natural that this capacity is extended to animals. Sexual difference is animal; sexual pleasure is not. This metaphysical distinction of emotional capacity has ethical implications. One may recognize the moral necessity of preventing the human potential for sadness or maximizing the ability to experience joy, but need not assert the same necessity of avoiding pain and enhancing pleasure for animal life.

Even as the Cartesian condescension toward the animal persists, the assertion that “animal spirits” are the conduit for the passions through the body lends itself to a broader reading, one which highlights the unity of experience

between all anima. For Descartes, the animal spirits are the fulfillment of intention to its end, the mediating force of corporeal action. Animal spirits are also the material pathway for what Descartes considered to be the action of thought itself: philosophy.^{xxii}

Animal spirits are thus significant for understanding agency. Descartes is not only explaining the physics of the body but also the nature of the will. As an irreducible energy of intention, the animal spirits are explicitly linked to the force that animates all living bodies. Animal spirits are the pathways for life, conduits for bodily motion; and in their absence, we cease to exist. This is a force that is rightly called animal.

Animal spirits: Connecting mind and body to mind and world

It is difficult to give a precise account of how the animal spirits are linked to volition; still, it's clear that passions emphasize the connection between mind and body, intentions and their consequence in agency. For nonhuman animals, the connection between volition and bodily motion is often relegated to pure instinct, a reduction of animality to automation. Yet, insofar as the human being shares the process that submits impulse to thought prior to action, there may be a connection between the passions and the agency of all sentient life. Particular animals may share this ability to follow multiple courses of action, to assent to or attempt to deter bodily impulse.

Animal spirits in Descartes convey the articulation of the body; but they were also an attempt to describe the potentiality of being – the component of existence that may not be fully attributed to rationality, and not fully explained by the mechanistic reactions of a base physicalism. With regard to the energy of life described in terms of fire, breath, or spirit, it may be as scientifically imprecise as it is conceptually fruitful to utilize these metaphors in order to illustrate the nature of phenomenal life.

The animal spirits remind us of an indeterminate presence in volition, similar to the force of intention in will. They capture the sense that we have of being both wholly subject to the free agency of the mind, and simultaneously determined by natural forces and drives that are ultimately uncontrollable aspects of mortal life. While the animal spirits may potentially remain an energy that is unfixed in an account of human volition, they nonetheless seem astute in capturing the ambiguity of a fundamentally irreducible quality of lived experience.

We should recognize the shortcomings of a mechanistic approach toward the life of animals. Further, the Cartesian account of the senses and corporeal life experiences a loss in that it fails to theorize the commonality between animal spirits in the human soul and the spirit, energy or life force common to all animated life. Even as organic life continues to be explained by scientific investigation, the passions will remain as a symbol for the energy of creation in the body, the inexplicably wondrous origin of life that is universal to the world and shared between humanity and nonhuman animals.

Chapter Three

Crossing into culture:

The invention of humanity and the possession of nature in social contract theory

Every nation and every man instantly surround themselves with a material apparatus which exactly corresponds to their state of thought.

Observe how every truth and every error, each a thought of some man's mind, clothes itself with societies, houses, cities, language, ceremonies, newspapers. Observe...how timber, brick, lime and stone have flown into convenient shape, obedient to the master idea reigning in the minds of many persons...

It follows of course that the least change in the man will change his circumstances; the least enlargement of his ideas, the least mitigation of his feelings in respect to other men. If, for example, he could be inspired with a tender kindness to the souls of other men...every degree of ascendance of this feeling would cause the most striking changes of external things.

- Ralph Waldo Emerson, from "War"

*They paved paradise,
and put up a parking lot.*

- Joni Mitchell, from "Big yellow taxi"

In the history of social contract theory, the origin and structure of government is an explicitly anti-natural invention. As citizens form their first cooperative bonds, the social order is premised on the exclusion of other forms of life and further, the exclusion of the "animal" qualities of the human subject, the estrangement from our own animality. Human nature receives a distant inheritance from nature itself, but only through repression of the solitude and simplicity of the human animal's life prior to culture.

The position of the nonhuman animal in contract theory is correspondingly dyadic: the animal represents a natural ancestor, both as a reflection of this primitive stage of human existence, but the animal is also as a being that is theorized away from the political order – a figure to be suppressed or overcome. The contractarians all rely on a vision of human existence in nature that authorizes a sense of supremacy to natural environments. The nonhuman animal, as exterior to the contract, is frequently understood as a mere object outside of the domain and protection of the law. In a peculiar inversion of the intention of nature, the polity's claimed supremacy to nature is a force that gains its potency directly by virtue of nature – or through the authorization of “natural law.”

Contract theory remains potent in current political thought. Iconic philosophers like Rawls use the conceptual framework of the social contract to theorize the just distribution of social goods and the nature of political inequality, replacing conjecture about humanity's natural endowment with the blank-slate detachment of the “original position” as the key to stipulating conditions of fairness. One of my goals is to trace the history behind modern social contract theory, in order to theorize a thematic unity in the contractors. This unity is found in the creation of nature and nonhuman animals as separable, removable and distinct possessions of human culture.

Contract theory as a conceptual framework depends on a removal from and repression of nature to found humanity's political bonds. And, for the purposes of an investigation of the animal in philosophy, it is vital to recognize how social contract theory rests on not only on an exclusion of animal others, but

on a removal from the imagined natural condition of humanity and character of the human organism: the animality of our species, depicted in the state of nature.

When tracing the animal in political philosophy, it is useful to understand the history through which the animal and the natural are theorized as antithetical to the polity. The state is created when the animal is repressed, forced away, owned as object, or lost. In these tales, nature and “natural law” are appropriated to ordain the superiority of man over animal, of culture over nature, and of citizen over savage. The animal or naturalized other (as object to the covenant) is understood as incapable of being protected by the law, thereby passively consenting to a state of willing submission.^{xxiii}

The contractarian view of the birth of ethics generally points to a pre-political state of being, the primordial condition of life as it existed prior to citizenship. The pre-political state of being, as the “state of nature,” figures prominently in the history of social contract theory. I take the state of nature to be a metaphor for existence prior to law; it is posed as a hypothetical past, as a communion with wilderness prior to civilization. In some readings, the state of nature represents a vastly uncontrolled, chaotic, pre-historical stage: a culturally void and politically destructive zero-sum game from which there is no advancement and to which there is no return.

While the history of contract theory is read primarily as a series of political proposals, concepts of human subjectivity emerge from these narratives: “human nature” is revealed as distinct only as the individual citizen distances himself from primitive stages. Questions of the natural condition of humankind

are aligned with the animal nature of our species. The role of the state of nature takes a new turn to define the unique properties of humanity distinct from nature: the primitive human is imagined as stripping the human bare of its artificial tendencies to uncover the ontological properties of the species prior to political life. The metaphor of the human animal, then, gains its original character from this theoretical life stage.

Life prior to contract is theorized in different ways by the contractors: primitive social relationships can be virtually nonexistent, brutally competitive, or harmonious for their simplicity. Humanity develops some degree of symbiosis (or, in less optimistic readings, chaos) with the surrounding natural world. The political body is introduced as a method of controlling both the subject's basest instincts and the seeming uncultivation or underdevelopment of wilderness.

These states of nature serve as the foundation for political life and the creation of laws. States of nature should be understood ontologically, as the state of human existence prior to the submission to political authority by contract. And, these pre-political states of being are supremely natural states, where our first interactions are premised on mutual relationships of reciprocity, struggle, and shared sentiments of progress. The standards of human morality originate from nature, and the conditions of this distant past provide the impetus for growth of social structures.

In different ways, Thomas Hobbes, John Locke and Jean-Jacques Rousseau establish the origin of the political subject as contractor only through a repression of the sensibilities and freedoms experienced in the pre-political

natural world. Springing from the concept of the subject as independent from the constraints and chaos of the natural world is a doctrine of mastery that conceives of the human as an engine of progress, a vehicle for the unbridled exploration of nature and exploitation of its resources. Hobbes, Locke, and Rousseau all helped to establish the human subject as superior to natural environments, emphasizing the importance or historical necessity of labor and ownership as methods of controlling nature.

The sense of ownership through labor grounds a key moment in the development of artificial rights, in particular of rights to property and political identity through government protection and discipline. Claims to property are the definitive marker for our relationship to nature in Locke, a relationship that also expands and authorizes political expansion over unclaimed land. Under the Lockean conception of political life, we exist as political subjects only because we make claims on our surroundings, we invest our energy in nature as a material resources. Ownership originates when we identify objects in the natural world as “ours” through our investment of labor, and when we exclude access to these objects from others.

For the purposes of an investigation of animality, it is necessary not only to point to how the history of social contract theory threatens specific animal others, but one should also recognize how the “human” as political subject is understood as an explicitly artificial animal.^{xxiv} Varying ideologies of “human” nature, fundamentally understood as humanity’s animal qualities, warrant humanity’s transition to political control. Still, there is a great tension between the contractors

on the quality of life prior to civilization, and the “nature” of humanity in general. These visions of human life prior to contract reveal fundamental assumptions about the nature of the human species, and how political order makes itself manifest through a repression of nature and parceling out of the earth’s resources for human utility. In compelling conflict, human nature devolves into brutality as the drive for self-preservation is likened to states of violence in nature, as theorized by Hobbes. This vision of primitive humanity is to be contrasted with Rousseau’s almost hyper-natural right to live in peace with the species outside of the restraints of modernity.

The “state of nature” in the history of political philosophy is more than a hypothetical reasoning of the conditions of life prior to the formation of government; it may also be seen as a metaphor for a state of animality, where the human as a fundamentally animal subject finds its essence free from artificial constraints. The conditions of this pre-civil existence tell of how the subject’s instinct to self-preservation materializes. Looking to the state of nature reminds us of our ethical instincts toward others, of the primitive principle of ethical reciprocity that is the origin of laws. I hope to show how the contractors, collectively, rely on a removal from nature and the animal world to found the political order, a move which is done out of necessity in some readings, and with marked ambivalence in others. I wish to demonstrate how this removal is used by some philosophers to codify a desire for mastery over nature, authorized in reality neither by divinity nor by “nature” itself, but by artificial compact.

The human species is still not conceived as a fully natural and fully animal species. This failure has led to a problematic treatment of the animal and the environment in the history of political thought. A reassessment of the animal's significance in the history of contract theory reveals how the environmental world is subordinated as a threat to the social order. What is codified in these narratives is the control and separation from nature. Frequently, the desire to restrain nature corresponds to the desire to control and regulate man's nature. Humanity's control over the environment correlates to a moral imperative to domesticate human needs, to bond social structures and to remove the threat to survival that is theorized at the core of our relationships to others. In the history of political theory, the community is understood as an ironic attempt to resolve a logic of mastery, the relief from the incessant search for dominion that is central to humanity's egoistic enterprise.

The modern political order, where the sense of comradeship or dependence values our relationships to support common goals, still has not recognized how "animal" nature of humanity has been associated with anarchy and moral depravity. Often, this association of nature with the loss of control may be grounded in a fear of mortality or the prospect of cultural decay. The ethical divide between man and animal persists as a relic of this hypothetical primordial condition, as the state of nature becomes a primitive world adverse to the conditions of justice in the political economy.

Protecting ourselves from ourselves:

Primitive violence and the fear of nature in Hobbes

For Hobbes, there is no more grim vision of life than human existence prior to control by the government. In the Hobbesian view of life in nature, individuals exist as brutal and unbounded seekers of their own egoistic fulfillment. Our ethical egoism is, for Hobbes, fostered by our complete negligence and antipathy towards others, and the lack of an overarching authority to enforce mutually established laws. Hobbesian speculation on the natural condition of humanity is conceived both as an ancestral tale of the state of being prior to established laws, and as a description of the base inclinations of the species. Life in the state of nature is one where the natural vanity of man prevails, where life is governed by selfish pursuit of passions, and where a radical individualism rules the principle end of man's life: his own conservation. Nothing deters the primitive human from the perpetual endeavor to slake his egoism. This tale of human nature, of human existence prior to the creation of laws, serves as a metaphor for the animality of the human species, a trope that frames the specific quality of our instinct. The Hobbesian perception of nature puts the human animal uniquely at odds with its world surroundings, as primal life is governed by chaos and competition. "Survival of the fittest" governs human behavior, as a crudely understood animal enterprise.

The drive to egoistic fulfillment is justified (though for some it may not need justification) by virtue of man's "natural right," *jus naturale*, which Hobbes

is careful to distinguish from the principles of natural law. This right of nature is identified as, “the liberty each man has to use his own power, as he will himself, for the preservation of his own nature – that is to say, of his own life – and consequently of doing anything which, in his own judgment and reason, he shall conceive to be the aptest means thereunto” (Hobbes 1958, 109). The natural right of humanity is the species instinct for self-preservation. It stands as the unconditional principle that justifies any and all actions that protect or extend one’s health and quality of life. Our natural right, then, is construed in terms of the liberty to seek one’s own self-interest. The right to self-preservation is an unrestricted liberty, with no true caveat for the consideration of others. In Hobbes’ state of nature, existence for the human animal is governed only by each individual member’s own sense of self-fulfillment, and this remains unchecked both by exterior authority and unhindered by the recognition of the other’s need.

Natural right as unbridled personal liberty is to be distinguished from the “laws of nature,” *lex naturalis*, which for Hobbes are rules of reason binding humanity by obligation: the laws of nature may be understood as negative liberties, freedoms from harm, as primitive man is “forbidden to do that which is destructive of his life or takes away the means of preserving the same” (109). While these laws are authorized by “nature,” this origin for laws seems to be first, contradictory and secondly, bizarre for a philosopher whose view of human nature is a condition of lawless abandon. The inconsistency of a precept of natural law for Hobbes will be discussed further later in this chapter.

The Hobbesian precept of natural right as the preservation of self-interest should be distinguished from sheer ethical egoism, since in his account this primitive principle of action lacks ethical content whatsoever. “Right” and “wrong” as moral judgments, and the corresponding principles of social justice, exist only under the creation of legal authority; thus, right and wrong have no force in the state of nature. Even as this unbridled sense of ego leads to states of competitive violence, we are unable to describe this state of affairs as morally wrong. Hobbes writes: “[In this state], this is also consequent: that nothing can be unjust. The notions of right and wrong, justice and injustice, have there no place. Where there is no common power, there is no law; where no law, no injustice” (108). In the absence of authority to render judgments of behavior, humanity remains governed only by a gross amorality that – in Hobbes’ view – is warranted by nature.

And a state of violence is precisely what is, for Hobbes, naturally ordained for the human animal. In his state of nature, the species possesses a relative equality of power to seek and enforce one’s own drives toward the end of self-preservation. This equality of power, as articulated in *Leviathan’s* Thirteenth Chapter, “Of the Natural Condition of Mankind as Concerning Their Felicity and Misery,” doubtless leads to states of extreme competition and a plainly tumultuous life of miserable, frenetic conquest for survival. From an equality of vanity, and relative equality of physical prowess, we see in humanity’s natural state a competition for glory that proceeds directly to war. These states of egoistic enterprise and vain greed are what render men (even in the “savage” state of

nature) an ironically *unnatural* species, a species unable to resolve its ferocity with a sense of community. The nature of the human animal is determined by conflict, rather than confluence, of interests.

Hobbes' first statement of primitive equality of the human species is directly followed by his claim that this equality free from the control of laws will foster a possessive individualism. Nature creates humanity with a relative equality of physical and mental ability, and prior to the establishment of organized government. This primitive equality immediately corresponds to a natural predisposition to violent, selfish enterprise: "Nature has made men so equal in the faculties of the body and mind that...when all is reckoned together the difference between man and man is not so considerable...For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination of confederacy with others that are in the same danger with himself" (104-5). From the primitive drive to preserve natural right comes the tit-for-tat logic of vigilante justice: using might to make right. And, given the relative physical equality of the species, Hobbes imagines subjectivity as conditioned by conflict and defense from the other as viable enemy.

Our natural conceitedness, according to Hobbes, refuses to admit the primitive equality of liberty even as it is in force. Each will think himself superior to the others, and this sentiment is conceived of as having its origin the nature of the person: "For such is the nature of men that howsoever they may acknowledge many others to be more witty or more eloquent or more learned, yet they will hardly believe there be many so wise as themselves" (105). The egoistic pursuit of

accumulation of resources, and the pack-rat intuition to hoard objects and assert power over others, drives a sense of vanity that only ends in fierce competition. Such is the Hobbesian inclination to possess objects of nature, to seek primitive enjoyment to the harm of the other:

From this equality of ability arises equality of hope in attaining our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end, which is principally their own conservation, and sometimes their delectation only, endeavor to destroy or subdue one another. (105)

Our natural desire to acquire and accrue the commodities of life is the foundation for an almost pre-civil right to property. To fulfill one's needs is understood as an isolated enterprise; the individual's endless pursuit of right places the subject in primitive conflict with others.^{xxv} We reside in nature in perpetual fear under this view of the other as threat, competitor or natural enemy. Natural right (understood as the liberty to pursue self-interest and egoistic pleasure to no end) places us in a condition where we may lay claims as long as might enforces that claim:

“naturally every man has a right to every thing...as long as this natural right of every man to everything endures, there can be no security to any man” (110).

Under this view, life is perpetually conditioned by the threat to violence at the hands of the other. The endless pursuit of our primitive pleasure, by acquiring and

hoarding commodities for purely selfish ends, feeds the sense of terror of the other. In this stage of life, we do not keep company with ease. The primitive human enters as a figure that seeks to invade and overthrow one's fleeting and uncertain position.

From this fear of the other in the state of nature arises the fear not only of man's own nature, but also of the vast insecurity of the other's sense of vain conquest. Hobbes asserts a primitive insecurity and violence experienced at the hands of nature. The "natural" drive to seek pleasure culminates in an unhindered licentiousness of the species, and places us at odds with any concept of naturally-ordained social behavior or communal life. In Hobbes, there is no bliss in life prior to government; instead, the state of nature is state of fear, a state of mutual distrust that prevents even the basest egalitarian contracts of exchange. We fear shared labor or contracted agreements with the other, since there is no authority to enforce these contracts: "men have no pleasure, but on the contrary a great deal of grief, in keeping company where there is no power able to overawe them all" (106). Our species being under this narrative renders us natural sociopaths. The human animal is driven by the vain pursuit of power, and his pleasure is found in the glory of conquer and dominion, the ability to cheat and deceive for egoistic gain. Such is the infamous "war as is of every man against every man," the insecurity of life without authoritarian subjection.

The life of man in nature is conditioned by violence and loss "without a common power to keep them all in awe" (106). Existence in natural condition of humanity, conditioned by egoistic enterprise, lacks the opportunities for progress

that determine the quality of life in culture. Conceiving of humanity's natural existence as essentially solitary, Hobbes offers a rendition of subjective experience in nature where each individual lacks the impetus for social relationships or the shared labor of cooperative living. By placing the pre-civil human in a literal dark age of the species, nature becomes viewed as a fantastical and horrifying condition of idle repetition. As he writes, "In such condition, there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth...no arts; no letters; no society; and, which is worst of all, continual fear and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short" (107).

Nature is thus, for Hobbes, a state of primitive terror and restless competition. Humanity in nature lacks a natural community or sense of time, and is naturally disinclined to the company or aid of others. Industry and cultural inventions are thwarted for the incessant struggle for survival. Without the burden of social convention, human nature is cursed to brutality and governed by a predisposition to species antagonism, to be repressed and controlled only by artificial law.

The ideology of natural life as unable to defer immediate gratification for a group sense of industry stands in direct contrast to the vision of pre-political life in *Republic*, where the social impetus arises from the recognition of the mutual need of the species. The Hobbesian brute, unable to form agreements or form rudimentary social structures, is the polar opposite of the Platonic state as an extension of our naturally reliance on others. According to Plato, the state arises

not from the fear of the other's brutal sense of ego, but instead from the recognition that "none of us is self-sufficient" (Plato 1992, II 369c). The acknowledgment that the other can aid in the fulfillment of one's essential needs, by virtue of a rudimentary trade and specialization of labor, is the driving force behind the move to social life: "And because people need many things, and because one person calls on a second out of one need and on a third out of a different need, many people gather in a single place to live together as partners and helpers" (II 369c). Our first social interactions of exchange initiate a primal social network, marking a moment of joint benefit from shared labor. Primitive cooperation, then, is what moves the individual from nature to culture. The natural inclination to form reciprocal relationships of dependency is the true grounding moment of the polis in the *Republic*.

The Hobbesian state of nature stands out for its fundamental concept of the "natural" or pre-civil person as hostile, disinclined to association, and lacking an ethical instinct or sense of obligation toward others. However, for Hobbes, one should and could not render a moral judgment on life in nature, just for its pre-ethical status. Principles of justice are notable in humanity's natural condition only for their absence: "Justice and injustice are none of the faculties neither of the body nor mind. If they were, they might be in a man that were alone in the world, as well as his senses and passions. They are qualities that relate to men in society, not in solitude" (Hobbes 1958, 108). Since we lack a constructed moral code, we lack a restriction from brutally destructive behavior, and the capacity to render moral judgment on behavior.

Our inability to lay claim to objects, indeed our lack of independent subject-status, makes the state of nature a place where claims to property are nonexistent: “there be no propriety, no dominion, no *mine* and *thine* distinct; but only that to be every man’s that he can get, for as long as he can keep it” (108). Thus, these hypothetical conditions warrant our removal from nature, primarily from fear of our own death and the convenience of self-preservation governed by the punishment from external authority. By associating nature with savagery, antipathy, and unbridled egoistic conquest, Hobbes necessitates the creation of the absolute sovereign as the saving grace of our intrinsically selfish species.

Thus, Hobbes develops a concept of the person as fundamentally savage, uncooperative, and unable to control violent passions in the face of others. It is the natural liberty to seek self-preservation – to continue and enhance one’s own life at all costs – that is the primary motive for human behavior. This liberty leads directly to states of conflict and egoistic competition. Recognizing the other as equal in force or ability does not lead the subject to depend on the other for the fulfillment of needs; rather, life in nature is governed by fear of the subject’s ability to exercise his natural right to excess, for the simple fulfillment of one’s will to power, the drive for glory. The fear of loss and death does not result in states of timidity or seclusion, despite our reclusive tendencies. Nature erupts into bitter and unproductive conflict as individuals enforce their respective right to self-preservation to no end.

Understanding life in nature as not only uncooperative, but inherently destructive, the nature of the human person prior to civilization is conceived with

bloodlust. Life in nature is condemned to technological and cultural stasis. Our transition from civil brutality to reciprocal dependency in civil society is, paradoxically, born from the enmity that warrants group submission to absolute rule. The primary factor contributing to the betterment of the human subject, for Hobbes, is the desire to leave nature, and with it the savage nature of the human condition. We relinquish our primitive right in artificial agreement, removing the prejudicial violence of vigilante justice, and abstracting away the brutal condition of nature for the uniformity of formal authority. That is, we submit to artificial authority for our own good.

Nature as paradox: Natural law and artificial covenant

Hobbes introduces the commonwealth as the universal remedy to the bestial life of nature. As the species desires security and lacks the restraint for its unhindered sense of dominion, we are driven into government for the sheer end of security. Under a government, we achieve the *telos* of humanity: the “final cause, end, or design of men, who naturally love liberty and dominion over others...[is of] getting themselves out of that miserable condition of war which is necessarily consequent, as has been shown, to the natural passions of men when there is no visible power to keep them in awe and tie them to fear of punishment to the performance of their covenants and observation of those laws of nature” (Hobbes 1958, 139). The two principle natural laws, which are precepts derived from reason,^{xxvi} consist of the following rules: first, that “every man ought to endeavor

peace, as far as he can hope of obtaining; and when he cannot obtain it, he may seek and use all helps and advantages of war;” and second, “that man be willing, when others are too...to lay down this right to all things, and be contented with so much liberty against other men as he would allow other men against himself” (110).

Though the impetus to surrender “natural right” is justified by “natural law,” the two most clearly conflict in that our natural right seeks only what improves one’s position with complete disregard to the existence of others, and the “laws” of nature (enforced, again, only by an artificially created covenant with others) removes us *from* nature and binds us to fulfill a mutual compact. If nature, itself, is the origin of the first laws of a polity, why is it that “covenants without the sword are but words, and of no strength to secure a man at all” (139)? One should say that if these laws of nature truly existed and truly intended peace, we wouldn’t need the enforcement by artificial punishment to *make* them exist. Laws of nature should not depend on artificial authority for their actualization.

Our goal to live in the commonwealth, and to live in consistency with the proposed natural laws, is (in a seeming paradox of logic) thus conceived as an unnatural pursuit. Though the laws of nature give savage humanity an ethical foundation in Hobbes, “doing to others as we would be done to,” these laws of nature are only put into force by the fear of punishment since they violate natural drives: “without the terror of some power to cause them to be observed, are contrary to our natural passions, that carry us to partiality, pride, revenge, and the

like” (139). These laws as principles of action are warranted by nature, but natural life is oddly exempt from their control.

For the sake of consistency, it is a conceptual problem how one is to reconcile the existence of Hobbes’ “laws of nature” with his earlier association of human life in nature as a condition of lawless anarchy. Again, the life of humanity in nature is understood as a life of brutish animality, an anti-ethics of natural violence and pursuit of passions: “The notions of right and wrong, justice and injustice there have no place. *Where there is no common power, there is no law; where no law, no injustice...* Justice and injustice are none of the faculties neither of the body nor mind. If they were, they might be in a man that were alone in the world, as well as his senses and passions. They are qualities that relate to men in society, not in solitude” (*emphasis mine*, 108). As justice and injustice are not natural faculties of the human species, we must find some other for these social principles. Thus, the laws of nature gain their force from some source other than human nature: the will of the divine, the principles imposed by arbitrary authority, or the mutual agreements of artificial contract. It makes the least sense for Hobbes to place the origin of laws in “nature” itself conceived of in terms of the natural world, since the life of the species in nature is imagined as solitary violence.

Yet for Hobbes, natural laws are explicitly derived from the force of reason, which are absent in nature and in animal life in his theory. If reason begets the “Laws of Nature,” then one must read these laws consistently with the origin of laws in Hobbes’ account of reason. In his chapter “Of Reason and Science,” Hobbes identifies reason as the capacity for conceptual thinking, construed as a

process of addition and subtraction, or consideration of the whole from various parts. Reason is also aligned with the ability to think beyond the presented reality, for the hypothetical imagining of possible consequences: "...which, if it be done by words, is conceiving of the consequences of the names of all the parts to the name of the whole" (45). For political laws, reason is nothing other than the "add[ing] together *pactions* to find men's *duties*, and *laws*...and facts to find what is *right* and *wrong*...In sum, what matter soever there is place for *addition* and *subtraction*, there also is place for reason" (45). If laws are understood through a process of accumulation, and the consideration of the whole of possible moral standards, then I would venture to say that there is a precursory marketplace of ideas in force in the Hobbesian conception of reason. The creation of laws is a process resembling the dialogic structure of proposition and counterproposition – the combination of ideologies for the discernment and enforcement of those standards. Thus, for the laws of nature to be laws of reason, they must not gain their force by arbitrary authority or by divination, but by consideration of the variety of possible actions, possible restriction on agency in the form of laws, and the consequences of enforcing these laws.

We must recognize, then, that Hobbesian natural laws, rather than being contradictory to his conception of natural right, may be conceived as the product of reasoned deliberation; the consequence of argumentation to establish rules of behavior. Hobbes points to nature as an absolute authority for the laws, even as he recognizes their origin in reason. The "science of the [natural] laws" are identified with the process of reasoning through moral philosophy, yet he still maintains the

claim that the laws of nature are unchanging and absolute: “The laws of nature are immutable and eternal, for injustice, ingratitude, arrogance, pride, iniquity, acceptance of persons, and the rest could never be made lawful” (131). Thus for Hobbes, the laws seem to have absolute or unquestioned status as universal precepts of reason, even as reason is explicitly understood as the ever-evolving process of accumulating ideas.

Further, if the laws do not exist but under the creation of common authority to enforce those laws, then in the state of nature the concept of “natural law” becomes contradictory or meaningless. For Hobbes, one must assert that the “nature” of man is a state lacking ethical content, but also one where man gains a sense of justice only by the force of his consensual surrender of the natural right to the mutual bind of willful covenant. The process of this transition from lawless abandon to existence under laws is left opaque, to be found by the force of reason post-polity. The state of nature remains in Hobbes as a duplicity of being, a metaphor for the subject’s primitive inheritance where humanity seeks its natural drive to self-interest with savage states of violence, and simultaneously ignores the ordained precepts to seek peace when possible.

If we are to take these natural laws to come to fruition by the force of reason, then even in the Hobbesian account, these laws are the aggregate or sum process of deliberation. Natural laws cannot simply be “found” or intuited from nature; rather these natural laws, like all laws, originate in an artificial process of deliberation and contradiction of opinion. Reason is defined in Hobbes as a dialectical procedure of reckoning, and the political laws are simply derived by

that process. It follows that the “laws of nature” should just be equated to the laws produced by the civil process of debate.

Savage man, civil battles

The Hobbesian tale of nature is one where the brute state of humanity, comparable to a brute, acultural stage of life, is constructed as a state of violence as each member seeks unhindered fulfillment of self-interest. This interpretation serves to necessitate a distancing of the human species from the potential chaos of nature, and to mandate a sense of control and domination over the uncivilized world. Yet, there is a fundamental contradiction in the Hobbesian state of nature, in that it has nothing to do with nature in the least.

One may justifiably object that Hobbes is offering a blatantly odd understanding of nature, and wonder what species exists with a “natural” force that predisposes the species to violent disarray and destruction. Certainly such an inclination to violence seems at odds with modern conceptions of biological destiny: the state of nature is inconsistent with the behavior that would foster the survival of the species as a whole. And, further, why does our sense of natural right conflict with the primary laws, themselves originating in nature?^{xxvii}

Hobbes relies on an understanding of human nature and the natural condition by virtue of supremely artificial sentiments: conceitedness, a sense of egoistic superiority, property ownership, claims to advanced intellect or wit. In depicting “natural” or “savage” states of humanity, Hobbes continually describes

civil battles: the accumulation of wealth, the jostling for positions of power, or the claim to “other men’s persons, wives, children, and cattle” (106).

Hobbes explicitly addresses the objection that may be mistaken about his depiction of the natural life of the species. He writes:

It may seem strange to some man that has not well weighed these things that nature should thus dissociate and render men apt to invade and destroy one another...Let him therefore consider with himself – when taking a journey he arms himself and seeks to go well accompanied, when going to sleep he locks his doors, when even in his house he locks his chests...Does he not there as much accuse mankind by his actions as I do by my words? (107)

Here Hobbes defends his view that humanity is primarily governed by distrust and suspicion of the other, but only as the species exists under the protection of the laws. But in his response to the objection, he reveals a serious tendency to conflate conditions of nature with those of civilization. Hobbes assumes that it is a “natural” characteristic of humanity that is the cause of this distrust; for him, it is just the product of natural fear of the other, by virtue of the violence self-preservative liberty. But in this token example of natural distrust, it is quite explicitly humanity under the conditions of a civil order that was depicted. Certainly laws protecting claims to private property are pointless in the state of nature, a condition in which there is “no *mine* and *thine* distinct” (p. 108).

This evidences the circularity of Hobbes' attempt to justify the natural condition of human life with the circumstances of a particular vision of political life.^{xxviii} Thus this example – in which man fears man, and one does not trust “laws and public officers, armed, to revenge all injuries” (107) – is just a representation of human life post-contract, outside of the conditions of nature, and after the invention of legal authority. It is distrust of the government's inability to effectively enforce artificial laws, rather than the distrust posed by the generalized threat of “human nature,” that is at the core of Hobbes' accusation of human nature. Still, it is this understanding of human nature that is the central to justify the willing submission of primitive right to a new form of sovereign authority. One might agree with Rousseau, then, in his assertion that for those who examined the foundations of society, “continually speaking of need, greed, oppression, desires, and pride, transferred to the state of Nature ideas they had taken from society; they spoke of Savage Man and depicted Civil Man” (Rousseau 2005, 132). Imagining the basest character qualities of humanity in culture, Hobbes indiscriminately assigns these artificial desires to the natural condition of the species. This lends a vast uncertainty to the Hobbesian understanding of the human animal, and the interpretation of the human species as distinguished by its violent drive for self-indulgence.

It should be noted, too, that Hobbes explicitly limits his claim that the state of nature is a universally experienced stage of human existence. Hobbes concedes that his hypothesis of the incessant war of nature “was never generally so all over the world; but there are many places where they live so now” (108). As

perturbing evidence of this proposed life in the state of nature, Hobbes points to the Native American populations, who he believes live outside the domain of laws and “except the government of small families, the concord whereof depends on natural lust, have no government at all and live at this day in the brutish manner as I said before” (108). Hobbes relies explicitly on the creation of the naturalized other as a vision of brutish savagery, and ironically this other lives exempt from the force of even the Hobbesian natural laws.^{xxix}

Resting on the shoulders of the “lawless native,” Hobbes’ depiction of human nature as prone to chaos is highly specious and fraught with colonial ideologies that view tribal populations as ungoverned, brutal, and lacking cultural significance. The universality of his account of the law of nature is thwarted with reference to specific human populations, and it is clear that if we are to see communal or cooperative structures outside of contract, Hobbes has offered an unclear or inaccurate concept of natural right. Since these populations did not live in solitary states of violent anarchy, Hobbes’ account of natural life as uncooperative, individual enterprise exists solely as a convenient fiction.

Instead, Hobbes conflates human nature with a descriptive account of political agitation during times of political revolution and civil unrest. Existence in nature is a metaphor for the potential deterioration of the social order, a trope which correlates “what manner of life there would be where there were no common power to fear,” with the “manner of life which men that have formerly lived under a peaceful government use to degenerate into in a civil war” (108).

The assertion of primitive violence of the human condition functions as a scare tactic for Hobbes, justifying the willing submission for fear of social decay.

The lawless condition of nature, then, is primarily a metaphor that Hobbes relies on for his justification of a specific vision of civil authority: the establishment of an absolute sovereign, the creation of the Leviathan as protector of the commonwealth. The quality of the brutality of rule would only be displaced on a uniform regulator, whose authority is conceived of as absolute on the condition of protection of self-preservative right.^{xxx}

But we may rightly ask if humanity ever existed in such a state, and indeed if this representation of human nature is nothing but a hypothetical reasoning of the conditions of specific human populations obsessed with independence and conflict. Hobbes himself justifies his appraisal of the human condition by pointing to post-natural forms of government: “in all times kings and persons of sovereign authority, because of their independency, are in continual jealousies and in the state and posture of gladiators” (108). It is specifically these artificial jealousies and this sense of egoistic superiority that Hobbes imagined were at the heart of the natural condition of mankind.

Yet, quite ironically for Hobbes, the fear of life under the “natural condition” has everything to do with resistance from political control, the problems of social inequality, and the will for freedom from tyrannical subjection under government. The desire for absolute political power, mastery, and “dominion over others” is what drives this logic of usurious relationships of political domination, but there is no evidence beyond sheer speculation that these

desires have their root in nature. One must at least recognize that these drives seem to mimic the toils of a particular social struggle, and this they may have little to do with life in nature if we are to imagine “nature” as a state governed only by solitude or relationships of reciprocity with natural resources.

Hobbes’ account of human nature, then, has little to do with an understanding of nature itself. Instead, it is primarily an account of the tendencies of a people who fear the subjection to ineffective government, and the conditions that permeate a culture obsessed with the accumulation of wealth and power. It seems, then, that Hobbes was lacking to the extent that he did not reach humanity’s nature, and to which he claimed that life in the pre-political state of nature would be determined by utterly artificial and civil pursuits.

Further, Hobbes explicitly distances the human animal from the nonhuman animal world, but only because of his over-reliance on the tendency for egoistic violence and primitive antipathy of the human species. This tendency has less to do with the nature of the species than the artificial inclinations for accumulation of wealth, aggregation of property and claims to power that structure the life of the species after the artificial desires of civilization. His interpretation of the animal as ontologically distinct from humanity is rooted in his prejudicial association of human life with competitive selfishness, and his inability to recognize the inherent social tendencies present in natural life.

Hobbes’ animals: Social beasts and speechless brutes

The human animal, for Hobbes, inhabits an existence that is distant from the life of the nonhuman animal world. Under Hobbesian ontology, too, the human (even in his tendency for “brutish” behavior) is proposed as the supreme anti-animal, a foreign being that with no residue of its natural inheritance, no similarity to the cooperative species life of nonhuman species. Humans, for Hobbes, are not a civil species. It is out of threat of life and limb that humanity submits political control; otherwise, as has been argued, man’s unbounded sense of primitive ego goes unchecked, as does his natural liberty to every thing he encounters (109). Hobbes justifies this radical separation from the animal world with the blanket assertion that animals lack the capacity for reasoning, again understood as the process of deliberation, the accumulation of ideas or linguistic reckoning. Hobbes’ animals are outside the domain of morality since they lack the linguistic capacity to become signatories of the social contract, the agreement that establishes concepts of justice that governs political life.

Since the nonhuman animal is understood as a speechless brute, he will unfortunately find himself outside of the ability to make claims to rights. This silence renders the animal exterior to protection of the social contract. “Animal rights” occupy an impossible space in Hobbes; it is only the inability to assert these rights that defines the amorality of animal life. Under his proposal, rights may originate in nature – as the natural liberty to preserve one’s life – but these rights come to fruition when they are explicitly recognized by verbal speech, or by their transfer and ability to make claims on others. As Hobbes writes:

No covenant with beasts: To make covenants with brute beasts is impossible because, not understanding our speech, they understand not nor accept of any translation of right, nor can translate any right to another; and without mutual acceptation there is no covenant. (116)

The covenant that enforces the authority of natural law is authorized by consent of the species. So, too, when the species transfer the primitive right of self-preservation to the sovereign: it is a covenant that gains moral force because it is consensual. The transfer of rights that characterizes the origin of the political order is a move that must occur through explicit agreement: “not understanding our speech,” animals lack the capacity for protection under the laws.

Still, there is ambiguity over whether animals may *possess* the Hobbesian natural right as a capacity governing behavior, even as they lack the capacity to “translate” the right or transfer it through linguistic communication. Indeed, the Hobbesian natural right to “preserve one’s nature, to preserve one’s life” is fundamentally equivalent to the Darwinian principle governing survival of the species. Natural rights clearly find their foundation in nature, but nature as a conceptual first cause remains imprecise. If the liberty governing sentient life originates in nature, then it seems conceptually inconsistent if this right does not extend to nonhuman animals.

Curiously, Hobbes recognizes the animal as a distant ancestor, and as one with a social life surpassing that of primitive man. His consideration of the

qualities of nonhuman animal life occurs immediately prior to his sections establishing the origin and generation of the commonwealth, as evidence of the distinct nature of the artificial polity. The transfer of the right of nature, the precise move that creates the sovereign, rests on the removal *from* nature: the separation of humanity from nonhuman animal life.

The social animal is a glaring problem for Hobbes. If there exist species without speech or the process of “reason” that naturally establish social arrangements and mutual relationships of reciprocity, then how did the natural sense of brutality and vanity emerge? Since the inclination to create the polis originates in the desire for artificial security, it is necessary to distinguish the human animal from the species that naturally form social arrangements or live in relatively harmonious states of symbiosis. Hobbes takes it as his task to explain, “why certain creatures without reason or speech do nevertheless live in society, without any coercive power,” offering an ideological separation between man and animal to justify the peculiarity of our savage and solitary species (141).

The problem of humanity as an antisocial species places Hobbes at odds with the Aristotle’s *Politics*, which established that many species are naturally political (humanity among them). Hobbes writes:

It is true that certain living creatures, as bees and ants, live sociably one with another – which are therefore by Aristotle numbered among political creatures – and yet have no other direction than their particular judgments and appetites, nor speech whereby one

of them can signify to another what he thinks expedient for the common benefit; and therefore some man may perhaps desire to know why man cannot do the same. (141)

Hobbes begs the question with his six-part reply to the objection that he may have fundamentally misunderstood the human animal as naturally antisocial. To the possibility that humanity is the quintessential “political animal,” Hobbes simply reaffirms his assessment of the natural human character: brutish, vain, bound by jealousy and competition. He writes, “...men are continually in competition for honor and dignity, which [other] creatures are not; and consequently among them there arises...envy and hatred and finally war, but among these not so” (141). Bordering on a viscous or irresolvable circularity of logic, the proposition that natural humanity is conditioned by a subjective solipsism of rights is left unfounded.

From the blind assertion of the human animal’s fatal flaw – self-awareness understood as vain egoism – Hobbes portrays humanity as a stand-alone among animal species. The cooperative labor of nonhuman animal life is the most unnatural labor for the human animal. And, the animal’s natural preparedness for political life greatly surpasses that of the human, whose primitive interests detach him from social interests and place him at odds with the common good: “Among these [political] creatures the common good differs not from the private; and being by nature inclined to their private, they procure thereby the common benefit. But man, whose joy consists in comparing himself with other men, can

relish nothing but what is eminent” (141). The human animal, for Hobbes, does not naturally possess an intuition for political life – the social impetus is strictly artificial. And as each seeks to be recognized as superior, by comparing oneself with the others who possess the same degree of primitive right in nature, primitive equality is overthrown for the desire to be perceived as unique. The human animal is defined by an extremism of private will, a detachment from the political identity that is widespread in the Hobbesian social animals.

The interpretation of human nature as fundamentally detached from cooperative labor stands at odds with the account of human nature as animal pedagogy in *Republic*, where the nature of the guardian class (combined with an adequate and rigorous instruction) permits them to identify their well-being with the overall flourishing of the polity. The Platonic ideology of the guardian as watchdog and protector of cultural creation finds that humanity’s political virtue is to associate one’s private will with the fulfillment of common ends. Hobbes’ human animal is a different type of creature all together: the primal human is struck with anxiety when in the company of others, as human nature is understood in terms of primitive narcissism and detachment from the whole of the species. One’s self-preservative drive evolves into a self-love that makes humanity outside of the polity unable to coexist peacefully with others.

Since it is not enough for the human animal to exist in a relative equilibrium of mutual equality of right, the individual human subject prior to contract must continually strive to control others, to establish one’s eminent authority. The concept of a private self, individual rights and an unrestricted,

private domain of life are given primacy in the natural condition of the human species; this reading not only detaches primitive humanity from an intuition for participation in community life, but also fosters the false sense of superiority to other members of the species. It is this primitive sentiment of eminence that has its end in destructive malfeasance, unique to the nature of Hobbes' human animal.

The animal's lack of reason and a formal system of language is advantageous to the social nature of the species, since for Hobbes it is through reason that humanity finds itself at odds with the life of the community. Reason, then, is not a productive or beneficial process, but is pessimistically understood as the origin of conflict. As Hobbes writes:

[T]hese creatures – having not, as man, the use of reason – do not see nor think they see any fault in the administration of their common business; whereas among men there are very many that think themselves wiser and abler to govern the public better than the rest, and these strive to reform and innovate, one this way, another that way, and thereby bring it into distraction and civil war...man is then most troublesome when he is most at ease, for then it is that he loves to show his wisdom and control the actions that govern the commonwealth. (141-2)

The primitive turmoil of collective disagreement originates in the will to power, the desire for dominion and mastery that is endemic to the human species. Prior to

the establishment of a common authority, primitive life is governed by general disarray; knowing not their common good, humanity's primitive vanity will render the first political structures most susceptible to destruction as a primal struggle for dominance goes uncontrolled. Still, there is a conspicuous recurrence of civil battles where Hobbes explicitly claims to depict humanity's pre-political condition.

Further, the capacity for language is viewed less as a competency for the human animal than it is a tool for deception and trickery, a key to absolute mastery. Animals do communicate, according to Hobbes, but only by virtue of offering a base announcement of desire, making one's needs known to others of the species. Animal affect, though, is a clearer and more honest communicator for primal need than is language, since for Hobbes language is unique only insofar as it gives humanity the ability to distort reality for selfish motives. Hobbes writes:

[T]hese creatures, though they have some use of voice in making known to one another their desires and other affections, yet they want that art of words by which some men can present to others that which is good in the likeness of evil, and evil in the likeness of good, and augment or diminish the apparent greatness of good and evil, discontenting men and troubling their peace at their pleasure.

(142)

Thus the power and originality of the faculty of language is understood as an art of deception, the ability to misrepresent the nature of good and evil to others that results in their collective dismay. Rather than a community reliance of dependency or collective fulfillment of desire, language is what disrupts the trust of the species. Good and evil as self-fulfillment, then, are nothing but the potential to accrue the commodities for pleasure and the avoidance of losing one's position or basic possessions. Humanity's ability to manipulate through words, to accumulate more than a fair share through presenting a "likeness of good," then, is what perpetuates states of conflict.

Further complicating his account of language as a faculty that distorts the nature of good and evil is how one might reconcile the existence of what might be called "good" and "evil" with Hobbes' earlier claim: for in the conditions of state of nature, "the notions of right and wrong, justice and injustice, have there no place" (108). The state of nature remains a marginal ethical space, where our sole imperative is to amass goods for the excess gratification of desire. Good and evil have meaning in terms of this fulfillment of egoistic enterprise, yet right and wrong as normative judgments of behavior do not.

In his final statement of the particularity of the species, Hobbes distinguishes humanity as the "artificial animal," the single species whose sense of community goes against its own nature (vii). Again, the inclination of animal species for cooperative labor is natural, while "that of men is by covenant only; and therefore it is no wonder if there be somewhat else required besides covenant to make their agreement constant and lasting, which is a common power to keep

them in awe and to direct their actions to the common benefit” (142). Lacking the security of a police state, then, the natural condition of humanity is understood as unbearable, as the human animal has no authority to govern its ferocity, and no drive to contribute to a joint sense of good. Here, too, one should recognize the circularity with which Hobbes justifies his understanding of human nature prior to government: the state is not natural for the species just because its origin is artificial. The problem of humanity as an organic or naturally social species is deflected for competitive egoism, an understanding of human nature as conditioned solely by private interest. Hobbes’ defense reasserts the presumed uniqueness of kind of the character of the human animal.

Nature, then, is understood as a place of turmoil for humanity, a past stage of existence that represents savagery, violent individualism, and cultural stagnation. The transition into political life is a stark contrast to the vision of life in nature; an unusual brutality is attributed to the human organism. The Hobbesian state is borne from a distancing from the natural instincts of the human species, understood as a repression the base faculties of egoism for collective protection. The human animal surrenders its search for dominion over others to artificial authority, to reduce the constant labor of protecting one’s natural right. The move to society, as a group agreement, ensures self-preservation by placing the authority to punish in the hands of sovereign power.

Further, the human animal’s activity is understood in Hobbes as a generalized, persistent search for each member’s private, personal welfare. Cooperative labor and the specialization of labor with agreements of trade are

impossible in the Hobbesian state of nature. This understanding jettisons the nature of the human animal from the potential for peaceful relationship with others, let alone mutual agreements serving to enhance the efficiency or productivity of the species. It is only the artifice of agreement that causes humanity to walk away from nature, a move that creates the state as a solution to nature. The polis exists with the sole purpose of moving the subject away from the frenetic, egoistic enterprise and persistent fulfillment of immediate desire that is envisioned in the life of nature.

Hobbes' reading of the human animal as apolitical is a deliberate, and perhaps baseless, division of kind grounded on a presumed anti-social instinct that governs human behavior. The fear of nature should be understood not as a fear of the lawlessness of the animal or natural world, but as the fear originating from his account of the insatiable viciousness of the human character: the fear of human nature, itself. Humanity's primitive violence, then, is what establishes the human species as fundamentally distinct among animal life. For Hobbes, human nature is lacking the drive for primitive cooperation evidenced by social species. But, looking to the political life of animal others, one may rightly pursue the question posed by the Hobbesian objector: Why couldn't it be so for the human species? Is it necessary to distance the human animal in this way, to claim an ontic obstinacy of humanity? In addition, if these nonhuman species have a primitive intuition for social arrangements, what of the violent force of "natural right" that drives the competitive preservation of individual life and selfish fulfillment? Does this right not exist for the nonhuman animal, and if so how do we account for their political

arrangements? For Hobbes, the polis is an artificial invention that moves humanity away from its natural inclinations; but it could equally be considered an extension of humanity's natural sociality, a reading which would unsettle Hobbes' account of pre-civil life and the nature of the human animal, itself.

Unearthing Locke: Nature owned by “natural law”

Given the prominence of nature in his concept of property, one would be remiss to neglect John Locke's significance in shaping our understanding of the animal. Locke's explicit critique of patriarchy, seen throughout his *First treatise*, is intended to serve the laudable goal of removing humanity from a state of political servitude and unquestioning obeisance. Similar to the argument of *Leviathan*, Locke's text stands as a pillar of political evolution, as a step away from a concept of social life as sheer obedience, and toward the voluntary creation of laws – the founding moment of the social contract. Locke's theoretical goal is to propose a viable, alternative political model to monarchy. Thus, it replaces the citizen's passive submission to arbitrary authority with a new sovereignty, borne through the willful and active creation of contract – the voluntary submission to “manmade” authority and mutually founded laws.

Locke's argument against states of slavery, generally conceived to reject all forms of authoritarian subjection, leads him to dethrone the claim that the divine right of kings authorizes possession of the natural world and the others in it. Thus, he opens his *First treatise* with his assertion that, “Slavery is so vile and

miserable an Estate of Man, and so directly opposite to the generous Temper and Courage of our Nation; that 'tis hardly to be conceived that an *Englishman*, much less a *Gentleman*, should plead for't" (Locke 2005, 141). It is from a rejection of the force of patriarchy, or the presumed "natural power of kings" toward the voluntary agreement of social contract.^{xxxii} Locke also extends man's slavery in monarchy to the authoritarian control of men over women, a move against the Biblical arguments for chauvinist power: "God, in this text, gives not, that I see, any Authority to *Adam* over *Eve*, or to Men over their Wives..." (174).

Yet, we still see in Locke an appropriation of "Nature" as a force that authorizes inequality between man and his natural world, and which also assigns women the "lot" of sexist supremacy. While women are not subject to the absolute authority of men, she still "...should be subject to her husband, as we see that generally the Laws of Mankind and customs of Nations have ordered it so; and there is, I grant a Foundation in Nature for it" (174). This move reinstates a vision of chauvinist supremacy that finds its origin only in the "laws of Nature." To substitute Nature for God reiterates the fallacy, putting power in the hands of an arbitrary, untouchable, but nonetheless absolute rendering of the power of Nature.

Residual patriarchy aside, in Locke (as in Hobbes) we see a tendency to assign cultural convention to nature. Taking the *Treatises* as a political proposal, one should at least say that Locke was historically apt as a criticism of monarchical control, remnants of feudal control and the nepotism of inherited political power, and as a text that was historic to the extent that it reinforced the

contractarian vision of social power. In the contractarian narrative, political power moves from the inherited sequence of aristocratic or monarchical control to the consent of the governed, ruling authority makes its transition from the wallet to the ballot.

Locke's *Second treatise* explicitly addresses the relationship between humanity and the animal world. The *Second treatise* begins with a rejection of absolute mastery of the world authorized by patriarchy, the culmination of the argument proposed in the *First treatise*:

It having been shewn in the foregoing Discourse, That *Adam* had not either by natural Right of Fatherhood, or by positive Donation from God, any such Authority over his Children, or Dominion over the World as is pretended...it is impossible that the Rulers now on Earth, should make any benefit, or derive any the least shadow of Authority from that, which is held to be the Foundation of all Power, *Adam's Private Dominion and Paternal Jurisdiction*. (267)

Since the authority that authorizes governmental control cannot come from divine providence, we are open to consider the variety of political formations that are based, rather, on the rational power of democratic citizens, forming union by mutual consent.

In a moment of unbounded sentiment, Locke gestures to Richard Hooker's *Ecclesiastical polity* to speak of the common nature of men to seek each other's

welfare. Under this view, the original ethical instinct to abide by moral duty arises from a foundation of “mutual *Love* amongst men,” which editor Peter Laslett notes may have been more to “lend respectability to his position and to turn the flank of his opponents, especially the good churchmen amongst them” (2005, 270). Still, it is important to note how Locke alludes to bonds of love, as a sentiment grounding the political wellbeing of citizens, as a force that binds our first ethical intuitions. What becomes clear is that the Lockean human animal is not a subject with misanthropic tendencies; natural right does not command battles for authority ending in violence or death. Instead, humanity’s life in nature is distinguished from states of war, as nature is understood as the origin for the social instinct and cooperative behavior, even outside of the constraints of governing power.

The social intuition: From primitive association to collective right

Locke takes the relative equality of each member of humanity to be based in a common order of men authorized by the state of nature. In this pre-political stage of the human narrative, “all Men are naturally in... a *State of perfect Freedom* to order their Actions and dispose of their Possessions, and Persons as they think fit... without asking leave, or depending upon the Will of any other Man” (Locke 2005, 269). Thus, in the state of nature, members of a species have the complete freedom to act unconstrained, similar to the Hobbesian liberty of *natural right* understood as freedom to pursue self-interest unchecked. Yet, for

Locke, nature is also governed by laws of reason, which rather than leaving us in a solipsistic or competitive egoism, endows each individual with an awareness of the needs of others and a resistance to causing harm to fellow members.

In the state of nature, then, each member of the species may pursue the preservation of life and limb so long as that freedom does not defy the rule of “Reason,” which orders a relative noninterference with the affairs of others, and a restraint from harming those others. Just as in Hobbes, the human animal is born into states of relative equality with other members of the species; yet rather than using this equality of ability to wage war for selfish ends, the Lockean primitive human recognizes the intrinsic value and right of the others that share his state.

Locke writes:

[T]hough this be a *State of Liberty*...it is *not a State of license*, though Man in that State have an uncontrollable liberty, to dispose of his Person or Possessions, yet he has not Liberty to destroy himself, or so much any Creature in his Possession, but where some nobler use than his bare Preservation calls for it. *The State of Nature* has a Law of Nature to govern it, which obliges every one: And Reason, which is that Law, teaches all Mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his Life, Health, Liberty or Possessions. (270-1)

This is a small but significant difference in the conception of primitive liberty from that of Hobbes. Natural right is construed as a solitary pursuit of ends with little interaction with others of the species, and in fact, the state of nature is the origin of an ethical intuition toward others. The primitive human exists in a relative state of equality, “sharing all in one Community of Nature, there cannot be supposed any such *Subordination* among us, that may Authorize us to destroy one another, as if we were made for one another’s uses, as the inferior ranks of Creatures are for ours” (271). Though the logic of mastery pervades Lockean theorizing of the nonhuman animal and earth, this same logic does not apply to the original equality of the human-human bond. Primitive humanity is conditioned less by the solitary pursuit of violent self-interest than by primitive restraint; and again, though we need some authority to enforce the “law of Nature,” it is from a recognition of the other’s natural right to live that we see the state of nature as a place of harmony: “And that all Men may be restrained from invading others Rights, and from doing hurt to one another, and the Law of Nature be observed, which willeth the Peace and *Preservation of all Mankind*” (271).

Locke is explicit about the nature of humanity as supreme to “inferior ranks of Creatures,” and in fact gestures to nature as the source and justification for this supremacy. But the human animal, in the life of the species prior to the creation of the commonwealth, is not governed by lawless savagery even where there is no authority to assure uniform governance or the enforcement of moral codes. Rather, the savagery is likened to the potential misanthropic tendencies of

the human animal gone awry. The subject that commits acts of righteous, self-serving violence will be brought to justice under the execution of the primitive right to self-preservation. Thus the “savage,” when understood as the primal human prone to malicious egocentrism, is a figure who has rejected the nature of its species: “every Man in the State of Nature, has a Power to kill a Murderer...and also *to secure* Men from the attempts of a Criminal, who having renounced Reason, the common Rule and Measure...hath by the unjust Violence and Slaughter he hath committed upon one, declared War against all Mankind, and therefore may be destroyed as a *Lyon* or a *Tyger*, one of those wild Savage Beasts, with whom Men can have no Society nor Security” (274). It is not a universal feature of the species, and nor is it a predisposition of human nature, according to Locke, to be governed by primal savagery or an ill-natured egoism that results in states of violence. Rather, it is the attempts to thwart the primitive peace of natural communion that renders the human animal brutish. The human who fails to recognize the other *as* other is the one that initiates conflict; violence is just the product of the intrusion into the rights of others.

Locke uses the bestial or wild animal as a metaphor for humanity’s loss of reason, construed as the natural impetus to form social bonds. As Laslett notes in his introductory chapter, the “brutish” Hobbesian human animal is simply a fantasy. The Hobbesian brute is a representation of the individual who has lost or forgotten his political nature, and rejected the natural principle of peace borne from equal dignity and preservative right: “[A]ny man who behaves unreasonably is to that extent an animal, and may be treated as such. Specifically, any man who

seeks to get anyone else into his power, under his will, denying that this other person is as free as he is because he too possesses reason, refusing to recognize that reason is the rule between men” (Locke 2005, 96). It is the removal of the human from the animal as “Beast” that constitutes the sociality of human life. The force of war as a desire for mastery, then, is the same force that removes the human from the primitive community of his species. Locke writes:

[He who] made use of the Force of War to compass his unjust ends upon an other, where he has no right, and so revolting from his own kind to that of Beasts by making Force which is theirs, to be his rule of right, he renders himself liable to be destroyed by the injur'd person and the rest of mankind...as any other wild beast, or noxious brute which whom Mankind can have neither Society nor Security. (383)

It is the rejection of the dictates of human nature, therefore, that creates the fiction of the cutthroat quality of our species' reputation – the aggressive animality of the nasty, solitary and poor Hobbesian brute.

War, for Locke, is the unnatural consequence of a desire for absolute supremacy over the others of the natural community. The one who attempts to subdue the other into submission without consent will deny the mutual recognition of right. It is, though, the violation of the rights of others is the one who activates humanity's potential egocentrism; he who expresses “an Enmity to

his Being,” rejects “the ties of the Common Law of Reason” and “[has] no other Rule, but that of Force and Violence, and so may be treated as Beasts of Prey, those dangerous and noxious Creatures, that will be sure to destroy him... And hence it is, that he who attempts to get another Man into his Absolute Power, does thereby *put himself in a State of War with him*” (279). The primitive human who rejects his bonds of nature is prone to predatory brutality. In an attempt to overthrow primitive union, one initiates the excess force that constitutes the denial of primitive right.^{xxxii} The one who denies the other’s right to subsist and enjoy the basic liberty of survival is the exception to the mutual recognition of the species, the reciprocity of rights that restrains the undue harm to others.

But, for Locke, this aberrant behavior is not the universal tendency of the human condition governed by nature, nor is it a feature of the “beastial” nature of the pre-political human. It is not that the fundamental nature of the human animal is understood as apolitical or unable to defer egoistic gratification, but rather the nature of the species permits the drive to form agreements of reciprocity, and thus Locke may possess a rather peaceful concept of primitive social life. Reason, as the unique human property, is the original intuition to social cooperation in Locke. As each human is conceived of as possessing an equality of right, each member of the species looks toward the other as existing in fundamental communion. The primitive acknowledgement of the other as other (as equal possessor of right) glues our joint activity, and forms the impetus for sociality: “the common bond whereby humane kind is united into one fellowship and societie” (383).

For Locke, a pre-contractarian concept of dependency may be witnessed in the state of nature, where humanity does not exist in solitude but has precursory relationships of agreement and exchange. The primitive contract takes the form of natural reciprocation of altruistic aid: “Promises and Compacts, Men may make one with another, and yet still be in the State of Nature” (277). Even absent of the legislation that enforces the fulfillment and possible breach of agreements, contracts of exchange do indeed exist in the natural state.^{xxxiii} It is only for the egalitarian application of principles of justice that the civil government is founded, as a force that replaces the primitive prejudice of vigilante justice. The government’s purpose is to subdue to force of prejudicial self-love and revenge in enforcing the reign of natural right. Such is the impetus to found society, the origin of “Government to restrain the partiality and violence of Men” (276). Our first social structures originate as primarily restrictive, to assure our uniform obligation to natural law.

The Lockean state of nature is theorized, then, as the origin of primitive cooperation of the species; the human animal is not destined by the Hobbesian distinction of kind to be treated as the uniquely apolitical species, or as the species whose nature it is to be left in unproductive solitude. The state of nature does not necessarily decline into state of war. It is only the members of the species that reject the natural drive to avoid harm that fuels the Hobbesian conception of perpetual cycles of viciousness. Even absent of artificial laws, Locke concurs that humanity lives by virtue of the tendency to “*seek Communion and Fellowship*

with others,” and this inclination has no origin by in the nature of the human species. Locke writes:

And here we have the plain *difference between the State of Nature, and the State of War*, which however some Men have confounded, are as far distant, as a State of Peace, Good Will, Mutual Assistance, and Preservation, and a State of Enmity, Malice, Violence and Mutual Destruction are one from another. Men living together according to reason, without a common Superior on Earth...is *properly the State of Nature*. (280)

The state of nature remains a place of primitive peace for the species, a stage of life that is the origin of the instinct to collective labor and group preservation. Governed by a common recognition of natural right, the state of nature is governed by the tendency to avoid interference with the other’s preservation, and even to form mutually beneficial agreements of exchange.

Nature as object in the origin of property

Locke creates the natural world as a state from which humanity finds its origin, but also where one discovers nature’s sheer value from utility for “human” purposes. Nature, itself, is an object to be controlled, but also lays the foundation for an account of primitive justice in the form of natural law. Consistently in

Locke's political theory, the earth, natural resources and nonhuman animal life are conceived only as tools for human appropriation, as their manipulation and possession is simply a product of the species superiority ordained by the divine. Similarly, the "industrious" or "rational" expansion of colonialist land claims is contrasted to the "quarrelsome" or "contentious" relationships attributed to savagery. The assertion of a specific concept of industry governs the acquisition of under-utilized land, and necessitates the agrarian enclosure that is sanctioned by the commonly held, but uncommonly applied, natural property right. The consequence is that humanity's relationship to nature conceived of as a logic of mastery. Humanity's capacity to subdue enforces an absolute logic of appropriation that cares neither for environmental exploitation nor for the banishment of native populations that fail to conform to European agricultural ideologies or individual property claims.

One should recognize that while the human species remains in Lockean equality of right, Locke is relatively unskeptical about the proposition that humanity is given divine supremacy over "the Irrational Animals of the World" (159). Locke grants only that the human-to-human relationship is not one where divinity has destined dominion of one over others, a rejection of the domination of slavery as a valid human condition. The story is far more grim for the animal, which is for Locke the original object of property. The animal lacks intrinsic value in life, but will be given value in death as it is hunted and used for human purposes. Lacking rationality, and the consequently the capacity for reason, the animal does not even enjoy the ethical implications of the laws of nature, the very

laws that enforce the right to subsist among humans. However, for Locke, the animal is indeed recognized as having “a strong desire of Self-preservation” (205). But even given this intrinsic drive for survival, the animal in Locke does not possess a self-preservative right. From this denial of right emerges an argument for subservience through design, through which “Man had a right to a use of the Creatures, by the Will and Grant of God” (205). Humanity’s reason, for Locke, is just “*the Voice of God in him;*” this divine voice of reason authorizes the use-value concept of man’s environmental world. The animal exists as the natural object buttressing humanity’s right to property, since it is just one of the many objects that humanity may possess to extend its self-preservative right: “And thus Man’s *Property* in the Creatures, was founded upon the right he had, to make use of those things, that were necessary or useful to his Being” (205). Thus, even though the primitive human recognizes the limit of his right to selfishly ignore the self-preservative right of others, the same consideration does not extend to nonhuman animal life.

Peter Laslett notes how the animal is the quintessential example of the Lockean right to private property: “This [passage] states Locke’s ultimate justification of property, here typified by property in animals” (Laslett 2005, 205). The ownership of animal life, combined with his assertion that possessions of private property are protected by the law of nature, and his assertion that labor theory of the origin of property is justified by the law of reason, sets in play Lockean conception of earth and world as sheer object of property. Hence, the species possesses absolute dominion over the earth; the natural environment lacks

intrinsic worth and exists only as a space for human utility – one may use and own whatever has the potential to be “necessary or useful” to human purposes.

Further, as the force of natural law is understood in Locke to ground humanity’s first ethical principle – “no one ought to harm another in his Life, Health, Liberty or Possessions” – we find both the diversity of animal life and the unclaimed natural environment itself to be potential objects for human possession (Locke 2005, 270-1). Hence, nature and the animal emerge as potential material sources for human property. It is simply through the service of “natural *Reason*” that nature becomes an object, willingly consenting to submission to the human species (285). Humanity’s ownership of the natural world is an extension of humanity’s naturally-ordained supremacy of kind: “Men, being once born, have a right to their Preservation, and consequently to Meat and Drink, and other such things, as Nature affords for their Subsistence” (285). The right to property – as a right authorized by nature itself – is also the right that authorizes the possession and subordination of nature.

The human subject’s right to property has objective status in Locke, and its irrefutable force is blindly justified by the subservience of nature to use-value – a subservience willed by simultaneously “divine” and “natural” intentions. Even lacking conventional government, the human subject in the state of nature and the surrounding object world relate only to the extent that the latter provides material resource to serve human preservation, and thus nature lacks intrinsic moral value. Still, the natural world exists in common and for shared utility until that moment when it is appropriated:

The Earth, and all that is therein, is given to Men for the Support and Comfort of their being. And though all of the Fruits it naturally produces, and Beasts it feeds, belong to mankind in common, as they are produced by the spontaneous hands of Nature; and no body has originally a private Dominion, exclusive to the rest of Mankind, in any of them, as they are thus in their natural state; yet being given for the use of Men, there must of necessity be a means *to appropriate* them some way or other before they can be of any use... The Fruit, or Venison, which nourishes the wild *Indian*, who knows no Inclosure, and is still a Tenant in common, must be his, and so his, *i.e.* a part of him, that another can no longer have any right to it. (286-7)

The Lockean right to property of nature arises when the common material resources of the natural world are appropriated for private purposes. Even in the state of nature, when men are viewed as “living together according to reason, without a common Superior on Earth,” we have the articulation of a crude sense of property right (280). The right to private property first arises here as a taking away from nature, and removal of fruits and beasts from the collective wilderness and into personal possession – property is explicitly an act of appropriation such that none may make use of the same.

As in Hobbes' deflection to the "savage people of...America" existing in the disarray of pre-political life and bound only by cooperation through "natural lust," the Native American is introduced in Locke as a figure emblematic of communion with nature (Hobbes 1958, 108). Indeed, Locke falls into the cultural ideology of Indian life as the model representative of humanity in the state of nature. Though the Native American lacks the boundaries of physical property and, according to Locke, does not make land claims, it is the labor of his body that creates property from natural resources. In addition, as Locke conceives of the ability to form contracts of exchange freely in nature, the agreements of "property" exchange extends into a population for whom corralling and enclosing land is not understood as an extension of natural right or necessity.

From the original right to bodily integrity – the ownership of one's body as intractable property – comes the force of labor as authorizing ownership over nature. Labor's application to unclaimed material objects and land (as unclaimed, hence still naturally in common), is the original moment of property. Human energy applied to nature through labor is the moment of removal of resources for personal use, the original instance of private ownership. This right to private property is not something that is a product of the social contract, and to make property claims on the natural world does not require the consent of others. As we own our body and person, labor is conceived of as the individual's ability to appropriate objects from common and create natural resources into one's private right. Locke writes:

He that is nourished by the Acorns he pickt up under an Oak, or the apples he gathered from Trees in the Wood, has certainly appropriated them to himself...*labour* put a distinction between them and common. That added something to them more than Nature, the common Mother of all, had done; and so they became his private right... We see in *Commons*, which remain so by Compact, that 'tis taking any part of what is common, and removing it out of the state Nature leaves it in, which *begins the Property*; without which the Common is of no use. (288-9)

Hence, property is the core of separation of individual right from common good. Ownership becomes a matter of expanding one's claims, and private property is born from this primitive land grab. Nature exists in common by primitive agreement, and the natural right to labor authorizes its distribution to individual will. This truly the moment where the human individual finds his ability to make distinct claims on the world and forms his identity through material worth separate from the others of his species. And, this is not a transition that requires the agreement of others, as those others share the theoretically equivalent ability to appropriate nature's resources:

And the taking of this or that part, does not depend on the express consent of all the Commoners. Thus the Grass my horse has bit; the Turfs my Servant has cut; and the Ore I have digg'd in any

place where I have a right to them in common with others, become my *Property* without the assignation or consent of any body. The labor that was mine...hath *fixed* my *Property* in them. (289)

This is the first time in the treatise where the individual gains rights separate from the common preservation of the species. Property becomes the method through which Locke offers a transition from the state of nature and cultural life. This is the also the origin of personal identity through property; the first moment where the subject makes claims to what is “mine.” Self and other become constituted in the ability to claim objects through labor – the exclusive appropriation that removes the right to nature’s resources from others.

What troubles one when reading Locke as a political philosopher is the extent to which “Reason,” foundation of the “Law of Nature,” is appropriated to authorize an absolute mastery over nature and the animal world; and, more perniciously, a mastery over those human others conceived of as living in communion with that natural world. Forms of relating to the earth that do not fall under the contractarian language of property claims are excluded from the protections of right. Thus, it is the enclosure and parceling of land, enforced by contract, that characterizes the Lockean property proviso.

As I have demonstrated, Locke falls victim to the Aristotlean conception of animals and the natural world as subject to the hierarchy of kind in which value can only be understood in terms of use value. As such, ontic and moral worth is reduced to a process of production in which sensuous material resources (and the

animal world with it) can be appropriated by labor to create market value in property. Untouched by human hands, nature itself is worthless. Nature and the environment, prior to the application of human labor, is conceived by Locke as feral nothingness, an untamed world devoid of value and in fact yearning to be put to use by human hands. Hence, nature and the nonhuman animal world is only valued as a tool to individual property, blindly authorized in its application by divine providence. Nature exists as the willing slave to that individual agile and ambitious enough to expand his ability to appropriate it for his ends.

Again, the animal is understood solely as the object of property, and in fact is the representative of the original right to property and product of man's dominion. While the Native American is largely understood as living in common with the earth and remaining in the state of nature, the Lockean property initiates a right to the animal as object of possession: "Thus this law of reason makes the Deer, that *Indian's* who hath killed it; 'tis allowed to be his goods who hath bestowed his labour upon it...And amongst those who are counted the Civiliz'd part of Mankind, who have made and multiplied positive Laws to determine property, this original Law of Nature for the *beginning of Property*, in what was before common, still takes place" (289). Human labor removes the animal in common to private possession. This property right in nature applies uniformly to humanity as a whole, even outside of the written protections of formal law. By placing human energy into the sensuous material world, we mark the objects of nature – and animals among them – as ours.

The appropriation of natural resources and animal life as natural objects of property differs from the egoistic competition for resources that was envisioned in the Hobbesian struggle for survival. In fact, the Lockean right to property through labor does not grant us an unbridled right to accumulate the resources of nature, and is limited both by the requirement to not exceed what contributes to the advantages of life, and the recognition that natural resources must provide for the lives of others. The natural right to property corresponds to an equally binding onus not to waste or exploit the environment through ill-use: “The same Law of Nature, that does by this means give us Property, does also *bound* that *Property* too... Whatever is beyond [one’s use], is more than his share, and belongs to others. Nothing was made by God for Man to spoil or destroy” (290). In an optimistic appraisal of the human drive to amass property, Locke defends his natural right to property with a hopeful sentiment that conflicting property claims will not arise, since “keeping within the *bounds*, set by reason of what might serve for his *use*; there could be then little room for Quarrels or Contentions about Property so establish’d” (290). Under his theoretical ideal of the applied-labor value of nature, one’s ability to garner resources from nature should not interfere with another’s property claims, and further should not lead to overindulgence beyond actual use – lest we violate the natural precept to respect the bounds of our property right. It is little noted how the original Lockean property right, the same right that authorizes humanity’s ability to appropriate natural resources for their enjoyment, has a natural limit. Our right to make property claims is explicitly *not* an exclusive, boundless possession of nature; nor does our right

allow for maximizing consumption beyond actual need, in particular when such excess production requires the destruction or decay of those resources.

Further, the concept of object-ownership fuels an ideology of mastery that expands humanity's claims to land: nature and the earth are objects to be parceled out into real estate, by virtue of the Lockean land grab. The claims to property correspond to the onus of industry, which justifies the possession of land and the expansion of colonialist land claims over those who are not viewed as maximizing the land's use value through excess production. By applying labor to land and staking out property for one's own, this is sufficient to establish that land as being properly held in private ownership. This enclosure of land is done explicitly without the consent of the whole of humanity. Property lines are established by labor, and the accumulation of land is governed solely by the application of labor to land, though each possesses the equal ability to exercise property claims. Preexisting claims to property are warranted by prior enclosure. This view of private property eschews the public for the private, and eliminates the real possibility of land being utilized in the name of the public good:

He by his Labour does, as it were, inclose it from the Common.

Nor will it invalidate his right to say, Every body else has an equal

Title to it; and therefore he cannot appropriate, he cannot inclose,

without the Consent of all his Fellow-Commoners, all

mankind...God and his Reasons commanded him to subdue the

Earth, *i.e.* improve it for the benefit of Life...He that in Obedience

to the Command of God, subdued, tilled and sowed any part of it, thereby annexed to it something that was his *Property*, which another had no Title to, not could without injury take from him.

(291)

This moment marks the invention and necessity of private property, with an explicit limit and with relative noninterference with the claims of others. Still, the earth becomes subdued as a sheer object of our labor, justified by the divine imperative to appropriate nature: “So that God, by comimanding to subdue, gave Authority so far to *appropriate*. And the Condition of Humane Life, which requires Labour and Materials to work on, necessarily introduces *private Possession*” (292). The inevitability of this transition into private possessions is more likely a descriptive account of historical property relationships than an absolute right born of logical necessity.

The initial conditions of property ownership, as an account of the origin of real estate claims, corresponds to a conceptual limit of property: the smallness of men’s possessions and the relative plenty of nature, which buttresses the seemingly inoffensive ideal of private property in moderation.^{xxxiv} Nature is used, in the original Lockean moment of property, to fulfill but explicitly not to exceed utility; the property claims of another are viewed as existing in a relative harmony, as claims are limited by the original perfection and mutual recognition of a concept of need. Where the claims to private property remain modest, little

seen are the occasions of violence or violations of contract that plague the Hobbesian account of property and human nature.

Little is it recognized, too, how the reach of the Lockean property right is limited by the onus to minimize waste. Abuse of natural resources through excessive property claims is understood as an abuse of the precepts of commonly held laws of nature. Our property right is always conditioned by the recognition of the other's need: the prominence of the Lockean Neighbor. One's exploitation or unnecessary appropriation of land or natural resources is viewed not as an abuse to nature itself, but to the natural law that binds the commonly shared and equal potent intrinsic right. Locke writes:

Before the Appropriation of Land, he who gathered as much of the wild Fruit, killed, caught, or tamed, as many of the Beasts as he could; he that so employed his Pains about any of the spontaneous Products of Nature, as any way to alter them, from the state which Nature put them in...did thereby *acquire a Propriety in them*: But if they Perished, in his Possession, without their due use; if the Fruits rotted, or the Venison putrified, before he could spend it, he offended against the common Law of Nature, and was liable to be punished; he invaded his Neighbor's share, for he had *no Right, farther than his Use* called for any of them. (294-5)

The natural right to property is held by the efficient use of land. Even claims to real estate are held by the threshold of waste, and the enclosed land that is not utilized or harvested for production should be constrained by the recognition of the other's need:

The same *measures* governed the *Possession of Land* too:
Whatsoever he tilled and reaped...that was his peculiar Right;
whatsoever he enclosed, and could feed, and made use of, the
Cattle and Product was also his. But if either the Grass of his
Inclosure rotted on the Ground, or the Fruit of his planting perished
without gathering, and laying up, this part of the Earth,
notwithstanding his Inclosure, was still to be looked on as Waste,
and might be the Possession of any other. (295)

The prospect of inefficient or undercultivation can nullify one's property right, even post-enclosure. The possession of the property right for estate claims is enforced by the effective use of that right, toward the end of maximizing production. Land claims are also bound by the requirement to avoid squandering land beyond real necessity, and the waste of perishable objects of production: "*the exceeding of the bounds of his just Property not lying in the largeness of his Possession, but the perishing of any thing uselessly in it*" (300).

Claims to land ownership and material production correlate to a natural limit as we collectively heed nature's commandment to Waste Not. Yet, this still

does not prevent land or the Earth itself from being conceived as a mere potential object of individual property, nor does it remove nature from the logic of mastery and cycles of production that demand its subjugation to ownership and industry. Nature and the Earth are left completely untheorized outside of the Lockean property right and labor theory of value. If land use and appropriation of nature does not conform the contractarian language of rights, then it is viewed as lacking a logical foundation. In bitter irony, the preservation of organic land and any unrefined natural resources may violate nature's own commands: to enclose, possess and appropriate. Until tilled and reaped, nature is worthless.

Efficiency and excess: Expanding man's earthly dominion

The view of nature as sheer object goes hand in hand with the impetus to cultivate the earth for its maximum use value, with little or no concern for sustainable agriculture. The physical land, itself, lacks both material and moral worth outside of its application to human ends. The stipulations of the Lockean land right explicitly promote the drive to expand land claims, to fulfill an ideology of efficient and immediate production. Nature becomes a mythical ideal of unscathed resources, a malleable tool and object, and deters social and environmental relations that thrive on communal land use or the modest environmental reciprocity that promotes natural preservation.

The consequence of this ideology is not only an unfortunate and potentially hazardous relationship to the earth and natural resources (in so far as it

may be labored upon, it is to be owned and used); the Lockean property right also promotes a specific developmental objective that both ostracizes and demeans native populations, as they are viewed as simultaneously human and proto-human, in a sense, man and animal. Locke consistently depicts Native Americans as savage exemplifications of ineptitude in both land use and claims to real property, remaining in the primordial, pre-industrial conditions of life in the state of nature. America, itself, is seen as the vast, untouched prospect of wilderness awaiting appropriation, a hotbed for development. American soil becomes the perfect instantiation of the Lockean proviso to settle and cultivate, and is introduced as the transition from the state of nature to the humble-seeming, hard-won ideal of the Lockean land grab:

For supposing a Man, or Family, in the state they were, at first peopling of the World...let him plant in some in-land, vacant places of *America*, we shall find that the *Possessions* he could make upon himself upon the *measures* we have given, would not be very large, nor, even to this day, prejudice the rest of Mankind, or give them reason to complain, or think themselves injured by this Man's Incroachment...Nay, the extent of *Ground* is of so little value, *without labour*. (293)

The original vision of property ownership is constructed as an idyllic and uncontested staking of claims to real estate. In cases of possible conflict of

ownership, one would just be encouraged to span the vast, underutilized space of wilderness to make new property claims. Our right to real property was only to be governed by a two-part moral imperative: first, one must not abuse the property right beyond legitimate need, and second, one is obliged efficiently utilize the objects of production. These limitations suffice, in Locke's optimistic account, to enforce the pragmatic equality of right and prevent disagreement over property claims. Still, Locke's moral approach toward the earth and natural world is only conceived in terms of owned land. Humanity's sole burden in his environmental relations is to master, claim, and efficiently appropriate objects of nature.

Uncultivated land, itself, was a symbol of the cultural stagnation and lack of value that violates the Lockean imperative to labor: "Land that is left wholly to Nature, that hath no improvement of pasturage, tillage, or planting, is called, as indeed it is, *wast[e]*" (297).

One should wonder whether Locke would have thought that, ultimately, we would live in an entirely owned world. It would be helpful to view this moment, the invention of the contractarian basis for real property claims, in tandem with a critique of the owned nature of physical space in modernity, the displacement of native populations in colonial expansion, and the thoughtless cycles of overproduction and waste that marks our present economy. Such a critique would go beyond the scope of this project.

But the tranquil modesty of the original Lockean land claim does not persist, and as populations grow we see a simultaneous elimination of public grounds or common lands for heightened claims of private property right:

But as Families increased, and Industry enlarged their Stocks, their *Possessions enlarged* with the need of them...and then, by consent, they came in time, to set out the *bounds of their distinct Territories*, and agree on the limits between them and their Neighbours...Whence it is plain, that at least, a great part of the *Land lay in common*; that the Inhabitants valued it not, nor claimed property in any more than they made use of. (295)

In the absence of an explicit limitation on the boundary of individual real estate, land is understood as devoid of utility and open to appropriation. Similarly, too, if earthly inhabitants did not explicitly mark the boundaries of their territory in a method consistent with this moment of the social contract, then the land was actually violating the Lockean onus to cultivate: without labor, there is no use; with no use, no value, and certainly no property.

From this rejection of the value of common, publicly accessible natural space comes a variety of cultural and economic claims that view savage life as unproductive, inefficient and effectively valueless. This view places a universal human burden on the drive to continue to mark territories and claim dominion over physical space. As labor enhances worth, Locke emphasizes the necessity of material wealth, making the production of money and the “overplus” of surplus wealth inevitable conclusions to his concept of natural right.

Locke's *Second treatise* establishes the importance of labor only at the expense of nature, which stands as the valueless other to the contracted land claims that mark the expansion of property. Nature does not provide for life, a specific view of labor does: Locke writes, "if we will rightly estimate things as they come out to use, and cast up the several Expences about them, what in them is purely owing to *Nature*, and what to *labour*, we shall find, that in most of them 99/100 are wholly to be put on the account of *labour*" (296). Even in his quasi-historical account of development, we do not escape the necessity of forms of production that merely subsist off of nature's products: "Men, at first, for the most part, contented themselves with what un-assisted Nature offered to their Necessities: and though afterwards...(where the Increase of People and Stock, with the *Use of Money*) had made Land scarce, and so of some Value...settled the Bounds of their distinct Territories, and by Laws within themselves...and so, *by Compact and Agreement, settled the Property* which Labour and Industry began" (299). Land and the natural world are subject to the force of industry in Locke's account of progress.

The material improvements on natural resources account for the importance of "Humane Industry" in Locke's account of labor; and, the need to develop nature corresponds directly to a moral claim against waste. Yet this view of industry goes further in its implications, as it serves to exclude those others who are viewed as not appropriating nature to its fullest production. Native Americans are the first to bear the brunt of Locke's moral reproach, as they are viewed as inhabitants not lending their "assistance" to the production of modern

industry. America, itself, becomes a symbol of the pre-political life of nature. As Locke so boldly claims, “Thus, in the beginning, all the world was *America*” (301). Even yet more insidiously, Native Americans lose their right to land by being identified with nature, by falling under an ideology of savage existence that lacks the individual claims to property, codified by compact. Native Americans, in their hyper-naturality, exemplify an unproductive violation of the “natural” right to property by failing to conform to Lockean ideals of production:

There cannot be a clearer demonstration of any thing, than the several Nations of the *Americas* are of this, who are rich in Land, and poor in all the Comforts of Life; whom Nature having furnished as liberally as any other people, with the materials of Plenty...what might serve for food, raiment, and delight; yet for want of improving it by labour, have not one hundredth part of the Conveniences we enjoy: And a King of a large and fruitful Territory there feeds, lodges, and is clad worse than a day Labourer in *England*. (296-7)

The specter of impoverished life – the English day laborer, remnant of the class disparity of feudalism – validates the mandate to avoid the state of nature, a life in which the simple fulfillment of necessity was the goal, but which remains in relative poverty. The state of nature, rather than a hypothetical stage of life prior to the foundation of government, becomes a cultural ideology that ascribes

normative judgments from the conceptual ideals of industry. Native Americans, subsisting on nature, are seen as symbols of unrealized potential and cultural laziness. Until the development of the precise, material value of land, we have not utilized the Lockean right to appropriate nature as an object of property. Further, Native Americans are not conceived of truly “laboring” at all, since they do not conform to a specific European ideology of agrarian enclosure and industrial production. Comparing the intrinsic worth of land in Europe and America, Locke writes:

An Acre of Land...here, and another in *America*, which, with the same Husbandry, would do the like, are without doubt, of the same natural, intrinsic Value. But yet the Benefit Mankind receives from the one, in a Year, is worth 5 *l.* and from the other possibly not worth a Penny, if all the Profit an *Indian* received from it were to be valued, and sold here; at least, I may truly say, not 1/1000. ‘Tis *Labour* then which *puts the greatest part of Value upon Land*, without which it would scarcely be worth any thing...Nature and the Earth furnished only the almost worthless Materials, as in themselves. (298)

The need to introduce objects of labor into a modern economy of exchange and real-money value renders all things natural as “almost worthless,” the basic fulfillment of needs but “1/1000” of the conveniences of industry. Further, since

humanity itself is the sole species endowed with the property right, those who do not stake claim to land are outside of the laws that bind humanity, and outside of the modern economy of monetary exchange. Locke writes, “yet there are still *great Tracts of Ground* to be found, which (the Inhabitants thereof not having joined with the rest of Mankind, in the consent of the Use of their common Money) *lie waste*, and are more than the People, who dwell on it, do, or can make use of, and so still lie in common” (299).

The ability to make property claims and to enter the exchange of commodified industry becomes *constitutive of* humanity; being able to claim private ownership against others is requisite for enjoying the equality of right, for joining the whole of Mankind. Those who lie outside of the domain of private property are relegated to an inferior stage of humanity, failing to assert mastery over the objects of nature. Thus, the physical, environmental world becomes the wilderness of land that “lies in common,” longing for the use of commerce. In effect, there is no property right in the absence of the Lockean vision of industry. This vision of industry snubs the possibility of communal or tribal land use, or any other relationship to the earth that does not conform to the contractarian view of private possession. Further, the permission of the community is not needed where land remains uncultivated. Hence, as objects of property, native soils remain fair game for the individual eager enough to employ his labor to land.

The view of human development in Locke is that of a master species, and as we are given an ideal image of the human being and its potential for individual perfection, we are subsequently granted the license to expand that sense of

superiority and control over the natural world. As the ownership of land is an expansion of individual will, land claims over what “lies in common” do not require the consent of the community or the inhabitants of that space. While claims to land are only bounded by the need to effectively utilize that space for production, it may be an unintended consequence of Locke’s imperative for humane industry that we see the abuse of nature and the mass production of waste in the name of consumption.

The drive to control objects of nature is tantamount to the ability to control and cultivate one’s own individual faculties, to enhance and perfect the powers of human capabilities through the expansion of our claims to right. The Lockean ideal for the human person places the development of property claims as parallel to the imperative to promote our human faculties; the transition from savagery and undeveloped wilderness to the conveniences of industry is as much about altering physical terrain as it is about idealizing the capacity for human potential:

From all which it is evident, that though the things of Nature are given in common, yet Man (by being Master of himself, and *Proprietor of his own Person*, and the Actions of *Labour* of it) had still in himself *the great Foundation of Property*; and that which made up the great part of what he applied to the Support or Comfort of his being, when Invention and the Arts had improved the conveniences of life, was perfectly his own, and did not belong in common to others. (298-9)

Thus, private property becomes a marker of enlightenment, and private inventions become synonymous with the moral growth of the person.

To revive the issue of nature in the history of social contract theory is to witness a gross neglect for ecology in the name of possession and the formality of private property claims. Nature and the animal are conceived as mere objects for human manipulation, and there is little or no discussion of common needs in the development of Locke's labor theory of value. The sheer, material resources of nature are valueless outside of a specific vision of industry that includes agrarian enclosure and the duty to maximize production. The state of nature, both as a theoretical stage prior to the political life of the species, also persists as a metaphor for life in common with nature, a thematic image for the ability to assert ownership over "uncultivated," and consequently, wasted land.

As we are encouraged to become masters of ourselves, masters of our own personhood and potential, we expand our capacities for ownership. Alongside our ability to employ our energy for industry and our ability to garner the hard-won objects of our labor, we are also encouraged to expand our industry and dominion over the natural world, warranted to the expansive scope of Locke's concept of natural right. Unfortunately, this has perilous effects on the animal world, which is always the willing object of property for human use. Our relationship to the animal world is construed as a relationship of subject to purely owned object, and therefore the animal falls outside of the domain of ethics. So, too, does the earth remain the slave and object for our wide-reaching right and need to control. The

Lockean account of nature is a tale of a species obsessed with control, ownership and production; common good gives way to private possession, nature enters an economy of value through material worth. Nature finds its importance, for Locke, only when it is subdued, when humanity's dominion of property has spread over and claimed all that lies in common in the name of private benefit. This view cares little for the sustainability of ecology, or the varieties of communing with nature that utilize its resources for the fulfillment of needs without the need for contracted ownership.

**Two greyhounds running down a hare:
Locke's labor and the concept of mastery in Adam Smith**

Springing from the concept of the subject as independent from the constraints and chaos of the natural world are the economic and Enlightenment philosophies that conceive of the human as an engine of progress. Such an industrial imperative is clearly seen in the Lockean "land grab," where the ability to enhance production value by subduing nature is ironically ordained by natural law. In these frameworks, the subject is born into a distinct *economic* politics where both humanity and the environment are valued in terms of labor power. Material wealth and political agency go hand in hand with the establishment of the commonwealth to enforce property rights. Value is derived simply from human energy applied to mechanisms of production; labor is a force that drives the unbridled exploration of nature, and maximizes the ability to harness and manipulate natural resources. This is just the consequence of the strength of

“man” after the artifice of private rights, which specifically conceived of personhood in terms of claims to property ownership.

Mastery over the natural world, conceived as the “property” of humanity, should be theorized primarily under contractarian political philosophy; still, it is necessary to link these claims to mastery to modern, economic models of personhood that reduce human worth to productive power. Locke’s emphasis on the natural world as an object of property contributed to the view of environmental resources as entering a system of value of market exchange. To this end, it is helpful to briefly address the historical development of nature in terms of the economic onus of production. Specifically, in Smith’s *The wealth of nations*, we see an expansion of the human’s ability to make claims on natural resources and to utilize human labor through contract. This labor is explicitly differentiated from animal labor, which makes use of the surrounding world to fulfill vital needs. By contrast, human labor is necessarily abstracted from needs, and the production of goods is intrinsically valued regardless of actual consumption out of necessity. The result of this hyper-efficiency, blindly maximizing the “dexterity” of workers for productive power, is a society of desire, a culture in which fundamental needs are collectively forgotten in the sparkle and shine of the “universal opulence of a well-governed society” (Smith 2000, 12).

Human labor under manufacture, for Smith, is fundamentally a labor of alienation, where the laborer is not producing goods for himself. Rather, he finds his needs fulfilled in his labor’s objective value through contract – the explicit

agreement that places numerical worth on human energy in the process of production.

Under Smith's rubric, cultural indulgence and excess production is internally justified by the imagined destitution of foreign others. His work necessitates cultural domination through foreign contracts of exchange, but still views non-European others as inferior in economic worth. This is made explicit through the logic of his "natural progress of opulence," a tripartite progression from agrarian subsistence and cooperative exchange, to manufacture, to "foreign commerce" (409-11).

Smith's work establishes the field of economics by valorizing the accumulation of capital. Such a move expands the concept of labor as an intrinsically productive process, and relegates the natural world to an intrinsically valueless world, but one with infinite resources for human consumption and profit. It is vital to recognize Smith's economic model as one tracing a departure from animality, as a logic that removes human affairs from nature and into industrialized production. This move reduces natural resources to human supplies or tools with no intrinsic or moral worth. Through these historical developments in technology and the ubiquity of mass production, the human being is conceived as a master species apart from animality, a sovereign captor of the boundless fruits of "rude and savage" terrains.

Smith specifically distances human labor from cooperative, animal labor, using an animal metaphor – two greyhounds running down a hare – to discuss primitive cooperation as governing the animal activity of nature (16). Human

labor, by contrast, is primarily understood in terms of individual enterprise and specialization in the industrial process of production. Like Hobbes, Smith distances the human animal from the communal nature of species activity – the collective life of political creatures, understood by Hobbes, to have no distinction between private and collective interest: “Among these [political] creatures, the common good differs not from the private” (Hobbes 1958, 141).

Smith’s logic is laden with the illusion of a moral imperative to be removed from states of nature where humanity is envisioned as savage and culturally void. In production, we distance ourselves from former, inferior states of human fulfillment. As Smith writes, “[T]he accommodation of an European prince does not always so much exceed that of an industrious and frugal peasant, as the accommodation of the latter exceeds that of many an African king, the absolute master of the lives and liberties of ten thousand naked savages” (Smith 2000, 13). The expansion into foreign commerce under a framework of moral dominion over “naked savage[ry]” is problematic to the extent that it authorizes colonization, which tends to obliterate and exterminate cultural difference in the name of universal progress. Though this may not have been Smith’s intent, there continues to be harmful consequences to his assertion that the use foreign of resources by industrialized commercial nations is sanctioned by nature, or is just “the natural course of things” (2000, 411).

What’s clear is the extent to which Hobbes, Locke, and Smith all helped to establish the human subject as superior to natural environments, emphasizing the importance or historical necessity of labor and ownership as methods of

controlling the natural world. The sense of ownership through labor grounds a key moment in the development of rights, in particular rights to property and political identity through government protection. Nature, the animal and the environmental world become abstract objects, tools for production which are ordained for the subservience to human appropriation and convenience. Following the revolutionary onus for development theorized by Locke and Smith, we enter a political economy where property claims become our primary mode of relating to nature. Thus we exist, at this moment, as political subjects just because we make claims on our surroundings, we identify objects in the natural world as “ours,” and we exclude access to these objects from others – defining both nature and culture in a raid of capture and exclusion.

Contracted from nature:

Struggle, communion and metamorphosis in Rousseau’s *Discourse on inequality*

[H]ow will man ever succeed in seeing himself as Nature formed him, through all the changes which the succession of times and of things must have wrought on his original constitution, and to disentangle what he owes to his own stock from what circumstances and his progress have added to or changed in his primitive state?

- Jean-Jacques Rousseau

from *Discourse on the origin and foundations of inequality among men*

To raise the question of the human's own animality in Rousseau's *Discourse on the origins and foundations of inequality among men* is also to be historical with his narrative of nature, to trace back to his original statement of the conditions of ontology. This tracing back to origins is explicitly metaphorical or hypothetical for Rousseau, but nonetheless this trope of humanity's existence in the state of nature is vital to ascertain how Rousseau understood the nature of the human subject. He writes:

For it is no light undertaking to disentangle what is original from what is artificial in man's present Nature, and to know accurately a state which no longer exists, which perhaps never did exist, which probably never will exist, about which it is nevertheless necessary to have exact Notions in order accurately to judge of our present state. (Rousseau 2005, 125)

The obscurity of man's origin in nature clouds a vision of ethical life for humanity. By returning to the nature of man, we are attempting to conceive of the political life of the species outside of the external constraints and impositions of authority that have shaped prior forms of government. Rousseau was controversial in his time by resisting the then-common appropriations of natural law and natural right. These assertions were matters of convention, given the utter lack of an accurate account of humanity's origin in nature: "It is this ignorance of

the nature of man that casts such uncertainty and obscurity on the genuine definition of natural right” (125). Rousseau distinctly moving away from Locke, who presupposes that dominion over nature is authorized by the legislation of an omnipotent, yet unquestioned “Law of Nature.”^{xxxv} Instead, Rousseau starts from the presupposition that “Nature” – the very foundation of society – and the nature of the human condition, are fundamentally misunderstood.

Further, Rousseau recognizes how natural law theory is commonly used to authorize the mastery over nature that serves the arbitrary purposes of the then-present rule. Rousseau can be seen as a critic of natural law theory to the extent that he asserted that one may submit to laws only through knowingly consenting to them. Rousseau also explicitly criticized the notion of “natural law” as simply a convenient method of granting absolute authority to rules of action:

One begins by looking for the rules about which it would be appropriate for men to agree among themselves for the sake of the common utility; and then gives the name natural Law to the collection of these rules, with no further proof than the good which, in one’s view, would result from universal compliance with them. This is certainly a very convenient way of framing definitions, and of explaining the nature of things by almost arbitrary conformities. (127)

Laws are never laws without the consent of the governed, for Rousseau. But, in addition, for natural law to exist it must speak to the unhindered “voice of Nature” (127). Listening to nature’s voice is more than mere metaphor, it is an obligation to awaken the original freedom of the species outside of the subjugation and manipulation by artificial authority.

Rousseau’s return to nature as the foundation of ethics is, then, both intuitive and necessary given the inadequate portrayals of nature and “primitive man” that preceded him: “But so long as we do not know natural man, we shall in vain try to ascertain either the Law which he has received or that which best suits his constitution” (127). Without an account of the origin of the life of man, we could not begin to assert absolute and naturally ordained principles of ethical life.

The point of an examination of our own animality, as a species, is truly not to assert a transcendent concept of natural right, or unravel some authentic and absolute standard of human morality. Instead, the goal is to uncover what (if anything) has been lost in the transition from savage to civil, from nature to culture, from lawless existence to political citizenship. There is no imperative to return to the state of nature, and it would seem rather impossible to do so.

Admittedly, reading the *Discourse* is occasionally like reading abstract anthropology or creative primatology – the history of the species and the origin of culture are all imagined by Rousseau with great liberty. But the theoretical goal of the *Discourse* is comparable to the investigations of science and the conceptual goals of ontology: just as our present study of higher-order primates is intended, at least partially, to glean the origins of the human person, so too does Rousseau

embark in a purely theoretical study of personhood as humanity is envisioned emerging out of nature.

Discovering the prominence of the animal in the history of contract theory is significant, too, in order to conceptualize what is meant by nature, and consequently, the nature of man. So permit me, like Rousseau, to “therefore begin by setting aside all the facts, for they do not affect the question” (132). States of nature should be taken as conceptual in origin, as what Rousseau called “hypothetical and conditional reasonings,” but still as a figurative stage that comprises the animality of man, the conceptual fodder of our primitive condition (132). The nonhuman animal, as other, is positioned less as the antipode to human culture in Rousseau than they were in Locke and Hobbes. Still, as I will show, the animal was treated as an inferior form of animated life, as Rousseau identifies human freedom as the distinguishing superior faculty of our species.

To step back into a vision of the essential principles of our species prior to artificial law, then, is to question how this vision shapes and governs human ontology. This proposal makes the question of human ethics supremely practical, by recalling an intuitive principle of ethics. The benefit of such an approach, Rousseau claimed, was to reconnect man with his essence: “This way one is not obliged to make a Philosopher out of man before making a man of him” (127).

Primitive ethics: Against ethical chauvinism

Rousseau, in returning to the original “manliness” of man, debunks artificial contracts or salient duties in his account of the human need to follow ethical principles. It is not the force of artificial laws that render the human necessarily moral. Rather, through Rousseau we are returned to an *a priori* ethics that is comprised of two fundamental ethical instincts:

Hence disregarding all the scientific books that only teach us to see men as they have made themselves, and meditating on the first and simplest operations of the human Soul, I believe I perceive in it two principles prior to reason, of which one interests us intensely in our well-being and our self-preservation, and the other inspires in us a natural repugnance to seeing any sentient Being, and especially any being like ourselves, perish and suffer. (127)

The first ethical instinct is one that any modern Darwinian would profess, a flat-out egoistic intuition to preserve one’s own life and wellbeing in the face of danger. This basic principle of self-interest, the reduction of the individual human to an account of its own needs is the core assumption of modern humanity.

It is the second principle that seems foreign to the modern concept of self-preservation, though it is a principle that is at the origin of Rousseau’s account of natural rights. The second principle is primitive pity. This is not a pity that is merely reduced to emotional content or sentiment, but rather is understood as a fundamental principle of compassion toward other beings that is prior to (and

stifled by) convention. This second ethical principle is a force so strong that, to take it seriously, one must reconsider the sense of evolutionary privilege or superiority of kind that grounds chauvinistic claims to a concept of right:

It is from the cooperation and from the combination our mind is capable of making between these two Principles, without it being necessary to introduce into it that of sociability, that all the rules of natural right seem to me to flow; rules which reason is subsequently forced to reestablish on other foundations, when by its successive development it has succeeded in stifling Nature.

(127)

It is here that Rousseau distinguishes an instinct to self-preservation without regard to others from a self-preservative drive that is fundamentally moderated by our inherent sense of identification with those others.

Self-preservation is not the same as ethical egoism. Others have intrinsic moral significance for Rousseau. Insofar as we do not come to threat of harm from others in the state of nature, we have the desire to consider the needs of others and avoid harming them needlessly. We identify with, rather than abstract away from, the wishes and difficulties of others, a narrative quite distinct from the solitary self-interest that governs natural life in Hobbes.

The drive to preserve oneself is thus moderated by the recognition, prior to contract, that the other is a part of our moral universe. We have in Rousseau a

primitive concept of the moral life of the species prior to the creation of laws. Thus, it is not through threat of punishment or the creation of normative laws that we find the drive to avoid harm. Rather, turning to the other as equal in need is one of the primitive sentiments of the fundamental continuity of life in nature: “his duties toward others are not dictated to him exclusively by the belated lessons of Wisdom; and as long as he does not resist the internal impulsion of commiseration, he will never harm another man or even any sentient being, except in the legitimate case when, his preservation being involved, he is obliged to give himself preference” (127). The internal impulse of sympathy is reminiscent of the binding, yet inexplicable, power of moral sense or instinct that prevents us from committing undue harm to sentient beings.

Rousseau is generous in his account of the original tenderness of human nature; but this is not to say that he is necessarily as generous with his treatment of nonhuman animal life. Echoing the assumptions of metaphysical humanism, Rousseau portrays the animal mind as governed by a Cartesian automaticity of action. This sheer, physical determinism exiles the animal from being a full participant in Rousseau’s concept of ethical obligation. The animal, as an ethical subject in Rousseau, lacks both full consciousness and the freedom of will to be a party of the “law of Nature,” remembering again that natural law is simply a product of cultural convention in his account. Since the animal lacks the ability to conceptualize the good, it does not enjoy full subject status under the law:

[T]he ancient disputes about whether animals participate in the natural Law are also brought to an end: For it is clear that, since they are deprived of enlightenment and freedom, they cannot recognize that Law; but since they in some measure partake in our nature through the sentience with which they are endowed, it will be concluded that they must also participate in natural right, and that man is subject to some kind of duties toward them. (127-8)

Still, the rejection of ethical subject status in animals does not remove them from considerations of ethics. Unlike Descartes, who rejects the capacity of feeling pain and pleasure for the self-moving machines of nature, Rousseau points to the capacity for feeling as founding the ethical instinct:

Indeed, it would seem that if I am obligated not to harm another being like myself, this is so less because it is a rational being than because it is a sentient being; a quality which, since it is common to beast and man, must at least give the beast the right not to be needlessly maltreated by man. (128)

Here Rousseau is quite comparable to the utilitarian perspective on the moral considerations of animal life: nature's sovereign masters, pain and pleasure, determine our primary ethical instinct; if animals are sentient, then we are obligated to extend moral considerations to animal life. Even for a social

contractor, our fundamental ethical duties arise prior to the original moment of contract. Our first duty – to avoid needless harm – is granted its force not through consensual agreement but through sentience, a quality that precedes the purported enlightenment of the subject.

Animality in Rousseau's state of nature

Examining the animal as an ethical subject not only clarifies the nature of humanity's treatment of nonhuman others, it also helps to reveal the tendencies essential to the human animal itself. As we experience ourselves as simultaneously animal and not-animal, the social contract is an ideal metaphor for the transition from the abject lawlessness or "savagery" of life in nature to the properties which found cultural institutions and, correspondingly, the metaphysics of man. For Rousseau's pre-contract narrative of the human animal, we discover an experience of animality that renders us fit for survival, and exposes the fundamentally associative nature of our species. Relying on the true animality of human nature, we lived in common, primitive social clans whose humble consumption of natural resources provided well for our subsistence; such a state of nature was "the happiest and the most lasting epoch" of human life (167).

Rousseau first introduces the image of savage man, conditioned only by nature, as governed by his innate potential for bodily perfection and athletic fitness. Rousseau is critical of the force of modernization; he claims that even left without the advantages of industry and technology of civil society, primitive

humanity would fair well to be governed by the rule of self-preservation. The primitive survival of the fittest is less about a nasty, brutish, and short ego-battle than it is a humble adaptation to the conditions of nature. When left to nature, Rousseau claims, humanity would “thus acquire all of the vigor of which the human species is capable. Nature deals with them exactly as the law of Sparta did with the Children of Citizens; It makes those who have a good constitution strong and robust, and causes all the others to perish” (135).^{xxxvi} Thus aligned with the physical capacity of his humanity, primitive man is viewed as agile and adept. Rousseau imagines how this man reduced to physical strength would fair better than the civilized man in battle, “since his body is the only tool which savage man knows” (135). In some way, then, the figure of the savage represents how much Rousseau idolized a fantasy of man in his original condition, uncomplicated by modern technology:

Give civilized man the time to gather all his machines around him, there can be no doubt he will easily overcome Savage man; but if you want to see an even more unequal conquest, have them confront each other naked and unarmed, and you will soon recognize the advantage of constantly having all one’s strengths at one’s disposal. (135)

Though Rousseau intertwines the life of nature with the image of Spartan battle, imagining modern man waging war against his “savage” and supremely

natural competitor, Rousseau also imagines that the state of nature was a fundamentally peaceful and unencumbered existence for humanity. Man did not naturally seek conflict with other men or with animal species. This is explicitly a move against the brutish savage of Hobbes: “Hobbes contends that man is naturally intrepid, and seeks only to fight, and to attack. An illustrious Philosopher thinks...and Cumberland and Pufendorf also maintain, that nothing is as timid as man in the state of Nature, and he is forever trembling, and ready to flee at the least noise that strikes him, at the least movement he notices” (135). Fear, for Rousseau, is only born from one’s unfamiliarity with the novel presence of the other, or with change in one’s environment; timidity is only “with regard to objects he does not know” (135-6).

Rousseau removes man from the incessant battle of the Hobbesian war of all against all, but further does not conclude with a vision of the “savage” man as struck by natural passivity or fear. For Rousseau, the natural condition of humanity is one where man only fears what *he does not know*; he fears only those others or those conditions that strike him as new or untrustworthy. This view is consistent with the “philosophical” nature of the person in Plato, where one is philosophical to the extent that one makes distinctions of loyalty between friends (those known) and those who are foreign or unknown – those who inspire fear or flight.^{xxxvii} The recognition of familiarity is thus the first philosophical distinction for Plato, and this is a quality shared between human and nonhuman animals.

Yet, this is not to say that Rousseau’s primitive human echoes the fundamentally organic qualities of Plato’s polis. For Rousseau, the human is

raised above animal others by virtue of its unique ingenuity of mind: “he surpasses them in skill more than they do him in strength, [and] learns to fear them no more” (136).

While I will elaborate on this difference further, it’s important to note that the life of man in the state of nature is special only for its patterned simplicity. Violence, too, has little place in Rousseau’s vision of primitive life. It is only in “circumstances that are rare in the state of Nature” where man would seek to war against fellow man or other beasts, since nature “...proceeds in such a uniform fashion, and...the face of the Earth is not subject to the sudden and constant changes caused in it by the passions and the inconstancy of Peoples assembled” (136). In addition, animal attacks against humanity are rare for Rousseau, “except in the case of self-defense or of extreme hunger...” (136). It is as unnatural for beasts to war with man as it is for the people to live in unquestioning obeisance or subservience to others.

This not-so-thinly veiled statement of primitive peace is clearly at odds with the notion that man serves a manifest destiny to rule supremely over the various animal species or over cultural “others” seen as lacking a model of industrial progress (as ordained by the dictates of nature in Locke). Thus, one may read in Rousseau a criticism of the effects of colonization, as an enterprise that renders feelings of moral or political superiority, fostering those supremely artificial sentiments which breed political conflicts and war.^{xxxviii}

It should be recognized, though, that Rousseau may be faulted to the extent that he slides into an anthropological account of the state of nature, where

“Savages,” clearly a metaphor for non-Western societies, are aligned with the animal, or even with the possession of hyper-sensory perceptual faculties. Thus Rousseau cannot be absolved from the accusation of cultural chauvinism, and he even admired the animality of “Savage Peoples” for what he saw as their heightened physical prowess, but speaking longingly of how he envied both their lack of neurosis and their freedom from dependency on modern inventions.^{xxxix} These references stand as cultural relics in his work, and show the extent to which the conditions of nature and the imperative for cultural dominion were entrenched in ideologies of global domination.

Modern lives, modern losses

Rousseau’s tale of the transition from coexistence with nature to the origin of civil society is remarkable for the extent to which it is marked by longing: Rousseau laments a certain loss in the transition from nature to society. Along with the felicity of relative nonviolence in the primitive condition, Rousseau asserts that the varieties of illness or disease experienced in civilization are the product of a distinctly modern distancing from the organic nature of human life prior to civil society. Rousseau linked physical maladies to social inequality; ills were not merely born from hereditary disease, but from ways of life. It was through these modern inequalities in power and wealth that we move away from a sense of natural welfare. For Rousseau, the good life is an almost Aristotelean moderation of lifestyle, a virtuous life of the mean. He criticized a culture in

which class inequality would foster “extreme inequalities in ways of life, the excess of idleness among some, the excess of work among others,” even criticizing diets in which those privileged enjoy “excessively exotic dishes,” whereas the diets of the poor cause “inflammatory humors and rack them with indigestion” (137).^{x1}

The increasingly industrialized life of civil man is fraught with the unfortunate complication of modernity, which promotes the accumulation of superfluous objects of property and a distancing from our natural sense of needs. Rousseau mourns the troubles of progress in industrialized society, expressing both a nostalgia for a less cultivated past and a belief that life prior to developed culture was more conducive to human health. It is only through the woes of modern life that we find ourselves with modern disease, labors which lead to “the immoderate transport of the Passions, the fatigues of the Mind, the innumerable sorrows and pains that are experienced in every station of life and that gnaw away at men’s souls; Such are the fatal proofs that most of our ills are of our own making, and that we would have avoided all of them if we had retained the simple, uniform and solitary way of life prescribed to us by Nature” (137-8).

Our removal from a state of nature and the cultivation of objects of artifice and innovation do not, for Rousseau, make us substantially happier or healthier beings than we were in the state of nature: “If it destined us to be healthy then, I almost dare assert, the state of reflection is a state against Nature, and the man who meditates is a depraved animal” (138). Though Rousseau is very much a product of the pre-revolutionary consciousness that laments the hazards of

industry, it is notable how extensively Rousseau marks the transition from nature to culture as a transition of loss, a removal from the visceral and incredibly simple satisfaction of our most primitive human needs.

For Rousseau, removal from the state of nature brings the sorrows and fatigues of a culture addicted to mass production and physical labor. This criticism arises from a distinctly political consciousness that saw humanity as exiled from a concept of true needs, and exiled from the “hard won” immediacy of natural property. In a modern life valued in terms of economic activity, a life estranged from nature, we foster our detachment from primitive simplicity and satisfaction, and yearn for the artificial excess and dominion that breeds our first hostility toward another’s ends.

The separation and union of animal and man in Rousseau’s state of nature

Some have not hesitated to ascribe to Man in that state the notion of the Just and the Unjust, without bothering to show that he had to have this notion, or even that it would have been useful to him; Others have spoken of everyone’s Natural Right to keep what belongs to him, without explaining what they understood by belong...Finally all of them, continually speaking of need, greed, oppression, desires, and pride transferred to the state of Nature ideas they had taken from society; They spoke of Savage Man and depicted Civil man. (132)

Life in the state of nature will tell a separate narrative about the fundamental nature of the human species. For Rousseau, the life of nature (idealized in the metaphor of the state of nature) is governed by a bestial determinism. This automaticity of action corresponds to our notion of instinct; indeed, it is hard to explain the precise origin of animal behavior and its seeming lack of deviation from prescribed paths. To some extent, then, Rousseau mimics Descartes' assertion that "nature should even produce its own automatons, which are more splendid than artificial ones – namely the animals" (Descartes 1649, 365-366).

For all that humans and nonhuman animals share, it is the determinism of action that differentiates animal from man in Rousseau's *Discourse*. Nonhuman animals lack some quintessential human decision-making capacity, and according to Rousseau, it is in this freedom that we find the definitive marker of humankind. This determinism through instinct is displayed in the behavior of particular animal others, who for Rousseau cannot divert from prescribed paths of action: "Thus a Pigeon would starve to death next to a Bowl filled with the choicest meats, and a Cat atop heaps of fruit or of grain, although each could very well have found nourishment in the food it disdains if it had occurred to it to try some" (Rousseau 2005, 140). Though Rousseau has clearly not met the many urban strays that seem quite content to feast on the peels of fruit and other food waste, the point is that Rousseau does claim an ethical and ontological superiority for the human species through the capacity for choice. This is not to say that animals are as devoid of philosophic consideration in Rousseau's view as in Descartes' automata; according

to Rousseau, animals are sentient and we must avoid needless harm to them, but further, they have the qualities of conscious life: “Every animal has ideas, since it has senses; up to a point it even combines its ideas, and in this respect man differs from the Beast only as more does from less” (140).

While contemporary philosophy has separated Descartes’ account of automation (as “metaphysics”) from origins of politics, these account are aligned in their reliance on a dyadic account of man and animal that requires a separation of human nature from the animal as it asserts a distinctly human cultural territory apart from nature. Val Plumwood rightly notes how the mechanistic and materialistic account of the animal has both metaphysical and political ramifications:

Modern philosophy has tended to consider Cartesian mind/body dualism...as an intellectual puzzle, in isolation from its political and social context. But understanding Cartesian mind/body dualism requires an understanding of its intimate connection to human hyperseparation and to the dualisms of human/nature, male/female, and subject object, as well as its political origins in the wider network of reason/nature dualisms...The dominant post-Cartesian trends have retained both mechanism and the hyperseparated account of human identity, and the old dualisms often persist in more subtle forms. (Plumwood 1993, 120)

The presence of Cartesian mechanism in Rousseau's political thought is a perfect reminder of the lasting impact of these dualisms.

Through Rousseau's faith in the freedom and creativity of the human species, he separates the human from the animal by distancing human choice from natural instinct: "Nature commands every animal, and the Beast obeys. Man experiences the same impression, but he recognizes himself free to acquiesce or to resist; and it is mainly in the consciousness of this freedom that the spirituality of his soul exhibits itself" (141). Thus, the moral and metaphysical uniqueness of the human animal is found in its ability to achieve autonomy, or its potential for free agency, in contrast to the seeming automaticity of nonhuman animal life.

The goal of this decision making is always, for Rousseau, the achievement of a better or improved condition of life, and thus in this concept of our own potential for perfection lies the importance and virtue of our choice.^{xli}

[T]here is a another very specific property that distinguishes between [man and animal]... namely, the faculty of perfecting oneself; a faculty which, with the aid of circumstances, successively develops all the others, and resides in us, in the species as well as the individual, whereas the animal is at the end of several months what it will be for the rest of its life... Why is man alone liable to become imbecile? (141)

While Rousseau is right to an extent – we don't typically speak of one ferret being markedly smarter than another, one cardinal being more intelligent or inventive than another – his work serves to solidify a metaphysical humanism that rests on the free agency of the human soul, and thus inherits Descartes' mechanistic account.

But it is the exercise of this freedom that is key to distinguishing Rousseau's account of human nature from those of Hobbes and Locke. As I will argue, Rousseau rather explicitly valorizes a natural life limited to primitive social structures, and mourns both the distancing of the state of nature from human culture, and the class disparities that characterize his vision of modern development.

Environmental ethics in community:

Dependence and exchange in Rousseau's original society

The first man who, having enclosed a piece of ground, to whom it occurred to say *this is mine*, and found people sufficiently simple to believe him, was the true founder of civil society. How many crimes, wars, murders, how many miseries and horrors Mankind would have been spared by him who...had cried out to his kind: Beware of listening to this impostor; You are lost if you forget that the fruits are everyone's and the Earth no one's... (Rousseau 2005, 161)

Left to life in the state of nature, the freedom that the human species exercises is limited primarily to the noncompetitive fulfillment of need – a base and rather simply accomplished survival of the species. The state of nature is clearly a metaphor for the animality of the human species itself, as Rousseau frequently refers to this stage as man reduced to his “animal functions” (142). Yet Rousseau frees the primitive human from the vice-ridden and brutal character of the Hobbesian savage. This freedom from the concept of the intrinsically predatory quality of the human condition shapes Rousseau’s view of life in nature: nature is not hostile or inimical to human flourishing, but is fundamentally accommodating to human ends.

Any real quantity of property is little needed in this state; we are well suited by nature’s bounty, we grasp onto material objects only to the extent that we have need for such a possession. Contemporary environmental ethics has focused on both the sustainable development of nature and the unjust accumulation and distribution of both wealth and property as keys to understanding environmental exploitation, thus extending this concept of humble property into its modern implications.^{xlii}

In this state of nature, there is little need for a defense of the “superior” qualities of human life. Thus, we do not have an absolute assertion of moral superiority for the human animal in Rousseau. He would not conclude, as Mill does in his seminal *Utilitarianism*, that humanity enjoys higher moral consideration due to our ability to obtain higher levels of sentient gratification:

Mill writes, "...a beast's pleasures do not satisfy a human being's conception of happiness. Human beings have faculties more elevated than the animal appetites and, when once made conscious of them, do not regard anything as happiness which does not include their gratification" (Mill 2002, 11). For Rousseau, this consciousness of higher faculties is little present in the state of nature; it is, in fact, a product of the artificial values of a relatively modern human civilization. This leads one to question the so-called "dictates of nature" in Locke that command the possession, production and accumulation of both wealth and property.

The solitary quality life of nature and the simple pleasures of primitive humanity show how any real moral code was as superfluous as anything more than fleeting human relations were. Rousseau's state of nature is an unenlightened end stage, governed by noninterference and pity. He outlines the quality (or lack thereof) of this primitive existence for us:

Let us conclude that, wandering in the forests without industry, without speech, without war, and without tie, without any need of others of his kind and without any desire to harm them...subject to few passions and self-sufficient, Savage man had only the sentiments and the enlightenment suited to this state, that he sensed only his true needs...If by chance he made some discovery, he was all the less in a position to communicate it as he did not recognize even his Children. The art perished with its inventor; there was

neither education nor progress, generations multiplied uselessly; and as each of them always started at the same point, Centuries went by in all the crudeness of the first ages, the species had already grown old, and man remained ever a child. (157)

The critical moment of metamorphosis for Rousseau occurs when cultural values and shared labor forge primordial community or tribe that represents the first human relationships prior to formal law. Desiring to transmit the advantages of our cultural inventions – not allowing art to “perish with its inventor” – comes with the concomitant desire for recognition from others. We author our creations just so that we may garner recognition from others, and with that their adulation, which further gratifies our now-elevated concepts of self worth. This crucial moment of recognition, for Rousseau, is simultaneously a moment of enlightenment for the human mind. We seek to utilize our aptitudes in progressive ways absent in the state of nature, but equally and perhaps more significantly, we seek the renown of others who will look upon us with admiration, envy, and respect.

As in the Republic, the origin of society is based on a humble concept of shared labor and trade. We remove ourselves from the solitude of the state of nature and turn to others when our shared activity may benefit us through better or more efficient fulfillment of common needs. Rousseau writes of this transition:

[R]epeated interaction of the various beings with himself as well as with one another must naturally have engendered in man's mind perceptions of certain relations. These relations which we express by the words great, small, strong, weak, fast, slow, fearful, bold, and other such ideas, *compared as need required* and almost without thinking about it, finally produce in him some sort of reflection. (emphasis mine, 162)

In this moment, we begin to see the specialized capabilities of others and begin to reflect upon the advantage of both mutual activity and the use of those skills to one's own benefit. Further, we recognize the faculties of others as superior or inferior to our own, thus avoiding conflict with those who would present a danger to us. These comparative concepts of value solidify themselves over time and give rise to values of personal judgment later in Rousseau's theory.

How this cooperative pursuit results from a solitary species concerned only with self-preservation is a conundrum for Rousseau, who can only venture that our first relationships were minimal and fleeting. Only through the successive development of many years do we become a truly domesticated, social and cultural species. He writes:

Taught by experience that love of well-being is the sole spring of human actions, he is in the position to distinguish between the rare

occasions when common interest should make him count on the help of his kind, and the even rare occasions when competition should make him suspicious of them...This is how men might imperceptibly have acquired some crude idea of mutual engagements and of the advantage of fulfilling them, but only as far as present and perceptible interest could require. (163)

From these first developments in collective behavior comes a true renaissance for the human species, a birth of enlightened progress that Rousseau envisions as fundamentally connected with nature. Our first inventions are tools derived from natural objects to aid in our rather limited use of nature's resources:

The more the mind became enlightened, the more industry was perfected. Soon ceasing to fall asleep underneath the first tree or to withdraw into Caves, they found they could use hard, sharp stones as hatchets to cut wood, dig in the ground, and make huts of branches which it later occurred to them to daub with clay and mud. (164)

Human labor is, here, introduced as a humble, but rightfully industrial and productive affair. Our energy is connected both to our environment and to our need. Our progress is marked by the invention of domiciles, tools, and other

transmittable inventions that contribute to our mutual survival and enjoyment with no foreseeable harms.

With these inventions and their transmission to others follows a primitive tribalism: a familial, clan-oriented society that is Rousseau's first real conception of society. Though conflict was not absent in this stage of proliferation, Rousseau again departs from the foundational violence of Hobbes and the logic of property of Locke. Instead, he asserts that it is logical to view the human species as quite naturally predisposed to avoid of conflict. Our humble use of the material resources of nature yields a relative noninterference with the property claims of others. Minimizing both interaction and interference is what, in Rousseau's view, was most conducive to the preservation of the species:

This was the period of a first revolution which brought about the establishment and differentiation of families, and introduced a sort of property; from which there perhaps already arose a good many quarrels and Fights. However, since the stronger were probably the first to make themselves dwellings they felt they could defense, it seems plausible that the weak found it simpler and safer to imitate them than to try to dislodge them: and as for those who already had Huts, a man must rarely have tried to appropriate his neighbor's not so much because it did not belong to him as because it was of no use to him... (164)

The birth of the first society and the mutual enjoyment of its benefits was not a change that was valued solely for the benefits of efficiency and the heightened productivity of specialized labor, as in the social structures of Plato or Locke. Instead, it was the emotional life of the species that benefited the most from this first community. In these first stages, we see the primitive instinct for familial love transplanted into its larger value to serve the community. This is the origin of a concept of social welfare for Rousseau; he writes:

The first developments of the heart were the effect of a new situation that brought husbands and Wives, Fathers and Children together in a common dwelling; the habit of living together gave rise to the sweetest sentiments known to man...Each family became a small Society, all the better united as mutual attachment and freedom were its only bonds...In this new state, with a simple and solitary life, very limited needs, and the implements they had invented to provide for them, men enjoyed a great deal of leisure...
(164)

In this advent of primitive relationships, we see the birth of the arts, of music, and other cultural inventions dedicated to our sheer enjoyment of each other's company. But so too were these moments of comparative concepts of esteem. If one danced better, she was more admired; if one hunted better, she was more revered. Still, this appreciation of each other's ability was never raised to

the level of jealousy or harm, although we lost some of the brute strength and abilities we possessed in the solitary life of nature.

These moments of sheer enjoyment at the birth of culture were completely in line with a humble life of simplicity and symbiosis with the environment and nature. We do not see the appropriation of the animal or nature as an object of property in this first society. There is no onus to cultivate nature in order to maximize its harvest. Further, as we were cognizant of our species and the familial structure of our original community, we did not value private property or the individual accumulation of wealth above our greater goal: the good of the community and the value of the Earth which provides for it.

This middle stage of existence between nature and modern industry was explicitly claimed as Rousseau's ideal society:

The more one reflects on it, the more one finds that this state was the least subject to revolutions, the best for man, and that he must have left it only by some fatal accident which, for the sake of common utility, should never have occurred...Mankind was made always to remain in it...this state is the genuine youth of the World, and all that subsequent progress has been so many steps in appearance toward the perfection of the individual, and in effect toward the decrepitude of the species. (167)

This same moment of the primitive union of the species and the uniform enjoyment of lifestyle may be what Rousseau ultimately attempts to reclaim in his version of the social contract. There Rousseau holds that the ideal society must be bound by a social contract in which citizens surrender private rights for the protection of the general will, conceived as the collective welfare of society: *“Each of us puts his person and his own power in common under the supreme direction of the general will; and in a body we receive each member as an indivisible part of a whole”* (emphasis his; Rousseau 1997, 50). Subsumed under the general will, we become again a part of the body politic that values community in much of the same way as his original, co-operative society. So, too, might we then reconnect with our own concept of mutual need. This change will cultivate the life of our species, promote our modest ecological use, and help realize the significance of animality at the core of our embodiment.

Estrangement from nature, estrangement from labor:

Subjection in nascent industrial society

From the state of nature, therefore, humanity’s metamorphosis into primitive culture is marked by a decidedly tribal or clan-like society where individuals begin to develop superior faculties and announce them to their cohort – similar to the alpha-position battles in ape species, or species of birds whose displays of prominent plumes or elaborate dances garner positions of reproductive advantage. Through our physical, artistic or intellectual excellence, we see the

assent to positions of power or respect in a primordial society. Correspondingly, we see comparisons of relative ability between individuals, and as these comparisons become solidified over time, we eventually see the development of real class disparity. Better, worse, richer, poorer, more agile or less capable, we develop our primary concepts of comparative value primarily in the search for recognition from others and the enjoyment of celebrity among our community.

Rousseau's first society is not one that is estranged from nature. Instead, there is a primitive social network that retains its concepts of needs and values. The word "property" is not conceived in the same way as Locke's property with reference to this middle stage between nature and industrial culture in Rousseau.^{xliii} Thus, one may surmise that this society is one that values the humble use of environmental resources (including animal resources) for their mutual need and satisfaction; however, nowhere in this stage do we have a divinely-ordained imperative to cultivate nature or the need for a substantive concept of private property.

The problem for Rousseau arises in an alienation from our concept of needs and the transitioning away from primitive society that kept us in an equal, yet interdependent, society of even exchange. Our move out of the solitary life of the state of nature is to our benefit: we have modest use of our environmental resources, we begin relationships of exchange that enhance our quality of life, and we transmit knowledge of value to future generations of people. However, from this basic interdependence we revert to a new solitude: an egoistic desire to outdo

or overpower others, and thus to overaccumulate material possessions beyond actual necessity. Rousseau writes,

So long as men were content with their rustic huts...they lived free, healthy, good and happy as far as they could by their Nature...and continued to enjoy the gentleness of independent dealings with one another; but the moment one man needed help of another; as soon as it was found to be useful for one to have provisions for two, equality disappeared, property appeared, work became necessary, and the vast forests changed into smiling Fields that had to be watered with the sweat of men, and where slavery and misery were soon seen to sprout and grow together with the harvests. (167)

The help of others moves away from a humble contract of even exchange and into a contract structured by relationships of power, a new order of dominance and subservience toward the end of amassing more than one's fair share. This moment of sheer greed that alienates humanity from the sensuous material world and its original sense of community is also, not surprisingly, the advent of a real concept of property for Rousseau.

And with the advent of property came exploitative government structures which sought to appropriate that property and with it, the original animating energy and labor of man. Rousseau laments the passage of this society into an industrial society obsessed with the possession of property and the maintenance of

classes. Society originates through noble trickery, where a growing aristocratic class compels others to enter into a political contract that offers equality to all in name only. Yet, fearing the horror of losing what little most have earned, Rousseau weaves a tragic tale of oppression in which men are constrained to subservience just as they are bound to the need for legitimated property ownership:

All ran toward their chains in the belief that they were securing their freedom; for while they had enough reason to sense the advantages of a political establishment, they had not enough experience to foresee its dangers...Such was, or must have been, the origin of Society and of Laws, which gave the weak new fetters and the rich new forces, irreversibly destroyed natural freedom, forever fixed the Law of property and inequality, transformed a skillful usurpation into an irrevocable right, and for the profit of a few ambitious men henceforth subjugated the whole of Mankind to labor, servitude and misery. (173)

Rousseau thus offers proto-Marxist account of estrangement and loss in industrialization and the advent of property rights. In this moment, humanity loses both its sense of natural power and the original community life of the species.

Our liberation from this loss is a potential that is present in the animality of man: the energy of our passion, and in particular in our persistent need to strive

for freedom, according to Rousseau. The crude energy that fuels our desire for freedom is embodied in one of Rousseau's closing passages, comparing humanity to a horse:

As an untamed Steed bristles its mane, stamps the ground with its hoof, and struggles impetuously at the very sight of the bit, while a trained horse patiently suffers whip and spur, so barbarous man will not bend his head to the yoke which civilized man bears without a murmur, and he prefers the most tempestuous freedom to tranquil subjection. Man's natural dispositions for or against servitude therefore have to be judged not by the degradation of enslaved Peoples but by the prodigious feats of all free Peoples to guard against oppression...when I see [those who] sacrifice pleasures, rest, wealth, power, and life itself for the sake of preserving this one good which those who have lost it hold in contempt; when I see Animals born free and abhorring captivity smash their heads against the bars of their prison; when I see multitudes of completely naked Savages scorn European voluptuousness and brave hunger, fire, the sword, and death in order to preserve nothing but their independence, I feel that it is not for Slaves to reason about freedom. (177)^{xliv}

Conclusion:

Reclaiming subject position as a new foundation for animal ethics

The history of contract theory weaves two tales of the life of nature: nature becomes a dual metaphor for the life of man prior to culture (which encompasses his primitive instinct or “animal functions”),^{xlv} and at the same time represents the aggregate environmental resources and life forms that man finds himself both communing with and possessing for survival. The human animal is asserted to be unlike the other social beasts in Hobbes, but this distinction between human and animal sociality seems both arbitrary and unfounded. Nature is therefore, paradoxically, positioned as both intrinsic and external to humanity. Such a duplicity makes any attempt at marking a distinctly, fundamentally “human” territory impossible, and makes any concept of material property outside of nature’s extended progeny unreachable.

And, like Rousseau, I take an investigation of the animality of man in the state of nature to be a question of how nature is used thematically, rather than historically, in conceptualizing moral and political life. While the factual knowledge of the conditions of life prior to contract is irrecoverable, it is important to recognize how Rousseau was distinct among the contractors to elaborate on the ethical instinct for political life. In his account, it was our original, animal nature that helped solidify our mutual dependence prior to the artifice of ethical obligation under law.

Given Rousseau’s general lament of existence after the advent of property and his admiration for the physical capacities of the species left to the life of

nature, we may definitively say that Rousseau's concept of nature was distinct from his contractarian predecessors. In many ways, Rousseau aligned the animal and the human, valued the embodied animal and perceptual nature of the human species, and conceived of humanity's primordial political structures as ones resulting from informal, natural relationships of need.

Unlike Locke, Rousseau asserts that we are not divinely ordained unbridled dominion over natural resources. While the animal is still thought of as inferior to man in decision-making capacity, the animal is not thought of as a quintessential object of property or worse, to willingly acquiesce to humanity's exploitation. Rousseau was the most generous of the social contractors to animals, even claiming an animal ethics based on sentience: "a quality which, since it is common to beast and man, must at least give the beast the right not to be needlessly maltreated by man" (128). Of the contractors, Rousseau thus offers us the most agreeable account of the animal and the animality of man.

But, going further, the reasons for the animal's absence in the history of moral theory cannot be separated from this particular moment in political thought: the Enlightenment political revolution which places positive value on the cultivation of nature and the colonization of the Earth. Reflecting on the history of the social contract, the moment where the animal arises as an object of property is the same moment where political right is conceived in terms of a contract of exchange. The animal becomes an object of property precisely when one's fundamental rights to life, liberty and estate become absolute proprietary claims of the human being in political discourse. In this moment we conceive of the

animal as resource, and we conceive of nature as external and passive. We, thus, invent a human-authored polity where humans may exchange their fundamental rights for the protection and security of a binding social compact. Our original political moment in contract theory is simultaneously an economic moment of ownership, aggregation and exchange. Nature becomes null and void as a subject to this contract, and consequently the animal becomes lost in this distinctly economic basis for modern government.

Whether the animal and nature itself can be recovered as a subject to this discourse of the rights of man is a question that has fueled contemporary environmental ethics. Some have argued for the assertion of inherent animal interests on the basis of sentience; others have decreed that animals, too, possess rights; and still others draw out attention to the decay of the environment as an anthropocentric concern warranting our intervention for our own sakes.^{xlvi} Yet none of these approaches draws sufficient attention to how the nonhuman world was deliberately and historically constructed as opposed to humanity and thus shamefully imagined as outside of the domain of ethics.

The dilemma lies in the lack of a subject position for the animal in moral discourse. In a moment where we possess the animal, we compel its interests to be our own. This ignores a more pressing and immediate need to recognize the vitality of the animal as a subject with inherent moral value. Just as our passion justifiably drives humanity's desire for liberation from political subservience, so too might the animal's energy serve to justify its inherent interest in liberation and life.

The propriety claim of rights – which, I argue, is an *artificial* invention of the human mind which arises at a particular point of political revolution – may well be one method to extend this consideration to animals. But as animals lack language, and thus lack the ability to author or consent to any contract of exchange, and the social contract is no different. Therefore, I think it’s unlikely that animal rights will be brought to fruition in our current legal protections.

The standard philosophical approach of rights may be less effective than an immediate approach that recognizes the subject status of animals on the basis of vital interests, an approach I call vital ethics. Subjects are in a position to make claims, and the position to make claims as a subject of ethics is precisely what the animal lacks. It is the recognition of these visible, tangible interests of the animal – for instance, the most basic claims the animal makes on us to both sustain and extend its life – that founds vital ethics.

The approach of vital ethics draws partially on the work of environmental theorist Holmes Rolston III, who asserts that we need to supplement traditional ethical concepts of intrinsic and instrumental value with a third concept, systemic value. Systemic value conceives of value not simply to atomistic subjects of ethics (this particular chimpanzee, this particular person) but also values the insentient matrixes of relationships that comprise an ecosystem; as Rolston III writes, “Value in-itself is smeared out to become value-in-togetherness. Value seeps out into the system, and we lose our capacity to identify the individual as the sole locus of value” (Rolston 1991, 83). Thus, a blade of grass may not be sentient in any way, but may have intrinsic worth as a member of a given

endangered species, and may be extended systemic value in terms of its relations to the fauna that depend on that grass for sustenance, or to convert carbon dioxide back into oxygen in a given ecosystem. As Rolston III writes:

Duties arise in encounters with the system that projects and protects these member components in biotic community...A comprehensive environmental ethics reallocates value across the whole continuum...The system is valuable, able to produce value. Human evaluators are among its products. (1991, 81-3)

Vital ethics incorporates the concept of systemic value as a legitimate, relational value of moral worth. However, vital ethics goes further by recognizing the immediately perceivable subjects of a life that have an interest in their own vitality. Animals are subjects of a life, and in this subject position they may claim interests upon others and the environment. Rolston III alludes to this concept when he writes,

The oak grows, reproduces, repairs its wounds, and resists death. The physical state the organism seeks, idealized in its programmatic form, is a valued state. Value is present in this achievement. *Vital* seems a better word than...biological...[W]e want to affirm that the living individual, taken as a point-

experience in the web of interconnected life, is per se an intrinsic value. (71)

I believe the approach of vital combines the utilitarian interests of the sentience approach, with the need for the animal to possess something *in its own right* as proposed by the animal rights movement, and, importantly, with the need to recognize the immediate, embodied experience and vital energy that each animal carries and that should warrant their recognition in ethics. Vital ethics also addresses a lack in the traditional utilitarian sentience approach to environmental ethics, which sees sentience (as the capacity to experience pleasure and avoid unnecessary pain) as the single rubric for moral evaluation. The sequoia and the grizzly have interests because they are vital, not because they are sentient as such. Thus both the sequoia and the grizzly make immediate claims as experiencers of a life, as organic systems whose life processes should (by default) be continued rather than terminated.

This recognition of vitality need not be absolute – there may be legitimate reasons to override the vital interests of an animal if, say, the sacrifice or use of that vital being would produce a great benefit for an ecosystem (as is the case in the protection and assisted procreation for an endangered species, like the grizzlies, or in the removal of a predatory vine overgrowth that overcomes native plant species). Yet we would have the onus to provide those reasons while keeping in mind the organism's vitality, and this is something that we just do not do. Vital ethics, too, can incorporate the phenomenal experiences we have living

with animal companions: experiences of affection, communion, compassion, dependency (as in the case of service animals), enjoyment and love which are so patently and remarkably present in animal-human relations but which have (until recently) been ignored by animal ethics.

But most importantly, under vital ethics, animals, organisms and other environmental systems will gain their value immediately and almost instinctively, by the intrinsic force of their readily visible living interests. We move from the abstraction of universal rights discourse and the quantitative analytics of hedonistic calculations to a perceptible and concrete system of value: the spontaneous recognition of an animal's vital force, and our ability to realize how an animal's living interests deserve our respect.

Chapter Four

Animal encounters for animal ethics: *A morality of experience*

It was winter. The prospect of writing yet another page of a dissertation six years in the making was always an anxious experience, one that I frequently managed to sidetrack myself from with chatter with friends or colleagues, drinking, part-time jobs, and promises to myself to buckle down and write in cafes. Somehow, location meant a lot to me. Home was cluttered and busy, and the graduate student office I had been allotted was shared with three other people. Even when I had it to myself, the department hallways were supplied with an abundance of brilliant diversions. On these days of antsy academic rambling, I often decided to venture out and find a secure, third place that was outside of home, yet also happily outside of the “workplace” environment of my graduate school. I required that this hypothetical workspace be isolated (but not cut off), quiet (but not lonely), and preferably somewhere outside of the boilerplate Long Island standard of strip malls and franchised corporate cafes.

So I would drive down from my university campus to Port Jefferson harbor, a ferry town situated on the Long Island Sound with a distinctly seasonal economy. Over the summer, the town is a converging point for teenaged trendsetters, barflies, displaced New England harbor-goers, and motorcyclists. On a Sunday, the bikers rev their engines to turn heads. It gets everyone’s attention, as day-trippers stroll past the town’s rapidly changing storefronts. Turnover in the businesses is big: what was the Shrimp Boat Restaurant last year is now Biker’s

Paradise, specializing in all things leather, metal-studded and denim. The waterfront motels have a dusty, historical aesthetic. From September to April, these motels boast cracking eggshell paint and offer efficiencies with eat-in-kitchens, available for rental on a monthly basis. It begs the community to question, “Should we polish ourselves up to become new and trendy, or wait until next year?” All things considered, Port Jeff is part Hamptons, part Newport, and part flailing tourist economy.

But over the winter the experience is much more a regional taste than an iconic daytrip destination. The seasonal stores close, for the time being, or forever. The bars slow down and start promoting too generous happy hours, with pitchers of beer for ten cents or four-dollar wood fired pizzas with fresh mozzarella and basil. The side streets provide the brightest gems: a large, free, internet-friendly library with not one but two spotlessly clean men’s rooms; or a trendy, hippie-inspired vegan café complete with wheatgrass shots and my favorite feature, an “adults only” seating section with comfy worn-in sofas.

On these winter days, my trips to Port Jeff were always livened up when I passed the storefront window of Puppy Time, a pet shop with sidewalk-facing fiberglass puppy pens. Inside was a jumbled display of scantily two month-old purebred pups: retrievers, black labs, yorkies, St. Bernards, toy breeds, all rumbling over each other, all frolicking frenetically through shredded newspaper colored by the slightest yellow tinge of puppy piss. Despite this facet, I was overjoyed by the perennial supply of those slobbering, whimpering balls of affect that fetch thousands of dollars apiece; thus rendering any such purebred

universally unattainable for graduate students. My then-boyfriend accompanied me one day, asking to see the tiniest brown Chihuahua puppy that the world had ever borne. The wrinkly little monster quaked in our cupped hands. “He’s just like a Bean,” he said, and at that moment I thought there was really no name more fitting for such a tiny, trembling little being. The clerk told us they were having a special on miniatures, just reduced to twelve hundred.

And at the moment, yes, I did think that the puppies were worth it. To me, they were worth it for that experience of joy, for the fact that every time I was there I found myself inexplicably, indelibly smiling. They’re worth it for the fact that a parent handing a wiggling puppy to a four year-old yields blissful squeals beyond any human sound I’ve ever heard.

Reflecting on puppies, I think they are more significant to our causes than we first realize – they are certainly more than instrumental tools, more than supplements, and even more than companions to our lives. I think that puppies are mirrors for our own animality. They’re a reminder that we all are that dependent and vulnerable. When presented in this condition, these puppies need our immediate attention, and reward us with their immediate and unconditional delight. And, I wonder, how are we any different in our essential needs? Deep down underneath our layers of culture and pedantics, we share this vitality, and this sense of the necessity of the fulfillment of our basic needs. Reduced to this immediacy of our embodiment, our inalienable core of animality, we might all be balls of affect, hungry and happy, whimpering and frolicking, pissing and

slobbering. Perhaps at the core of our own very material humanity, we all are balls of need.

And, like the animal, we learn to domesticate. We do well to clean ourselves up. But just like any puppy, without trust, without hope, and without the loyalty of others we'll turn into something bitter, cold and desperate. Maybe if we're uncared for, we, like they, will take to the streets and become strays.

I was a bit crushed when I passed by the shop, three months later, to find it vacant and still – the glass pens were cleaned out, the piss all wiped up, the signage gone. Now lifeless, the storefront donned a “For Rent” sign. I later discovered that, among decreasing sales and rumors of puppymill conditions, the store had closed, fully in spite of my own moments of need.

My experience with dogs didn't end that winter. The following summer, my dissertation advisor called me to let me know she, her husband, and her son would be packing up to the seventh arrondissement of Paris for the summer, partially to take part in a seminar series with the French philosopher and literary theorist Luce Irigaray. Oh, and, would I be interested in watching her house while she was gone?

I had been to Mary's place before, but the ability to stay in her three-story, turn-of-the-century home was a treat that I was enthralled to indulge in. Quaintly situated in a historic, serene waterfront village, and surrounded by large homes that rival the luxury, style and exclusivity of the Amalfi coast, there was no way that I was saying no.

There was one catch, however. I wouldn't be alone. I would be watching her dog, Percy, whom I had met previously and admired fondly. Percy, a curly-coated wheaten terrier, was a mid-sized dog with an incessant desire to be coddled. Sitting on the kitchen stool meant having his paws directly on my feet, laying back in the recliner inevitably meant having his head in my lap. Percy's tightly matted golden-brown curls were thick, oily, and a bit musky, and his jowls always seemed sopping wet. Needless to say, he would be a formidable companion for the summer, and one that would keep both him and me taking long walks through this glamorous locale, both for his sake and for my selfish daydream of living in a mansion that would be featured in *Lifestyles of the Rich and Famous*.

There was just one knot to the situation: Percy was approaching eleven, certainly not a spring chicken for his breed. Lately, Percy was being incapacitated by a series of short seizures, which Mary seemed rightfully rattled about, but which I never experienced during his time in my care. The veterinarian's diagnosis revealed a brain tumor large enough to apply pressure to his nervous system, possibly causing the shocks. Operating on the tumor was not just exorbitant; it was very highly risky given Percy's age and the location of the tumor. Survival through such an ordeal was no guarantee.

Instead of taking this considerable risk, and because of the potential recovery time and her commitments abroad, Mary opted to take the vet's advice to place Percy on a daily dose of a sedative that would make him less susceptible to the seizures. Mary's husband, Mark, instructed me on the dosage: each day, I

would go through a morning and evening ritual of going to the fridge, wrapping the drug in an individual slice of Kraft American cheese, and administer the drug, which would be gratefully received by the patient. Mary commented on a few saddening side effects of the medication: Percy seemed to be more lethargic than usual, ambling about the house and splaying himself across the kitchen floor for hours at a time. On the dose, Mary said, Percy really was not himself. She left me with the local vet's business card and a 24-hour emergency number, "Just in case." Whether due to the drug or just by chance, I felt fortunate that I never had to encounter Percy in that condition.

But this is not to say that there wasn't any risk of Percy having another onslaught of seizures, and the situation was particularly difficult (and this is something I did not then confess) since it killed me to see Percy like this, who in a few glimmering moments would show me such lively and jovial elements of his character. This was especially the case when Mark showed me how he would take Percy for a walk to the neighborhood park. The park was a small, and often completely vacant, fenced-in field of grass and trees. It was infrequently policed by the village constable, whose beaten up 1980's Ford cruiser could be seen, or actually heard, from a mile away. There was a local ordinance to keep all pets on a leash – or "lead," as Mark called it for the first time I'd ever heard. I remember thinking how appropriate this word was for an animal who has his own pace, his own desires in exploring the world. Percy couldn't be tethered to anybody.

We walked Percy to the park together and Mark whispered like a schoolchild that he had received a citation for letting Percy off the leash, to run in

the bushes and trees alongside the field, to explore, and, the most egregious offense, to shit in nature without cleaning up after himself. Mark instructed me to always take a look around to see if the constable is coming, lackadaisically making his daily rounds. His patrol route usually occurred at a particular time in the afternoon, I was told, when his vehicle would saunter around the park area to enforce the village's leash laws, and to impose the town's absurd prohibitions on fishing and picnicking.

After getting the all clear, Mark released Percy from the lead and Percy bolted to the trees, sniffing and pissing and most importantly, coming alive. Freed from the routine of his sleepy, homebound behavior, Percy bounced around the park with all of his energy and natural curiosity. And, like a grizzly against the bark of an elm, Percy would roll over on his back to wiggle his solid little body and his mat of tight curls against the grass, shaking back and forth to yield a satisfying scratch. I loved seeing Percy in these moments of his fullest, vibrant vitality.

I was saddened to receive an email from Mary that winter, saying that Percy had become increasingly fraught with his nervous disorder and, after being observed for several days at the animal hospital, had succumbed to his illness and passed away. To me, Percy was still this vivacious image of an animal alive, the dog who reveled in his enjoyment and expressed his joy to me in that field all summer long.

And, either because I forgot or because some subconscious desire manifested itself in my behavior, Percy missed a few of his evening doses that summer. We took particularly long walks those evenings.

There's one more story I'd like to tell. Two weeks ago, as I was finishing the fifth chapter of this manuscript and hurriedly preparing for my dissertation defense, my housemates informed me of a stray cat that had been lurking in the backyard at night. I should've known when my own emotionally needy, domesticated housecat, Samson, stopped sleeping with me. Instead, he decided to make his evenings more lively: darting up and down the stairs, jumping around loudly from windowsill to windowsill, and intently peering into the yard at night. Little did I know that he was simply shooting the breeze alongside his cat colleagues, in his own cat way.

The sudden presence of the feral cat, however, was entirely my doing. It was attributable to my house cleaning: when I shook out my kitchen mats in our backyard, some of Samson's cat food crumbs lingered around the back porch, leaving a veritable kitten buffet. The fact that the house borders a 50-acre lake preserve left for the prospect of many wild things coming to feast on my evening's throwaways.

Soon, I noticed a scraggly-looking, longhaired orange cat lurking under the bushes. Bony, filthy, and easily jittered, the cat looked neglected and disowned. Even the most hardened criminal would have taken sympathy on this pathetic, starved scavenger, and it wasn't long before I decided that one full meal

was long overdue in this cat's fortunes. So I put the bowl out, with the cat peering skeptically from the bushes, and then left. Later, when my cat was peering outside again, I took a look outside and I was satisfied to see her feasting ravenously. I opened the porch door and attempted to make contact – but little did I know this wild cat had retained all of her instinct to take flight at the slightest possible threat.

The next day, the kitty did come back, and she didn't return alone. This time when I put the bowl out, the longhaired orange cat stood back as a new, brown and orange-spotted cat and a very young looking blue-eyed orange tabby emerged from the bushes to share the daily bounty. For whatever reason, I assumed she was the mother or otherwise the matron of this growing horde of wild kitties. Eventually, like a lioness who had given the first taste of fresh prey to her cubs, she came out and nibbled on the remaining morsels.

Samson became increasingly interested in his first head-on encounter with members of his species in years. I'd leave the back door open with the screen door closed for his benefit in what was becoming a daily parade, a visual spectacle for Sam. I also found myself going to the store to buy a separate, inexpensive bag of generic cat food specifically for the purpose of feeding these cats. And, the cats gradually crept up the porch, no longer taking refuge in the bushes and fully abandoning their former reclusive lives. Instead, they sat directly, expectantly on the back porch, meowing at the sight of Samson at the door, and even sunning themselves on some oppressively hot summer days. When my housemates were gone, I would sneak another batch of snacks to the kitties, despite the growing

irritation of one of the housemates who told me now that they're here, they will never leave.

But really, I couldn't help myself. My father once said that our family had inherited the "St. Francis gene," referring to the patron saint of animals, St. Francis of Assisi. St. Francis was notorious both for his love of nature and for his rather unusual habit of giving sermons to canaries and squirrels.^{xlvii} Some contemporary environmental philosophers have even gone so far as to call for the reclaiming of St. Francis as the patron saint of environmentalism.

I must have had some ancestry in Assisi. My childhood was marked by numerous animal companions, ordinary and extraordinary: dogs, gerbils, mice, miniature turtles (who were smuggled from a carnival that I attended while in France), goldfish, quails (which were also a middle school science project), a talking green-winged macaw, ferrets, and now a cat. Caring for animals was all that I knew.

And I became fond of observing the evolution of the cats. Even given their wild origin, they were now becoming both trusting and loyal visitors to my home. One, the brown and orange-spotted kitty, became so bold as to approach the back door, brushing her/his long mane against the screen in what I saw as a deliberate move to both taunt and excite Samson. Even the original matron was looking fuller, healthier and less disheveled than she was just a few days ago.

I remember thinking that these cats were gradually becoming housecats: their proximity to the home was increasing, and they no longer ran off but rather

stepped a bit closer when I walked out to the porch with food. I was conditioning them, against their predispositions, to trust me.

This was not a situation that lacked ethical scrutiny on my part. I should say that I immediately disposed of the housemate's concern of a lingering cat population, which is at worst an inconvenience for future inhabitants. I thought more about what I was doing to the cats' instinct. As wild predators, they had depended on their own strength and cunning to survive. I thought of the philosophy I had studied, and specifically of what Luce Irigaray said in her essay on "Animal compassion." She writes about her experience of animal encounters,

I have evoked little about the animals termed domestic or domesticated. I do not like this relationship to animals very much, and I have only rarely, or briefly, animals in my home. I like animals in their home, living in their territory, and coming from time to time to offer me freely some testimony of friendship.

(Irigaray 2005, 198)

I began to grow self-reflective and even skeptical of my desire to help fulfill these animals' immediate needs. What were the potential consequences of beginning to strip these cats of that need? Would the cats be able to survive hunting on their own after becoming accustomed to an easy meal and a sunny porch? Was I doing something wrong?

I also wondered what would become of these cats when I move away with Samson in tow. Will they revert to nature? Will they somehow become domesticated and join themselves to humanity's causes?

In these moments of concern and self-criticism, I also became aware of how fraught with dichotomies Irigaray's own thinking is, in particular with the problem of valuing only "animals in their home, living in their territory" (198). Isn't this just reinstating the dichotomy of nature and culture that has been so markedly crossed and muddled by the history of animal-human relationships? These easy divisions remind me of the problems of the dyads of nature/culture, wild/domesticated, animal/man – and how utterly impossible it is to assert that what it means to be "human" means being on one, and only one, side of this coin.

Thinking of the Irigaray's separation of animal and human territory, I am compelled to ask when the feral cats "left" their territory: was it when they came from the forest to the bushes, when they moved from the bushes to the porch, when they affectionately brushed themselves against the screen door, or perhaps in some future moment – when they dare to step foot inside the house? At what moment did the cat's territory become my territory, or vice versa? I began to question the this-or-that, my-or-your logic of territory. Human and animal territories are marked by degrees of cultivation more than an absolute nature/culture divide. Are we ever so separate?

I think it's clear that there was no one moment of domestication; instead, we have a rich history of relationships that are as messy and complicated as any history of evolution should be. Thus I think Irigaray's analysis is too superficial in

the blanket exclusion of the domesticated animal from her discourse. I wonder how overly simplified any concept of animals confined to “their territories” must be, and long for the messy complication of real, cross-species transgressions.

A late and fond colleague of mine, Karen Burke, once told me at a department gathering that she had seen a PBS documentary that was pertinent to my project. It was about the history of dogs, and specifically the mystery of their domestication: how did dogs transform from wild, predatory wolves into these soft, friendly, and loyal companions? There were numerous theories on the topic: the wolves may have been intentionally captured, caged as a curiosity, and later brought into the home for companionship; or perhaps the wolves began scavenging about the remains of human hunting, and gradually they were trained to assist in the pursuit.

The explanation Karen preferred, she said, was that dogs domesticated themselves. Pointing to primitive societies, it was said in the documentary that early human tribes would stockpile waste in a particular location, away from the settlement but close enough for the convenience of disposal. The wolves began feeding off of the food waste in these landfills, and gradually interacted with people. Through their trusting disposition, the wolves began to willingly approach humans for food, and finally integrated themselves into the entirety of human life.^{xlviii} I prefer to think that, so too, the feral cats domesticated themselves.

And now one, as I, may wonder why I write about Percy, feral cats, puppy stores, or any particular experience with animals at this moment. I write about

these experiences because there is some moment in our encounter with animals that reminds us of our own animality. But, more importantly, there is a respect and dignity that Percy commands, even instills in me as I reflect on him now. Percy deserved to have interests and deserved to be loved, regardless of my particular presence, regardless of any individual's sense of duty or obligation to uphold his sentience. Percy just deserved to be loved.

I also write about these experiences because they serve as a reminder of the immediacy with which we regularly accept our relationships with animals to be morally significant to our own causes. This moral immediacy may be furthered by an ethics, and I am compelled to assert that the vitality of animals grants them actionable interests. But maybe there is more conceptual fodder in the phenomena of our experience of relating than in abstract theoretical propositions.

To turn back to my focus on the fundamental animality of humans, I realized that there was an odd but lovely circularity of logic that resulted from my reflection on the first chapters. The animal was never fully disjoined from the human in ancient thought, as Plato pointed to the domesticated animal as a key to understanding human nature and pedagogy in the *Republic*. The animal was created as a separable object at a particular point in history, where nature (as an external object world) and the animality of material embodiment were both posited as repressible components of human life. In this hypothetical dominion over animality, an equally artificial humanity was invented.

A strictly materialist concept of the body, and with it a mechanistic concept of nature and the animal, is the result of a very particular strain of thought

legitimated in philosophy by Descartes. In this metaphysical moment, the soul of man gains ontic authority of the materially determined automation of animal life. This was an externalizing moment for the animal in the discourse of the human. Still, the vital force of humanity remained as a distinctly animal force even for Descartes, as he attempted to resolve the experience of embodiment with the uncontrollable factor of the universal, animated force of life.

The social contractors distinguish distinctly “human” political territories by virtue of an economic process where the animal is a sheer instrument for human production. Estranged from the naturally social species of Aristotle, humanity in Hobbes becomes separate from nature, as an artificial animal that is engrossed with its own egoism and the perpetual fulfillment of its fleeting material desires. Nature and the animal become tools for human utility in Locke, as the onus to develop nature and colonize its inhabitants is authorized by both God and the economic basis for his polity.

Rousseau’s state of nature presents a properly anthropological account of progress where the human is not alienated from his ancestry in animal life. We begin to see both ethical obligations to animals and an identity united with nature in his account of primitive society. Rousseau, then, may be the first in this contractarian history to attempt to reconnect humanity with its animal origins, in order to recover both the life of our species and eventually to posit a society where the goal of common welfare will yield a life that is “the best for man” (Rousseau 2005, 167).

The goal of animal philosophy today is to bring us full circle to the appreciation of the animal and the animality of human embodiment as potent, thought-provoking experiences that should warrant our ethical inquiry. The immediacy of an animal's vital interests is one way to begin this new consciousness of the animal's importance in our collective lives. We find ourselves immediately claimed by the needs of animals, just as we do the needs of others – there is no formal origin to this obligation, no moment of contract. Instead, there are the layers of dependency of an interrelated world: the animal, the environment, and the human animal were never separate, and will never be separated.

Our sense of ecological dependency should initiate an awareness of the need to respect the interests and dignity of animated life. Vital ethics may provide one solution, understood as an ethics that immediately grants value to the energy of systems apart from their presumed instrumental value or degree of sentience. Vital ethics recognizes systemic value as a legitimate moral consideration while recognizing that subjects of a life that have an interest in their own vitality.

Contemporary thought on the animal has attempted to recover the unity of animal and man, as well as this animal in man. Singer's infamous approach is to apply utilitarian standards to grant interests to animals: "The capacity for suffering or enjoyment is *a prerequisite for having interests at all*...In this way we can argue for equality for animals without getting embroiled in philosophical controversies about the ultimate nature of rights" (Singer 2002, 7-8). But Singer's work, for all its formality and abstraction, is, to me, missing something.

I believe that Singer's work is lacking to the extent to which it may not account for significant environmental values: for instance, we may not have evidence that the Redwood is sentient, but we may still assume that the Redwood is a vital system that should be granted interests on the basis of its requirements for flourishing: clean air, water, soil with nutrients, sunlight, freedom from toxic pollutants, and so forth. Provided any countervailing reasons (which may indeed include considerations of utility), we should *first* presume that these vital interests and their systems of support deserve to be maintained; this consideration of interests occurs regardless of the Redwood's ability to feel pain and pleasure or the sentience of other, related organisms that depend on it.

In addition, Singer's work remains embedded in the atomism of utilitarian calculations, where (as Bentham originally envisioned) the interests of the whole are identical to the sum of the parts: thus for any community, the common good is nothing more than the added goods of each of its members, and where this conflicts, the interest of the majority.

An ecosystem is more relational, less individuated, and therefore less atomistic in terms of ethical evaluation than Singer's account allows. An endangered species, for instance, may have vital interests in an ecosystem that greatly surpass the combined sentience of its members and its immediate relatives. An ecosystem may also allocate value to insentient components of that system: if a family of grizzlies requires clean running water for hydration and food resources, a fair evaluation of the grizzly's ecosystem would require that the river itself is allocated a degree of value, regardless of the particular sentient

others that depend on the river or that are present at any particular time. Here, vital ethics would require moral consideration to sustaining the river beyond the accumulated prospect of harm and pleasure to the individual members of the animal species.

I'm encouraged by the work of Donna Haraway, who in more recent literature has shifted focused from the cyborg back to the companion animal as her primary trope of analysis. Her method disavows the separation and objectification of the animal that is prevalent in the history of philosophy:

Beings do not preexist their relatings...The world is a knot in motion. Biological and cultural determinism are both moments of misplaced concreteness – i.e. the mistake of, first, taking provisional and local category abstractions like 'nature' and 'culture' for the world, and second, mistaking potent consequences to be preexisting foundations. There are no pre-constituted subjects and objects, and no single resources, unitary actors, or final ends. In Judith Butler's terms, there are only 'contingent foundations;' bodies that matter are the result. A bestiary of agencies, kinds of relatings, and scores of time trump the imaginings of even the most baroque cosmologists. For me, that is what *companion species* signifies. (Haraway 2003, 6)

Haraway pioneers a relational ethics with companion animals, but simultaneously unsettles the atomistic concept of the self that is at the core of individualist identity theory. I can only join Haraway in her proclamation, “We have never been human” (Haraway 2008, 1). To this, I would add the obvious: We have always been animal.

I am, therefore, less compelled by the abstraction of rights, the assertion of specific absolute duties, or the hedonistic calculus, than I am by my own and others’ particular relational experiences with animals. Mortal, thriving, joyful, material life is shared across our living system. We need an ethics which, as Holmes Rolston III puts it, “reallocates value across the whole continuum,” where value seeps through the whole of organic life, and thus we lose ourselves, paradoxically, to our own benefit: “Value in-itself is smeared out to become value-in-togetherness...we lose our capacity to identify the individual as the sole locus of value” (Rolston 1991, 83).

We come full circle by coming back to the animal in ourselves. We can start by taking the animal seriously as a subject of ethics and abandoning an unthinking appropriation of the animal for the sake of sheer convenience. In this change, we face the reality of our own needs, as material and mortal as the animal itself. An ethics of separation from the animal is unfeasible given our collective, environmentally dependent experience of life.

But don’t listen to me. I would encourage my reader to listen to her or his own experiences with animals. If they’re anything like mine, the animal won’t be just an abstract object, an instrument, a source of food, a guide, a guard, a

garment, a method of transport, or a sporting companion. If you're like me, the animal is alive in your minds right now with a rush of memory and enjoyment. And, if you're like me, the animal and the human are both ethical in their immediacy.

They, like we, just deserve to be loved.

Between me and not-me there is surely a line, a clear distinction, or so it seems.

But now that I look, where is that line?

The fresh apple, still cold and crisp from the morning dew, is not-me only until I

eat it,

when I eat, I eat the soil that nourished the apple.

When I drink, the waters of earth become me.

With every breath I take in I draw in not-me and make it me.

With every breath out, I exhale me into not-me...

Even between you and me, even there, the lines are only of our own making.

- Donella Meadows, *The global citizen*

Notes to Chapter One

ⁱ Chris Cuomo recognizes the distinction between instrumental/noninstrumental value in the treatment of animals. Whether a being has intrinsic worth is determined by if that being possesses value beyond its use for some other purpose: the entity itself must possess some particular quality that has objective worth beyond use-value. Correspondingly, the recognition of harm in animals presupposes normative considerations that extend noninstrumental value to that being. As Cuomo writes, “Something with (only) instrumental value is valuable in so far as it is useful to moral agents, or persons. In contrast, beings with noninstrumental value have additional, ethically significant value above and beyond their use value...An important difference between beings with noninstrumental value and, and those that are only valuable in so far as they can be used, is that things with noninstrumental value can themselves be harmed – we can do wrong directly unto those beings” (1998, 12).

ⁱⁱ The culmination of this project is the recognition of an ethical status for the relationship between the human and nonhuman animal world, based in a rethinking of subject position. This new concept of subjectivity draws on the primitive sympathy at the core of compassion ethics and considerations of relational autonomy. For other current thinkers working on the value of this relationship, see (this is far from exhaustive) Irigaray’s work on “Animal compassion” in *Animal philosophy*, Oliver’s upcoming book on *Animal pedagogy*, Wolfe’s *Animal rites*, or Haraway’s *The companion species manifesto*.

ⁱⁱⁱ In Chapter Two, I explicitly address the figure of the animal in a Cartesian analysis of animation, from *Passions of the soul*. In addition, I argue that Descartes’ treatment of animals as unconscious automata forms the basis for a view of nature that lacks metaphysical value. This equation of animals to machines buttresses Descartes’ argument for humanity’s place as masters and possessors of nature; this is repeatedly seen in his *Discourse on method* and *Letters to More & Elizabeth*, in his *Correspondences*.

^{iv} For an extension of the place and significance of the animal in human education, see Kelly Oliver’s piece on Herder and Rousseau in *Culture, theory and critique*.

^v As there is ambiguity on how and when to use “Plato’s Socrates” as the agent who is responsible for the standpoints of the Republic, for the purposes of this argument I use the two interchangeably.

^{vi} This idea of humans as watchdogs does not begin with Plato. In his *Agamemnon*, Aeschylus has Klytemnestra refer to her husband as “tōnde tōn stathmōn kuna,” the “watchdog of the house” (As quoted in *A companion to Greek tragedy*, Saïd 2005, p. 218). Further, mythology often referred to servants, agents, or watchers of the gods as “dogs” (Liddell, Scott, and Jones, *Greek-English lexicon*, Oxford, 1940), “kuōn.”

^{vii} See Elizabeth Spelman’s “Good grief, it’s Plato!” from *Feminists rethink the self*.

^{viii} *Thumos* is typically translated as “spirit” or, alternatively, “passion.”

^{ix} In Desmond Lee's translation of *Republic*, the comparison between the guardian and watchdog is explicitly recognized (Lee 1987, 125-128). Here, he speaks of the development of *psuche* in terms of the advancement of guardian character. Lee distinguishes guardian spiritedness/*thumos* and philosophical consciousness as akin to the common parlance distinction between the qualities of heart and mind, respectively. With regard to the philosophical nature of the dog, Lee claims that this is a knowledge distinction rooted in the acknowledgement of authority: "So the dog who *knows* his master becomes a philosopher" (128).

^x Reflecting on the state structure established in *Republic*, in Plato's *Timaeus* the operation of the state itself is likened to an animal process. According to Socrates in the *Timaeus*, just as one imagines the resting animal come to motion, one yearns to see the state succeed in contest: "My feelings are like those of a man who gazes upon magnificent-looking animals, whether they're animals in a painting or even alive but standing still, and who then finds himself eager to look at them in motion or engaged in some struggle or conflict that seems to show off their distinctive physical qualities. I felt the same thing about the city we've described" (2000, 19b-c). Here, the city again is rendered an organic entity: the city comes alive in battle, becomes animate in the exercise of its capacities. In the same way, that the animal finds its excellence through the use of its faculties. As in *Republic*, the city itself is understood in terms of animal functions.

^{xi} Book V clearly admits of the possibility of female guardians in the *Republic*, the class from which the ruling philosophers were chosen. Thus, please permit her inclusion here.

Notes to Chapter Two

^{xii} See, for example, Richard Sorabji's *Animal minds and human morals*. Sorabji offers an extensive analysis of the understanding of animals as fundamentally perceptual beings in the history of ancient and early modern philosophy.

^{xiii} Chapter Three provides an analysis of the social contract tradition and its perilous effects on the animal world. In particular, Locke's *Two treatises* present an environment which is always the willing object of property for human use. Our relationship to the animal world is construed as a relationship of (free) subject to owned object. The animal, here, becomes both the first object of property and falls outside of the domain of ethics. Other social contractarians, like Rousseau, unify the animal nature of human experience with certain features of nonhuman animal life, in particular in his anthropological approach to the pre-civil conditions of the state of nature.

^{xiv} Environmental philosopher Chris Cuomo elaborates the distinction between instrumental and noninstrumental value when she writes: "Something with (only) instrumental value is valuable in so far as it is useful to moral agents, or persons. In contrast, beings with noninstrumental value have additional, ethically significant value above and beyond their use value... An important difference between beings with noninstrumental value and, and those that are only valuable

in so far as they can be used, is that things with noninstrumental value can themselves be harmed – we can do wrong directly unto those beings” (1998, 12).

^{xv} When speaking of subjectivity, I am speaking of an account of existence that concentrates on the nature of one’s phenomenal life. I do not, here, mean subjectivity simply in terms of personhood, though I do want to recognize how subjectivity has been historically constructed to create an oppositional dyad between self and world, and between human and animal. I explicitly am not speaking of subjectivity in terms of its meaning of prejudicial feeling or bias. However, I feel it necessary to here recognize the feminist criticisms of the tendency in philosophy to equate emotions, feelings, and “the personal” with prejudice and irrationality, a view which tends toward the relegation and domination of women (See, for example, Gilligan’s *In a different voice*, or Held’s “Reason, gender, and moral theory”). Suffice it to say here that in speaking of subjectivity, I am focusing on a specific account of the nature of lived experience in terms of the location and conditions of flourishing for a being.

^{xvi} In his distinction between life and death, Descartes asserts that “heat and movement proceed from the body, and thoughts from the soul,” yet still death is just the moment where, “the soul departs...because the heat ceases and the organs used to move the body disintegrate” (1989, 20-1). Still, this places the animation of a being as a product of the physical functions of the body.

^{xvii} In the original, “soi-même,” translated in the English version as “himself.”

^{xviii} Translation from the French: “...tout ce qui se fait ou qui arrive de nouveau est généralement appelé par les philosophes une passion au regard du sujet auquel il arrive” (*fr. ed.* 1988, 155).

^{xix} There may be a confluence between the heightened concept of the force of the passions that I advocate here and the history of animism in environmental philosophy. For a discussion of animism in its historical context, see Lynn White Jr.’s “The historical roots of our ecologic crisis” (1967).

^{xx} I use animal spirits since this is the most accurate translation of “*les esprits animaux*” (*fr. ed.* 1988, 159), though one may argue that animal passions is a more philosophically useful twist of terminology. The interest in the animal nature of passions is not strictly academic; numerous books have engaged the topic, of particular interest to this project is Bekoff and Goodall’s *Animal passions and beastly virtues: Reflections on redecorating nature* (2004). In addition, by connecting passions to political fervor, a European animal activist group has embraced the name and web domain (www.animalpassion.be); in addition, a British documentary, *Animal passions* (2004), investigates the complex psychological, religious and personal dimensions of zoophilia/bestiality as a human-animal relationship.

^{xxi} See Article 69: “That there are only six primitive Passions...namely, Wonder, Love, Hatred, Desire, Joy and Sadness-and that all the others are composed of some of these six or are species of them” (1989, 56).

^{xxii} Again: “All that is done or that arrives anew is generally called by philosophers a passion with regard to the subject to which it arrives” (*fr. ed.* 1988, 155).

Notes to Chapter Three

^{xxiii} For more on the social contract as a document enforcing colonial exclusion, see Charles Mills' *The racial contract*.

^{xxiv} Herbert Schneider's introduction to *Leviathan* credits the text for debunking the then-ubiquitous political authority through the divine right of kings; instead, Hobbes creates the sovereign in the commonwealth as the "artificial animal" or "mortal God," based in the interest of mutually established standards of peace (Hobbes 1958, vii).

^{xxv} The natural ambition of humanity, understood by Hobbes as an egoistic desire for supremacy, is taken from the Socratic vision of the unjust person's drive to consistently "outdo" others: "[T]hose who practice justice do it unwillingly... The reason for this is the desire to outdo others and get more and more (*pleonexian*). This is what anyone's nature naturally pursues as good, but nature is forced by law into the perversion of treating fairness with respect" (Plato 1992, II 357c-d). Thrasymachus's definition of justice as the interest of the stronger finds its foundation in the ungoverned drive to outdo, or subdue and control, others for purely selfish ends. Grube notes how it is not the natural fulfillment of the demands of self-preservation, but the exceeding of primitive needs for excess artificial desires, that is at the core of the desire to outdo: "*Pleonexia* is, or is the cause of, injustice, since always wanting to outdo others leads one to try to get what belongs to them, what isn't *one's own*. It is contrasted with *doing or having one's own*, which is, or is the cause of, justice" (1992, 20).

^{xxvi} We are predisposed to these laws by nature since, for Hobbes, our intuition to leave the condition of war is brought on by "the passions that incline men to peace," which were "fear of death, desire of things which are necessary to commodious living, and a hope by their industry to obtain them" (109). Still, the laws themselves are not gotten from the passions, which for Hobbes know good and evil only in terms of perpetual desire and the fulfillment of appetite (see *Leviathan* Part I, Ch. 6 on "animal motion" and volition, 51-3).

^{xxvii} The first and primary two laws of nature are elaborated in Chapter Fourteen, 109-119.

^{xxviii} Hobbes criticizes the political writings of the history of Greek and Roman concept of right for lacking the conceptual backing in nature: they "derived those rights not from the principles of nature but transcribed them into their books out of the practice of their own commonwealths" (175). Of course, one may launch the same criticism against Hobbes for committing the same error with reference to the ambiguous "laws of nature" that are enforced, to the benefit of citizens, by sovereign authority.

^{xxix} Luana Ross offers investigates the historical construction of Native American savagery through a history of colonization in *Inventing the savage*. Consistently in contract theory, Native American tribes are used as metaphors for life in the state of nature, a move which neglects the autonomous political structures that existed in tribal life. Further, the Bureau of Indian affairs aided in the construction of

Native American criminality by associating Indian society with brutish lawlessness, an identification of Native life with a Hobbes-like conception of animality. The Commissioner of Indian Affairs during the 1870s, Francis Amasa Walker, justified reformatory practices on the basis that Natives were “biologically inferior beings” with “strong animal appetites and no intellectual tastes or aspirations to hold those appetites in check” (Ross, p. 21).

^{xxx} John Stuart Mill’s *On liberty* conceives of this ruler specifically as a predatory animal, and one who presumably exists out of the necessity for protection from the violent power of humanity’s own egoistic animality: “To prevent the weaker members of the community from being preyed upon by innumerable vultures, it was needful that there should be an animal of prey stronger than the rest, commissioned to keep them down. But as the king of the vultures would be no less bent upon preying on the flock than any of the minor harpies, it was indispensable to be in a perpetual attitude of defence against his beak and claws” (Mill 1989, 6).

^{xxxii} The *First treatise* is a critique of the arbitrary force of patriarchal and regal power, as a baseless form of government that (ironically) finds its justification in a presumed “natural” intention for monarchical control. Thus the *Treatise* is an explicit criticism of Robert Filmer’s *Patriarcha, or the natural power of kings*. Freedom for Locke is conceived of as a positive liberty, by the authority of natural right, to create the laws and become the author of the mutual compact; this moves against a strict understanding of negative liberty or freedom as exemption from government power or an ability “not to be tyed by any Laws” (Locke 2005, 284).

^{xxxiii} “Force without Right, upon a Man’s Person, makes a State of War, both where there is, and is not, a common Judge” (Locke 2005, 281). Again, the concept of primitive right is understood as the liberty to preserve one’s life, which if recognized in common would result in noninterference with this right in others.

^{xxxiii} The concept of “natural covenant” as justly formed has the unfortunate consequences of justifying colonial supremacy, as Locke uses it to validate contracts of property exchange between European explorers and Native American populations: “The Promises and Bargains...between a *Swiss* and an *Indian*, in the Woods of *America*, are binding to them, though they are perfectly in a State of Nature, with reference to one other. For Truth and keeping of Faith belongs to Men, as Men, and not as Members of Society” (Locke 2005, 277). One may wonder to the extent that Locke’s concept of pre-civil contract may be used to justify the willing submission of indigenous populations.

^{xxxiv} “The measure of Property, Nature has well set, by the Extent of Mens *Labour, and the Conveniency of Life*: No Mans Labour could subdue, or appropriate all: nor could his Enjoyment consume more than a small part; so that it was impossible for any Man, this way, to intrench upon the right of another, or acquire, to himself, a Property, to the Prejudice of his Neighbor” (Locke 2005, 292).

^{xxxv} From Locke’s *Second treatise* (271).

^{xxxvi} When discussing the mating ceremonies and the reproduction of children in Book V of *Republic*, Plato recommends infanticide through neglect for children

who lack the capacity to contribute to the common good: “I think they’ll take the children of good parents to the nurses in charge of the rearing pen situated in a separate part of the city, but the children of inferior parents, or any child of the others that is born defective, they’ll hide in a secret and unknown place, as is appropriate” (V 460c).

^{xxxvii} See Chapter One, “Guardians or Good Dogs,” or *Republic* Book II (375d-376c).

^{xxxviii} Rousseau is rather explicitly criticizing the conditions of slavery in the *Discourse* when he states that it makes no sense to speak of natural inequality, and further that political (or artificial) inequality, such as slavery bears no link to the force of nature: “It makes no sense to ask what the source of Natural inequality is... Still less does it make sense to inquire whether there might not be some essential connection between the two inequalities; for that would be to ask in different terms whether those who command are necessarily better than those who obey, and whether strength of Body or of Mind, wisdom or virtue, are always found in the same individuals, in proportion to their Power or Wealth: A question which it may perhaps be good for Slaves to debate within hearing of their Masters, but not befitting rational and free Men who seek the truth” (Rousseau 2005, 131).

^{xxxix} “It is therefore not surprising that the Hottentots of the Cape of Good Hope can sight Ships with the naked eye as far out... as the Dutch can with telescopes, nor that the Savages of America track the Spaniards by smell just as well as the best Dogs might have done, nor that all these Barbarous Nations tolerate their nakedness without discomfort, whet their taste with hot Peppers, and drink European Liquors like water” (Rousseau 2005, 140). Tracy Sharpley-Whiting’s *Black venus: Sexualized savages, primal fears and primitive narratives in French* offers an in-depth analysis of African savagery, colonization, and the spectacle of “exoticized” cultural others during 18th through early 20th Century Europe.

^{xl} Barbara Ehrenreich’s firsthand narrative of low-wage workers, *Nickel and dimed*, chronicles the consistent problem of healthy food alternatives for the working poor.

^{xli} There may be a theoretical unity between this concept of human perfection as the end of free choice and the attainment of virtue in Aristotle’s *Nicomachean Ethics*.

^{xlii} See, for example, the UN-sponsored 1992 Rio Declaration on Environment and Development.

^{xliii} This stage Rousseau refers to as just one of the “intermediary stages” of development of nascent society from the state of nature (2005, 186).

^{xliv} In other versions, “...it is not for slaves to argue about liberty.” See, for example: <http://www.wsu.edu/~dee/ENLIGHT/DISC2.HTM>.

^{xlv} Rousseau, *Discourse*, p. 142.

^{xlvi} The animal sentience approach is most attributable to the infamous animal liberationist Peter Singer; the philosophical case for animal rights can be seen in the works of Tom Regan; and, the recognition of an instrumental, yet significant, value for animal and environmental resources is one of the approaches elaborated

by Bernard Williams in “Must a concern for the environment be centered on human beings?”

Notes to Chapter Four

^{xlvi} While these moments are well noted in historical texts, Lynn White Jr.’s “The historical roots of our ecologic crisis” is a compelling look at the significance of St. Francis and the potential for “the Franciscan doctrine of the animal soul” (White Jr. 1992, 13). A separate treatise could be written on the birth and death of the concept of animal soul in Christian theology; such an extensive analysis goes beyond the scope of this project.

^{xlvii} Stony Brook Manhattan’s annual Irigaray Circle benefits from the memory of Karen in the Karen Burke Memorial Lecture series.

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