

Feminism and the Treatment of Animals: From Care to Dialogue

In recent years feminists have brought care theory to the philosophical debate over how humans should treat nonhuman animals. Care theory, an important branch of contemporary feminist theory, was originally articulated by Carol Gilligan (1982) and has been elaborated, refined, and criticized extensively since it was first formulated in the late 1970s. Since I and others applied care theory to the animal question in the early 1990s (see esp. Donovan and Adams 1996), it has established itself as a major vein of animal ethics theory (the others being liberal rights doctrine, utilitarianism, and deep ecology theory). It also has received close scrutiny from the philosophical community, which has yielded pertinent criticisms.

This article is an attempt to respond to these criticisms and thereby further refine and strengthen feminist animal care theory. Although focused on the issue of animal treatment, my analysis may have implications for care theory in general. As it is my conclusion that many of the critiques have misapprehended the original message of the feminist animal care theorists, I hope to reposition the discussion to emphasize the dialogical nature of care theory. It is not so much, I will argue, a matter of caring for animals as mothers (human and nonhuman) care for their infants as it is one of listening to animals, paying emotional attention, taking seriously—*caring about*—what they are telling us. As I state at the conclusion of “Animal Rights and Feminist Theory,” “We should not kill, eat, torture, and exploit animals because they do not want to be so treated, and we know that” (Donovan 1990, 375). In other words, I am proposing in this article that we shift the epistemological source of theorizing about animals to the animals themselves. Could we not, I ask, extend feminist

I would like to thank Erling Skorpen, who stimulated my thinking in this direction years ago; Carol Adams for planting the idea of applying standpoint theory to animals; the *Signs* editors and readers for their suggestions; and my dogs Aurora and Sadie, with whom I dialogue daily.

standpoint theory to animals, including their standpoint in our ethical deliberations?

Feminist animal care theory

Feminist animal care theory developed in reaction against the animal rights/utilitarian theory that had by the 1980s established itself as the dominant vein in animal ethics (Singer 1975; Regan 1983). Rooted in Enlightenment rationalism, liberal rights theory and utilitarianism, feminist care theorists argue, privilege reason (in the case of rights theory) or mathematical calculation (in the case of utilitarianism) epistemologically. Because of their abstract, universalizing pretenses, both rights theory and utilitarianism elide the particular circumstances of an ethical event, as well as its contextual and political contingencies. In addition, rights theory, following Kantian premises, tends to view individuals as autonomous isolates, thereby neglecting their social relationships. It also presumes a society of rational equals, a perspective that ignores the power differentials that obtain in any society but especially in one that includes both humans and animals. Finally, both rights and utilitarianism dispense with sympathy, empathy, and compassion as relevant ethical and epistemological sources for human treatment of nonhuman animals.

Feminist care theory attempted to restore these emotional responses to the philosophical debate and to validate them as authentic modes of knowledge. It also, following Gilligan, urged a narrative, contextually aware form of reasoning as opposed to the rigid rationalist abstractions of the “one-size-fits-all” rights and utilitarian approach, emphasizing instead that we heed the individual particularities of any given case and acknowledge the qualitative heterogeneity of life-forms.

Finally, implicit in feminist animal care theory—though perhaps not sufficiently theorized as such—is a dialogical mode of ethical reasoning, not unlike the dialectical method proposed in standpoint theory, wherein humans pay attention to—listen to—animal communications and construct a human ethic in conversation with the animals rather than imposing on them a rationalistic, calculative grid of humans’ own monological construction.

Feminists—indeed most women—are acutely aware of what it feels like to have one’s opinion ignored, trivialized, rendered unimportant. Perhaps this experience has awakened their sensitivity to the fact that other marginalized groups—including animals—have trouble getting their viewpoints heard. One of the main directions in feminist legal theory has insisted that legal codes drawn up based on male circumstances often do

not fit the lives of women, whose differing realities and needs have not been recognized in the formulation of the law (West 1988, 61, 65; 1997; MacKinnon 1989, 224). Just, therefore, as feminism has called for incorporating the voices of women into public policy and ethical discourse, so feminist animal advocates must call for incorporating the voices of animals as well. Dialogical theory, therefore, means learning to see what human ideological constructions elide; to understand and comprehend what is not identified and recognized in these constructions; to, in short, attempt to reach out emotionally as well as intellectually to what is different from oneself rather than reshaping (in the case of animals) that difference to conform to one's own human-based preconceptions.

Response to criticisms and elaborations of feminist animal care theory

Before further developing the dialogical aspect of feminist animal care theory, I would like first to address recently proposed critiques and refinements of that theory. Such discussion will, I believe, help to elaborate the modifications in care theory I am proposing here.

I begin with the criticisms. A continuing criticism of care theory in general is that the individual experiences of caring on which it is based are not universalizable. Robert Garner, for example, labeled care theory "problematic" because, although he acknowledges that "contextualizing animal suffering in particular cases" (2003, 241) is enriching (citing in this regard Marti Kheel's proposal that all meat eaters should visit slaughterhouses to experience emotionally the circumstances that produce their food [Kheel (1985) 1996, 27]), such an individual experience cannot, he claims, be "universalize[d] to appeal to those who have not had that particular experience" (Garner 2003, 241).

Garner's criticism is a variation of Immanuel Kant's objections to care theory's eighteenth-century counterpart, sympathy theory (see Donovan 1996). Kant argued that sympathy is an unstable base for moral decision making because, first, the feeling is volatile; second, the capacity for sympathy is not evenly distributed in the population; and third, sympathy is therefore not universalizable (1957, 276–81). Instead, he proposed that one should act ethically out of a sense of duty and that one's sense of what is ethical be determined by imagining what would happen if one's actions were universalized. For example, if one were to universalize one's own lying as an ethical law, it would mean that everyone could lie, which would effect an adverse result, making one realize that lying is wrong. This is the so-called categorical imperative (302).

Kant therefore rooted the idea of universalizability in the individual decision maker—"the moral agent . . . in lonely cogitans" (Walker [1989] 1995, 143)—who attempts to imaginatively universalize his or her own ethical inclination in order to ascertain a moral imperative. Garner, however, seems to imagine an abstract arbiter (the philosopher perhaps) apart from the decision maker who does or does not universalize from the instance of a person revulsed by a slaughterhouse. While there seems to be some confusion among proponents of universalizability as to who is doing the universalizing (see Adler 1987, 219–20), the question is a crucial one for feminists, who have become suspicious of universalizing theories precisely because of who has traditionally done the universalizing and who has been left out. Indeed, many ethic-of-care theorists have dispensed with the universalizability criterion altogether, seeing it as incompatible with the particularistic focus of care (Benhabib 1987; Walker [1989] 1995). Margaret Urban Walker suggests in fact that a rigid application of universalized norms may result in "a sort of 'moral colonialism' (the 'subjects' of my moral decisions disappear behind uniform 'policies' I must impartially 'apply')" ([1989] 1995, 147).

Nevertheless, if generalizing is done from a feminist point of view, as in Kheel's argument—in other words, if we take seriously the perspective or standpoint of a marginalized individual as opposed to contending that such a perspective is invalid because not universalizable—I would argue that it is not illogical to contend that one might easily generalize from an individual ethical reaction, extending that reaction to others similarly situated, thus positing a general or universal precept. Thus, one might reason: if others could see the horrendous conditions in this slaughterhouse, they too would be revulsed and moved to take an ethical stand against such practices—for example, to condemn the slaughter of animals for food as morally wrong, to become vegetarians. Moreover, one can likewise generalize from the treatment of one cow in the slaughterhouse to contend that no cows should be treated in this way. Thus, through the use of the moral imagination one can easily extend one's care for immediate creatures to others who are not present. These remote others are not, however, the abstract disembodied "others of rational constructs and universal principles" envisaged by Kantian rights theorists but rather "particular flesh and blood . . . actual starving children in Africa," as care theorist Virginia Held pointed out with respect to remote suffering humans (1987, 118).

In other words, the injunction to care can be universalized even if all

the particular details of an individual case cannot be so extrapolated.¹ The real question that is raised in applying care theory to animals then becomes who is to be included in the caring circle? Or, to put it in other terms, who is to be granted moral status? I will argue below that status should be granted to living creatures with whom one can communicate cognitively and emotionally as to their needs and wishes.²

In an article generally sympathetic to feminist animal care theory, David DeGrazia points out correctly that “much feminist [animal theory] work construes moral status . . . in terms of social relations” (1999, 126), unlike more traditional moral theory, which relies on an entity’s property (sentience, agency, etc.). He considers that this idea, while proposed some twenty years ago by Mary Midgley, has not been seriously discussed but has “potentially enormous” implications, as it represents a major shift in ethical thinking about moral status (126). DeGrazia, however, misrepresents Midgley in making his point. Midgley does argue that we should give serious moral consideration to those with whom we have emotional or social ties (including animals), acknowledging that as a practical matter one is often limited to caring for those around one, but she doesn’t claim that primary concern with one’s immediate circle should automatically override all other ethical considerations. In fact, she states quite the opposite (1983, 23).

DeGrazia, however, construing Midgley to favor those near over those remote, warns that “excessive weight [given] to [personal] social bonds” (1999, 126) raises once again the question of universalizability: if one favors one’s immediate circle (which may include animals)—an attitude that is sometimes referred to as “kin altruism”—won’t this “destabilize the moral status of many humans: unloved loners, people from very different cultures or highly isolated countries” (126), not to mention unlovable animals? This criticism echoes Tom Regan’s objection to care

¹ Regarding Kant’s other points, one might question whether a sense of moral duty and the capacity to reason are any more evenly distributed in the population than the capacity for sympathy. Indeed, care theorists, like most feminist theorists, believe that habits and practices are socially constructed, not innate (Kant’s point about sympathy being unevenly distributed implies that only or mostly women have the capacity); thus, they are teachable. I would argue then, following Nel Noddings (1984, 153), that if compassion practice were taught systematically as a discipline in the schools, it would become a widely accepted socially sanctioned basis for moral decision making and therefore not dependent on the whim of various individual responses, thus replying to Kant’s concern about subjective volatility.

² By the term *cognitive* I do not mean restricted to rational discourse but rather including all communicative signs detectable by the human brain.

theory, articulated in *The Thee Generation*: “Most people do not care very much what happens to [nonhuman animals]. . . . Their care seems to be limited to ‘pet’ animals, or to cuddly or rare specimens of wildlife. What then becomes of the animals toward whom people are indifferent?” (1991, 96).

Pace DeGrazia and Regan, most feminist animal care theorists have not in fact argued for prioritizing one’s immediate circle; rather, they have proposed that care and compassion is a practice that can and should be applied universally—a categorical imperative, if you will—to all animals (human and non). As I argue below in furthering this contention, knowledge of one’s immediate animal entourage, as well as one’s own experience of suffering, provides a point of reference to which the reactions of remote others may be compared and analogized on the principle of homology.

Garner offers a second criticism of care theory, namely, that it fails to provide a specific guide for action. He asks, for example, if it prohibits meat eating (2003, 241). It is hard to believe, given the volume of eco-feminist vegan/vegetarian theory that has emerged in the past decade, that anyone could doubt the answer to this question.³ Garner wonders, however, if animals raised humanely (with care) and slaughtered humanely (but nevertheless slaughtered) would be acceptable under care theory (241), for the animals would be receiving compassionate treatment during their lives. Garner’s question points to a misapprehension of care theory that I believe a dialogical theory will help to correct. From the point of view of a dialogical ethic of care, the answer to Garner’s question would clearly be no, for if we care to take seriously in our ethical decision making the communicated desires of the animal, it is apparent that no animal would opt for the slaughterhouse. A Jain proverb states the obvious: “All beings are fond of life; they like pleasure and hate pain, shun destruction and like to live, they long to live. To all life is dear” (*Jaina Sūtras* [1884] 1973, I.2.3).⁴ Humans know this, and a dialogical ethic must be constructed on the basis of this knowledge. Caring must therefore be extended to mean not just “caring about their welfare” but “caring about what they are telling us.”

But what if, Garner continues, one encounters a situation in which there is a “conflict of caring, whose interests should we choose to uphold?” (2003, 241). In particular, he raises the issue of animal research, which

³ See, e.g., Adams 1995; Donovan 1995; Gaard and Gruen 1995; Lucas 2005.

⁴ As cited in Chapple 1986, 217. Jainism is an ancient Indian religion, a principal feature of whose practice is the vow of ahimsa (to do no harm to other living creatures). All Jains are thus vegetarians.

may benefit humans and thus satisfy a caring ethic for humans if not for animals. Deborah Slicer, a major feminist animal care theorist, explored this issue thoroughly in her nuanced article, "Your Daughter or Your Dog?" (1991). Slicer makes the salient points in the feminist animal care argument: much of the research is, to be blunt, worthless (i.e., redundant and trivial), and, as is becoming increasingly evident (even more so since Slicer's article appeared), "animals often do not serve as reliable models for human beings and . . . it can be dangerous to extrapolate from results obtained from one species to another" (117).

One might argue that stressing the uselessness of the research evades the basic dilemma posed by Garner. I would counter, however, that a feminist animal care ethic insists that the political context of decision making is never irrelevant and that ethical decisions must include an assessment of that context (in this case, the questions of who benefits from the research economically and how reliable are the research results published by thusly interested parties).

One might pose Garner's hypothetical differently to avoid the question of tainted, useless research. What if caring for immediate creatures whom one loves clashes with one's concern about remote others? My response is not intended to be evasive, but I would argue that lifeboat hypotheticals that pose questions of this type—while ostensibly designed to clarify moral thinking and values—abstract so egregiously from the particulars of any given situation as to hopelessly distort it. Indeed, nearly always, the conflicts described can in reality be negotiated in accordance with the particular circumstances of the case and settled as "both/ands" rather than "either/ors." Moreover, it is also apparent, as Slicer, Kheel (1989), Vandana Shiva (1994), and others have pointed out, that truly beneficial human health measures, such as cleaning the air, water, and soil from the poisons injected into them by agribusiness and chemical corporations (including, of course, most centrally, factory farms), are ignored, while animal experiments of dubious value are pursued with vigor (largely by profit-driven corporations and collaborating universities). Here is a case where, once again, seeing the political context aids in clarifying an ethical issue far more than a lifeboat hypothetical does.

In addition to criticisms, there have been in the recent past several refinements of feminist animal care theory, to which I now turn. In his law review article "The Role of the Rational and the Emotive in a Theory of Animal Rights" (1999), Thomas G. Kelch, a law professor and the first to apply feminist animal care theory to the law, argues that one should grant rights to those for whom one feels compassion (empathy/sympathy). The determination of who shall be granted rights or moral status (i.e.,

who shall be included in Kant's "kingdom of ends") is seen therefore to depend on humans' emotional assessment of creatures' capacity to suffer. Kelch thus places the emphasis on the emotional reactions of the human subject. This distinguishes him from Regan and Peter Singer, who, as noted, emphasize rational inquiry as a means of determining moral status. In the case of Regan, such determination grants rights to "subjects-of-a-life" or to those who are conscious and self-directive (Regan 1983, 243–48); in the case of Singer, it is to those creatures who have "interests" in not being harmed (Singer 1975, 8, 18).

Relying heavily on feminist animal care theory, especially on the articles collected in *Beyond Animal Rights* (Donovan and Adams 1996), Kelch argues, "On the issue of whether it is fitting to attribute rights to animals in order to protect them from ill treatment, we might ask whether we feel compassion for their suffering. We might ask whether we feel attachment to them, whether we feel a sense of kinship to them, whether we feel awe at their resistance" (1999, 39). Kelch is clearly speaking generically here. In other words, it is a matter not of caring just for an individual animal in an individual situation or of an immediate circle but of caring in general. We know, he argues, that animals "have the kind of suffering and pain that are appropriately objects of this emotion [compassion]" (38). Kelch thus seems to grant moral status to creatures who we know feel pain because we empathize with their suffering.

Although utilitarians have argued that sentience or the capacity to feel pain or pleasure is a "*prerequisite for having interests*" and thus for being granted moral status (Singer 1975, 8), Kelch's position stresses the emotional response of the human determining that status.⁵ Instead, therefore, of proceeding to the calculation of interests proposed in utilitarian theory, where suffering is quantified in a balancing of interests ("the greatest good for the greatest number"), Kelch remains closer to the feminist animal rights position, which avoids mathematical calculations in ethical decision making. The weakness of the utilitarian position in this regard was illustrated recently in an article by Singer and Karen Dawn, "When Slaughter Makes Sense" (2004), in which it is argued that the slaughter of 25 million ducks and chickens was ethically justified in order to halt the spread of avian flu (the argument was also applied to cows with respect to "mad

⁵ Jeremy Bentham, the founder of utilitarianism, famously stated that the critical question regarding the moral status of animals is not "Can they *reason*? nor, can they *talk*? but, *Can they suffer*?" ([1789] 1939, 847 n. 21).

cow” disease and cats with respect to SARS).⁶ The obvious speciesism of this argument is apparent if one considers that the slaughter of 25 million humans to prevent the spread of some disease would be considered outrageously evil.

A dialogical ethic-of-care approach to this issue, by contrast, would insist that the wishes of the animals not to be slaughtered must be taken seriously in weighing their fate. The Singer-Dawn position apparently regards the wishes of the chickens and ducks in this case as trivial, thus pointing up a major difference between the feminist ethic-of-care approach and other animal defense theories. The feminist position puts the emotional response of caring up front and center and does not dismiss it as irrelevant when big decisions have to be made. A dialogical extension of the ethic-of-care approach would, in addition, put front and center the feelings of the animals in question and not dismiss those desires as irrelevant to the argument. Moreover, as with other lifeboat hypotheticals (here implicitly posed as “would you slaughter 25 million chickens to save one child’s life?”), there is likely a “both/and” solution. There are undoubtedly other ways to control the spread of the disease than through mass slaughter.⁷ How do we control epidemics among humans? We don’t slaughter the infected. We quarantine them; we treat them medically; we take care of them. Granted, such solutions would likely be more costly, a realization of which must lead us to conclude that the ultimate reason for the slaughter of millions of chickens, ducks, cows, and cats was that it was the most profitable alternative for agribusiness. Finally, therefore, I would argue once again that the larger answer to these sorts of questions lies in a consideration of the ultimate political causes for, in this case, the spread of the disease. If these causes were analyzed, it would be clear that the solution lies not, therefore, in more mass slaughter but rather in a cessation of the system that raises animals for slaughter to begin with and moreover in miserably unhealthy conditions. (In fairness, Singer and Dawn also make this point.)

Another recent article that takes an approach similar to Kelch’s is one that extends feminist animal care theory to issues of child abuse. In “Protecting Children and Animals from Abuse: A Trans-species Concept of Caring” (1999), James Garbarino argues, citing my “Animal Rights and

⁶ Singer and Dawn also make the amazingly specious argument that the animals in question were going to be slaughtered anyway, so what difference does it make?

⁷ Saijai Phetsringharn, a duck egg wholesaler in Thailand, where the avian flu in poultry has reached epidemic status, recently argued, for example, that the way to stop its spread is to vaccinate the birds. Such vaccines do exist. (See Specter 2005, 53.)

Feminist Theory” (1990), that “it is in their capacity to *feel* that the rights of animals derive” (Garbarino 1999, 9). He argues further that “any genuine understanding of the rights of children and animals must arise out of empathy. *We (and they) feel, therefore we are entitled*” (10). (Garbarino notes how in his own experience “there came a point where I could imagine the screaming of a fish—and then ceased to be able to cast that baited hook” [12].) “We should,” he urges, “conceptualize a generic empathy for the victimized as part of our core mission” (11).

In an article published in 2004, however, Catharine MacKinnon proposes, in contradistinction to the above opinions, that the ability to feel pain should not be the criterion for moral status; one should not have to experience suffering, she argues, in order to be granted rights: “Why is just existing, being alive, not enough?” (2004, 271). Her point is that demonstrating that animals can feel will not prove any more effective in ending animal abuse than associating women with feeling has helped end women battering. Women have, she points out, in fact been stigmatized as inferior in part because of their association with feeling. In other words, feminizing animals by showing them to be emotional creatures who suffer, she claims, will not effect their inclusion within the compass of who is to be granted moral status.

I have to disagree with MacKinnon here and agree with the previous theorists, in particular Kelch and Garbarino, both of whom, as we have seen, would accord rights or moral status to those who can suffer and feel. In fact, as a strategy, evoking sympathy for an oppressed group has historically been an effective means of arousing moral indignation against oppressive practices. David Brion Davis attributes the abolition of slavery in large part to the “complex change in moral vision” effected by the sympathy movement of the eighteenth and nineteenth centuries initiated by theorists of the Scottish Enlightenment (1996, 54). That movement succeeded in getting whites to see Africans as persons like themselves for whom they could feel sympathy. Indeed, Harriet Beecher Stowe wrote *Uncle Tom’s Cabin*—which many (including Abraham Lincoln) credited as a major force in turning public sentiment against slavery—largely for the purpose of convincing the white reader that blacks suffered just as whites did. A recurrent theme in the novel is that blacks should not be considered as property/objects—as was held under existing U.S. law—but as subjects who feel similarly as whites. Little Eva, a central moral authority in the novel, tells her father at one point, “These poor creatures love their children as much as you do me” (Stowe [1852] 1981, 403), thus countering slave traders’ arguments that blacks are not sensitive to pain or emotional suffering. “These critters ain’t like white folks, you

know,” one trader remarks of a black woman’s misery over a child of hers being sold at auction, “they gets over things” (47). As Marjorie Spiegel points out, “In the eyes of white slave-holders, black people were ‘just animals,’ who could soon get over separation from a child or other loved person” (1988, 43). Stowe, incidentally, also wrote a powerful article protesting animal abuse, “Rights of Dumb Animals” (1869).

Thus, a strong argument for granting creatures moral status is to persuade oppressors that those they are oppressing are subjects who have feelings not unlike those of the oppressor. This positing of similarity or homologousness serves to make empathy or sympathy possible. If one sees the other as a creature who suffers in a manner like oneself, then one can imagine oneself in that creature’s situation and can thus imaginatively experience his pain. One thereby implicitly grants him moral status comparable to one’s own.

But what of those with whom one has little in common and who may not appear to feel as we do (to reprise Regan’s critique that humans favor cuddly animals over those less appealing, like snakes and spiders, who may not exhibit recognizably humanlike emotions)? Here I believe we see the limits of theory based strictly on the sympathetic reaction. We need—and the rest of this article will be devoted to developing my case—to reorient or reemphasize that care theory means listening to other life-forms regardless of how alien they may seem to us and incorporating their communications into our moral reaction to them. In other words, even if we don’t feel the cuddly warmth we might toward a human infant—presumably the paradigmatic experience in care theory—we nevertheless can read other creatures’ language on the principle of homology, for their nonverbal language is very much like ours. In the case of snakes and spiders, for example, we can see by their body language (which is homologous to ours) that they experience terror and anxiety, that they shrink away from sources of pain, that they want to live. We must respect their wishes in any human decision making about their condition.

In addition to Kelch’s, a second recent important and thoughtful exploration of care theory that requires a response is Grace Clement’s “The Ethic of Care and the Problem of Wild Animals” (2003). Clement explores the question of whether rights theory, which privileges autonomy, independent agency, and freedom from intrusion, might be more applicable to the situation of wild animals than care theory is, even though care theory, traditionally interpreted in maternalistic terms, might seem to be more applicable to domestic animals who are dependent on humans and in a position of lesser power. Clement’s nuanced conclusion is that each approach is necessary in both wild and domestic cases. Her discussion

raises a number of interesting points that help to clarify the direction in which I would like to see care theory move.

Clement suggests (probably correctly) that animal care theory evolved by taking domestic animals “as paradigmatic” (2003, 3) and wonders whether sympathy might be a more appropriate emotion for domestic animals than for wild ones. If, she proposes, the world of wild animals is one of “eating *and being eaten*,” following the characterization of deep ecologist J. Baird Callicott, “our sympathies would seem to be out of line with this fact” (Clement 2003, 3; see also Callicott 1987, 205).

First, it must be pointed out that the characterization of nature as “red in tooth and claw” is a distortion (on this, see Midgley 1983, 24). In fact, one can argue equally well that the predominant practice in the natural world is one of symbiosis and cooperation. Nevertheless, it is indeed true that one’s sympathies for an animal being killed by another animal in the wild would seem to be misplaced, or at least vain. However, the contention itself risks falling into the naturalistic fallacy, misconceiving the purpose of human ethics. Feminist care theorists are not offering an ethic for all animate life on the planet. Rather, they are concerned with an ethic for the human treatment of nonhuman animals. They are not proposing an ethic for lions chasing zebras, but neither do they endorse that humans emulate lions or other animals in establishing their own ethic. What they propose instead is an ethic that ensures that humans do not themselves inflict suffering on creatures who we know can suffer or experience harm.

Environmental ethicists such as Callicott classically fall into the naturalistic fallacy when they attempt to justify practices such as hunting by claiming they “reaffirm [humans’] participation in nature” (Callicott [1980] 1992, 56). While numerous ecofeminist criticisms of environmentalist justifications of hunting have been made (Luke [1992] 1996; Davis 1995; Kheel 1995), here I would like to apply dialogical care theory to the hunting issue. A dialogical ethic for the treatment of animals would argue that our ethic of how to treat the deer should be based on what we know of the deer’s wishes. If one reads and pays attention to the body language of the deer who is fleeing from the hunter, taking seriously the communication from the deer that she does not want to be killed or injured, one would have to conclude that the hunter should lay down his gun.

One might object that this position risks itself falling into the naturalistic fallacy, which bases human ethics on alleged natural behaviors of animals in the natural world. But the difference is that in the dialogical approach it is not a matter of behaving like the deer or modeling human ethics on

the deer's behavior; rather, it is a matter of incorporating the deer's position and wishes dialogically in the human ethical-decision-making process.

What, however, if one receives mixed messages from animals: how then does a dialogical care ethic respond? In the case of the lion and the zebra, for example, it is clear that the lion is communicating a desire to eat the zebra, where the zebra is communicating a desire not to be eaten. How is the human to respond? Clement, I think persuasively, argues for a general theory of noninterference in the wild but proposes nevertheless that a human encountering an individual suffering animal in the wild should act to alleviate that suffering (2003, 7). I would further postulate that a human should attempt to protect weaker animals within her immediate entourage; that is, if one's own companion animals are attempting to kill another animal, one should try to prevent it.

A dialogical ethic does not assert that the animal's position should be the only matter taken into consideration or that the human should automatically comply with the animal's wishes. Ethical decision making is in fact made dialogical by the introduction into the conversation of factors the human knows beyond the animals' ken, which may be relevant to the ethical choice. In the case of domestic animals for whom one has assumed responsibility, such factors might include, for example, a decision to give one's companion animal a vaccination, even though one knows the animal doesn't enjoy going to the vet or receiving a shot. One nevertheless decides in this case to override the animal's immediate wishes because one sees that the animal's suffering is likely to be minimal and temporary and that the long-term result is likely to be beneficial to the animal, saving her from worse pain and suffering.

One might object that such a decision-making process reprises the utilitarian ends-and-means logic that justifies lab experimentation on animals: local immediate suffering that leads to a later, greater good. But in fact the analogy doesn't hold up. Lab animals are subjected to much greater and repeated pain, not to mention the stress of confinement, and a long-term, abstract good may well not result and certainly will not result for the individual animal who is likely to be killed as reward for her pains.

The final elaboration of feminist animal care ethics that I wish to comment on is MacKinnon's "Of Mice and Men" (2004). MacKinnon characterizes the liberal animal rights approach as the "like us" or "sameness model" in terms that recall her similar critique of the inadequacies of liberal rights theory with respect to women in her celebrated books *Feminism Unmodified* (1987) and *Toward a Feminist Theory of the State* (1989). As in these works, she notes in "Of Mice and Men" that the

liberal model of equality for all ignores substantive power differentials among unlike entities.

Most powerfully, MacKinnon attacks champions of free speech, such as the American Civil Liberties Union, who have defended crush videos, for example, in which stiletto-heeled women crush live small animals to death to provide sexual titillation for the viewer. The ACLU argued in opposition to the recent federal law banning such videos (in interstate commerce) that the film itself is speech and therefore permitted under the First Amendment. Although MacKinnon doesn't make this point in reference to the federal law, an implicit question is thereby raised: Whose speech is being overlooked here?

This example graphically illustrates how a dialogical ethic of care would operate differently from traditional liberal constitutional doctrine. A dialogical ethic would argue that the wishes of the animals being crushed must be taken into account in human decision making about their fate. (A similar point might be made with respect to another recent national event, the "mad cow" disease scare of late 2003 in which virtually no one expressed concern about paying emotional attention to the sick and injured "downer" cows' own feelings about being dragged by chains and bulldozed into slaughterhouses, much less about how healthy cows feel about being slaughtered.)

MacKinnon further develops her point by examining a 2000 California anti-snuff-video bill (which didn't pass) that provided a consent provision for humans (i.e., if they consented to the acts being depicted, the bill would not apply) but not for animals. MacKinnon sarcastically comments, "Instructively, the joint crush/snuff bill had a consent provision only for people. Welcome to humanity: While animals presumably either cannot or are presumed not to consent to their videotaped murder, humans beings could have consented to their own intentional and malicious killing if done to make a movie, and the movie would be legal" (2004, 269).

While the issue of human consent in such matters may be questioned (and has been by MacKinnon elsewhere, where she points out that such consent presumes an equal playing field and elides coercive circumstances like economic need, patriarchal brainwashing, etc. [1987, 180–83]), the bill's consent provision inadvertently highlights the fact that no one asked the animals if they consented, which of course they would not. MacKinnon concludes this discussion by asking, "Who asked the animals? . . . Do animals dissent from human hegemony? I think they often do. They vote with their feet by running away. They bite back, scream in pain, withhold affection, approach warily, fly and swim away" (2004, 270).

A standpoint theory for animals?

Because it offers a more theoretically sophisticated political perspective than care theory, standpoint theory, another significant vein in contemporary feminist theory, may prove a useful supplement to care theory regarding the ethical treatment of animals.⁸ Especially in its original articulation by Georg Lukács, standpoint theory would seem to be particularly apt for the dialogical focus I am proposing here. Lukács, a Marxist, developed the idea in his *History and Class Consciousness* (*Geschichte und Klassenbewusstsein* [1923] 1971), in which he posited that the proletariat evinces a particular and privileged epistemology because of its commodification or reification in the capitalist production process. When a subject is treated as an object, Lukács argues, the experience necessarily evokes a critical consciousness born of the subject's ironic knowledge that he or she is *not* a thing. In capitalist assembly-line production, Lukács notes, the worker "is turned into a commodity and reduced to a mere quantity. But this very fact forces him to surpass the immediacy of his condition" ([1923] 1971, 166). Beneath the "quantifying crust," however, lies a "qualitative living core" (169) from which arises a critical, subversive consciousness. Lukács elaborates: "In the proletariat . . . the process by which a [person's] achievement is split off from his total personality and becomes a commodity leads to a revolutionary consciousness" (171). Moreover, "corresponding to the objective consciousness of the commodity form, there is the subjective element . . . [and] while the process by which the worker is reified and becomes a commodity dehumanizes him . . . it remains true that precisely his humanity and his soul are not changed into commodities" (172).

Feminist standpoint theory has generally—following Nancy Hartsock (1983)—rooted an oppressed group's awakening critical consciousness less in objectification and more in bodily experience and in the practice or memory of nonindustrial craft-based labor (use-value production); however, for the purposes of developing a feminist approach to the animal

⁸ Carol Adams initiated this line of thinking in her 1997 article "'Mad Cow' Disease and the Animal Industrial Complex" (see esp. 29, 41–42, 44). Adams takes a different tack than I do here, seeing cows as "alienated laborers" whose standpoint has been ignored. See also Slicer 1998. While care theory and standpoint theory derive from different philosophical traditions, they connect in their concern about paying heed to others' misery. And in the original formulation of feminist standpoint theory, Nancy Hartsock (1983) identified as the feminist standpoint the female relational ontology that is at the heart of care theory. Where care theory and standpoint theory differ, however, is that the latter is more of a political theory that seeks to locate the causes of the misery and to confront and eliminate it politically; care theory is more of a moral theory aimed at alleviating misery in an immediate way. Both approaches are necessary, I argue below.

question, the Lukácsian emphasis on reification as the primary element constitutive of the critical standpoint would seem more useful.⁹

When the theory is applied to animals, it is abundantly clear that they are commodified and quantified in the production process—even more literally so than the proletariat, whose bodies at least are not turned into dead consumable objects by the process, though they may be treated as mechanical means. Where one immediately senses problems, however, in applying standpoint theory to animals is in the question of how their subjective viewpoint is to be articulated. For obviously, unlike human workers, animals are unable to share their critical views with other animals or to organize resistance to their objectification and (in their case) slaughter. However, the fact that workers rarely expressed a proletarian standpoint spontaneously or rose up *en masse* against their treatment (a perennial problem in revolutionary theory) suggests that the differences between the two cases may not be as great as they might at first appear. Often, as a practical matter, Marxist theorists have fallen back on the idea of an intellectual vanguard leading and educating the proletariat so as to recognize and act against the injustices that are inflicted on it (the most famous example here being V. I. Lenin’s idea of the vanguard party). And indeed a central question in feminist standpoint theory has been that of the relationship between the theorists articulating the standpoint and the women on whose behalf it is being articulated (see Hartsock 1998, 234–38).

In the case of animals, it is clear that human advocates are required to articulate the standpoint of the animals—gleaned, as here argued, in dialogue with them—to wit, that they do not wish to be slaughtered and treated in painful and exploitative ways. And human advocates are necessary as well to defend and organize against the practices that reify and commodify animal subjects.

A dialogical ethic of care for the treatment of animals

Ludwig Wittgenstein once famously remarked that if a lion could speak we couldn’t understand him (Wittgenstein 1963, 223e). In fact, as I have been proposing here, lions do speak, and it is not impossible to understand much of what they are saying. Several theorists have already urged that

⁹ MacKinnon is the exception here. In “Sexuality, Pornography, and Method: ‘Pleasure Under Patriarchy’” ([1990] 1995), she proposes that “sexual objectification” be considered the basis for the emergence of a woman’s standpoint (135). For a survey of feminist standpoint theories, see Harding 1986, 141–51.

humans need to learn to read the languages of the natural world. Jonathan Bate has proposed that we learn the syntax of the land, not seeing it through our own “prison-house of language,” in order to develop appropriate environmental understandings (1998, 65). Similarly, Patrick Murphy has called for an “ecofeminist dialogics” in which humans learn to read the dialects of animals. “Nonhuman others,” he claims, “can be constituted as speaking subjects rather than merely objects of our speaking” (1991, 50).¹⁰ Earlier, phenomenologist Max Scheler spoke similarly about the necessity for learning the “*universal grammar*” of creatural expression ([1926] 1970, 11). Indeed, over a century ago American writer Sarah Orne Jewett speculated about the possibility of learning the language of nonhumans, asking, “Who is going to be the linguist who learns the first word of an old crow’s warning to his mate . . . ? How long we shall have to go to school when people are expected to talk to the trees, and birds, and beasts in their own language! . . . It is not necessary to tame [creatures] before they can be familiar and responsive, we can meet them on their own ground” (1881, 4–5).

There are those, to be sure, who still raise the epistemological question of how one can know what an animal is feeling or thinking. The answer would seem to be that we use much the same mental and emotional activities in reading an animal as we do in reading a human.¹¹ Body language, eye movement, facial expression, tone of voice—all are important signs. It also helps to know about the species’ habits and culture. And,

¹⁰ In the past few years a number of other literary theorists have begun exploring the possibility of a dialogical “animal-standpoint criticism.” I have just completed an article (not yet published), “Animal Ethics and Literary Criticism,” that further develops this concept.

¹¹ This is to disagree somewhat with Thomas Nagel, who in “What Is It Like to Be a Bat?” (1974) argues that we humans cannot apprehend “bat phenomenology” (440); i.e., we can only imagine what it would be like for us to be bats, not what it is like for bats to be bats. To an extent Nagel is correct, of course; it is a truism of epistemology that we are limited by our mental apparatus. However, I believe more effort can be made to decipher animal communications and that while we may never fully understand what it feels like to be a bat, we can understand certain pertinent basics of his or her experience, sufficient for the formulation of an ethical response. For an alternative view to Nagel’s, see Kenneth Shapiro’s “Understanding Dogs” (1989), which argues that we recognize the validity of interspecies “kinesthetic” communication. Although Val Plumwood proposes a “dialogical interspecies ethic” in her recent *Environmental Culture* (2002, 167–95) that would seem to be consistent with what I am proposing here, she inconsistently argues that it is ethically permissible to kill and eat nonhumans under this ethic: one can “conceive [them] both as communicative others and as food” (157). This would seem to defeat the purpose of a dialogical ethic, which is to respond ethically to what the “communicative other” is telling one, namely, and invariably, that he does not want to be killed and eaten.

as with humans, repeated experiences with one individual help one to understand that individual's unique needs and wishes. By paying attention to, by studying, what is signified, one comes to know, to care about, the signifier.¹² In this way, what Carol J. Adams (1990) famously termed the *absent referents* are restored to discourse, allowing their stories to be part of the narrative, opening, in short, the possibility of dialogue with them.

The underlying premise here is that one of the principal ways we know is by means of analogy based on homology. If that dog is yelping, whining, leaping about, licking an open cut, and since if I had an open wound I know I would similarly be (or feeling like) crying and moving about anxiously because of the pain, I therefore conclude that the animal is experiencing the same kind of pain as I would and is expressing distress about it. One imagines, in short, how the animal is feeling based on how one would feel in a similar situation.¹³ In addition, repeated exhibitions of similar reactions in similar situations lead one inductively to a generic conclusion that dogs experience the pain of wounds as we do, that, in short, they feel pain and don't like it. The question, therefore, whether humans can understand animals is, in my opinion, a moot one. That they can has been abundantly proved, as Midgley points out, by their repeated success in doing so (1983, 113, 115, 133, 142).

Of course, as with humans, there is always the danger that one might misread the communication of the animal in question, that one might incorrectly assume homologous behavior when there is none. To be sure, all communication is imperfect, and there remain many mysteries in animal (as well as human) behavior. Feminist ethic-of-care theorists have explored some of the difficulties inherent in attempting to assess the needs of an incommunicative human and/or the risks of imposing one's own views or needs on her. But as Alison Jaggar summarizes, care theorists maintain that in general such "dangers may be avoided [or at least minimized, I would add] through improved practices of attentiveness, portraying attentiveness as a kind of discipline whose prerequisites include attitudes and aptitudes such as openness, receptivity, empathy, sensitivity, and imagination" (1995, 190).

Understanding that an animal is in pain or distress—even empathizing or sympathizing with him—doesn't ensure, however, that the human will

¹² Here I am modifying classical structuralist terminology.

¹³ In the locus classicus on the subject of knowing another's inner states, "Other Minds" ([1946] 1979), J. L. Austin insists that a primary prerequisite for such communication is that one must have had the feeling oneself (104). Austin, however, like Nagel, abjures the possibility of knowing "what it would feel like to be a cat or a cockroach" (105).

act ethically toward the animal. Thus, the originary emotional empathetic response must be supplemented with an ethical and political perspective (acquired through training and education) that enables the human to analyze the situation critically so as to determine who is responsible for the animal suffering and how that suffering may best be alleviated. In her recent book *Regarding the Pain of Others* (2003), Susan Sontag warns that people do not automatically act ethically in response to pictures of other people's pain (she doesn't deal with images of animals). While she characterizes as a "moral monster" the person who through a failure "of imagination, of empathy" (8) does not respond compassionately, she nevertheless argues that various ideologies often interfere with the moral response. Too often, she claims, sympathy connotes superiority and privilege without self-reflection about how one is contributing to the suffering one is lamenting. She therefore urges that a heightened humanist political awareness must accompany the sympathetic response in order for truly ethical action to result. Photos of atrocity "cannot be more than an invitation to pay attention, to reflect" (117) on who is responsible for the suffering and similar questions.

Several of the contributors to the feminist animal care collection *Beyond Animal Rights* (Donovan and Adams 1996) argue in this vein for what Deane Curtin terms a "politicized ethic of caring for" ([1991] 1996, 65), one that recognizes the political context in which caring and sympathy take place. In my discussion of the celebrated Heinz hypothetical (in which Heinz has to decide whether to steal a drug, which he cannot obtain any other way, in order to save the life of his dying wife), I propose that "a political ethic-of-care response would include the larger dimension of looking to the political and economic context. . . . Thus the corporate-controlled health care system becomes the primary villain in the piece, and the incident should serve to motivate action to change the system" (Donovan 1996, 161). And, as Adams points out in "Caring about Suffering" (1996, 174), feminist animal care theory necessarily recognizes the "sex-species system" in which animal (and human) suffering is embedded.

In his much-cited article "Taming Ourselves or Going Feral?" (1995), Brian Luke reveals how a massive deployment of ideological conditioning forestalls what he sees as the natural empathetic response most people feel toward animals. Children have to be educated out of the early sympathy they feel for animals, he contends; ideological denial and justifications for animal exploitation and suffering are indoctrinated from an early age. Luke catalogs the ways in which such suffering is rationalized and legitimized by those who profit from it (303–11). To a great extent, therefore, getting

people to see evil and to care about suffering is a matter of clearing away ideological rationalizations that legitimate animal exploitation and cruelty. Recognizing the egregious use of euphemism employed to disguise such behavior (copiously documented in Joan Dunayer's recent book, *Animal Equality* [2001]) would seem to be an important step in this direction.

But it is not just a matter of supplementing care with a political perspective; the experience of care can itself lead to political analysis, as Joan Tronto points out in her call for a "political ethic of care" (1993, 155): "Care becomes a tool for critical political analysis when we use this concept to reveal relationships of power" (172). In other words, although Tronto doesn't treat the animal question, if one feels sympathy toward a suffering animal, one is moved to ask the question, Why is this animal suffering? The answer can lead into a political analysis of the reasons for the animal's distress. Education in critical thinking, these thinkers emphasize, is therefore imperative if an ethic of care is to work.

We also need education, as Nel Noddings proposed (1984, 153), in the practices of care and empathy.¹⁴ Years ago, in fact, Gregory Bateson and Mary Catherine Bateson contended that "empathy is a discipline" and therefore teachable (1987, 195). Many religions, they noted, use imaginative exercises in empathetic understanding as a spiritual discipline (195). Such exercises could be adapted for use in secular institutions like schools (including, especially, high school). Certainly a large purpose of such a discipline must be not just emotional identification but also intellectual understanding, learning to hear, to take seriously, to care about what animals are telling us, learning to read and attend to their language. The burgeoning field of animal ethology is providing important new information that will aid in such study.

In conclusion, therefore, a feminist animal care ethic must be political in its perspective and dialogical in its method. Rejecting the imperialist imperative of the scientific method, in which the "scientific subject's voice . . . speaks with general and abstract authority [and] the objects of inquiry 'speak' only in response to what scientists ask them" (as Sandra Harding [1986, 124] characterized the laboratory encounter), humans must cease imposing their voice on that of animals. No longer must our relationship with animals be that of the "conquest of an alien object," Rosemary Radford Ruether notes, but "the conversation of two subjects." We must recognize "that the 'other' has a 'nature' of her own that needs to be respected and with which one must enter into conversation" (1975,

¹⁴ Noddings (1991) has, however, stipulated reservations about applying care theory to animals. See also my critique of Noddings's position (Donovan 1991).

195–96). On that basis and in reflecting upon the political context, a dialogical ethic for the treatment of animals may be established.¹⁵

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¹⁵ Other theorists who have advocated and explored dialogical ethical theory include Martin Buber, Simone Weil, Iris Murdoch, and Mikhail Bakhtin. See further discussion in Donovan 1996.

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