

POLITICAL THEORY AND THE ANIMAL/HUMAN RELATIONSHIP



EDITED BY

**JUDITH GRANT AND
VINCENT G. JUNGKUNZ**

**POLITICAL THEORY
AND THE
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RELATIONSHIP**

SUNY series in New Political Science

Bradley J. Macdonald, editor

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and

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COVER: A dog barks at a formation of riot police near the Greek parliament in Athens, June 15, 2011. © REUTERS/Pascal Rossignol.

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Introduction

The Importance of the Animal/Human Question for Political Theory

JUDITH GRANT AND VINCENT G. JUNGKUNZ

Traditionally, political thinking has separated mankind from animals in that it has understood and accepted humans as fundamentally different from and dominant over other animals. Modern technologies and political developments have left nonhuman animals more, and potentially less, vulnerable to the whims, fancies, desires, and needs of human animals, as well as to the continuing environmental changes on which all sentient beings depend for survival. The discipline of Western political theory has been rooted in a canon that ranged from Plato to Marx; this canonical understanding conceptualized politics as an anthropocentric activity. In some ways, it continued in the Aristotelian vein by defining political engagement and thinking as at least linked to, if not actually defining, what it means to be human. Self-consciousness was linked to Reason in that self-consciousness required the ability both to formulate abstract thoughts and to have an understanding of an individual “self” as distinct from the species. In virtually all of the humanist philosophies in which political theory finds its roots, language and grammar have also

served as important markers of humanness and as evidence of rationality and the self. Language was a testament to the individual human's ability to transcend the prison of his own mind and to communicate his sophisticated and willful subjectivity to his brethren.¹

This human exceptionalism turns on the difference between the brain and the mind, as thinkers as far back as Aristotle have indeed contended. For while all animals, it has been argued, have the former, only humans have the latter.² Likewise, instinct is different from and inferior to reason. While instinct traps animals in a servile relationship to their restrictive natures as well as to nature as a whole, it is reason that enables humans to control their own destinies, and to conquer the natural world, including of course, animals. Ideally, the body and its needs must be transcended by the mind, which, when freed from its base animality, can access the Universal, justice, wisdom, truth, and all the rest of the baggage of the rationalist humanist tradition.

The use of the male pronoun in the above summary is not accidental, as the tradition holds that not all humans possess these qualities in equal measure. The rub has always been that the very features that defined "man" were almost immediately turned back against him to divide and create hierarchies within the human species. For not all humans possessed the full complement of those most essential human traits, and most fell somewhere on a continuum between those who could achieve mankind's highest potential (i.e., free-born men) and the line that was drawn somewhere just above the animal. As Kant wrote about women's inferiority, "it is not enough to keep in mind that we are dealing with human beings; we must also remember that they are not all alike."³ He continues, she is not rational, but instinctual, "her philosophy is not to reason, but to sense."⁴

The emergence of racialized slavery, as well as the perpetuation of modern racism, was and is, substantially constituted through the animal/human binary. Slaves were "dehumanized," as were free blacks, in the post-Civil War United States. Notions of animalistic and savage have been deployed in efforts of social control surrounding differential racialization of nonwhite groupings. The animal/human binary has had an enduring and broad influence on what humans are, how power meanders, and what we do to one another. About Africans, Kant writes in a similar vein, but with more vitriol: "The Negroes of Africa have by nature no feeling that arises above the trifling. Mr. Hume challenges anyone to cite a single example in which a Negro has shown talents,

and asserts that among the hundreds of thousands of blacks who are transported elsewhere from their countries, although many of them have been set free, still not a single one was ever found who presented anything great in art, science, or any praiseworthy quality.” Likewise, Native American Indians, “show few traces of mental character disposed to the finer feelings, and extraordinary apathy constitutes the mark of this type of race.”⁵ Long before Kant, Aristotle could write that women, though ostensibly human, could never achieve man’s highest virtues, freedoms, or levels of reason.⁶ Thus it is understandable that, decades later, when Mary Wollstonecraft and other feminists pled for equal rights, they began with arguments about how women were as rational as men and thus as capable of full citizenship. As Peter Singer has noted, it is significant that Wollstonecraft’s work was lampooned during her own time in a publication entitled “A Vindication of the Rights of Brutes,” which attempted to show the ridiculousness of the rationality of women by extending the argument to animals.⁷ This ploy demonstrates, of course, the role of the animal in making the case for differentiations among humans.

This rationalist/humanist discourse has been thoroughly trounced, interrogated, and deconstructed at least since Nietzsche: “What is humanism but a bladder full of hot air?”⁸ Decades of work in feminism, multiculturalism, queer theory, structuralism, and poststructuralism show that political theorists, along with the rest of academia, are well acquainted with many varied and trenchant critiques of rationalist humanism. Still, until relatively recently, the animal/human distinction continued to be treated as axiomatic, even though it was, in many ways, the cornerstone of humanism. In this way, even many of the staunchest critics of humanism remained anthropocentric.

Since the 1970s, the field of animal studies has become an increasingly important part of academia, especially in fields such as philosophy, literary studies, and law, though it has remained relatively distinct from those social theoretical critiques of humanism made familiar by structuralists, multiculturalists, and the rest. Exceptions to this include works by Giorgio Agamben and Jacques Derrida, which have been concerned with the way in which the human has been produced in relation to the animal.⁹ Still, these works have not included discussions of animal rights *per se*, and in fact animal studies and posthumanism have largely proceeded on parallel tracks. In fact, philosopher Peter Singer’s book, *Animal Liberation*, originally published in 1975, is widely credited with

having started the animal studies movement in the academy. In this book, Singer made a now-famous argument from the point of view of utilitarian moral theory. Theorizing from a comment about animals made by Jeremy Bentham, Singer argued that any discussion of animal rights ought to begin not from the question of whether they can “think,” but rather, from whether they can “suffer.”¹⁰ At least one reason why Singer’s work made such an impact is that philosophers had so often rooted the category human in rationality. That is, to gain entry into a host of rights, privileges, duties, responsibilities, and protections reserved for humans, a being had to pass muster as rational. The task for animal rights, therefore, was to find empirical proof of animal rationality. Singer changed the terms of this discussion.

Humanist theory has been grounded in a rationalist, foundationalist epistemology that explicitly and repeatedly excises animals from the moral universe on the grounds that they were not rational, and thus not human. Worse, they were the functional equivalent of *things*. Even if humans were more or differently rational, Singer argued, rational superiority could not legitimately be used as an ethical justification for the kinds of torture and casually acceptable death perpetrated on animals by humans. He used the term “speciesism” to critique arguments about human exceptionalism, and the beliefs and actions that follow from it. Insofar as speciesist claims began from an axiom about the inherent superiority of humans over animals, he argued, speciesism, like racism and sexism, denoted an arbitrary hierarchy that was held in place by power while masquerading as a natural order.¹¹

Many other extremely important works were to follow Singer in what is now the burgeoning, cross-disciplinary field of animal studies. For example, Tom Regan’s early work began from what was essentially an argument against Descartes’s idea that animals have no consciousness, reason, or self-awareness, but are only a kind of machine. Regan (1983) countered that while there is no single fact or proof that disputes this, there is a set of reasons that comprise a cumulative argument for, “relevant reasons for attributing consciousness to certain animals.”¹² Based on these, he argued, animals deserve ethical consideration. In later works, Regan made a more radical argument advocating the liberation of all animals and an end to using animals for their flesh, fur, entertainment, or experimentation.¹³ Animals, he argued, are “subjects of a life” who share the world with us, and thus, like humans, ought to have rights.

“There is somebody there, behind those canine eyes, somebody with wants and needs, memories and frustrations.”¹⁴

Making a similar argument from moral theory, Matthew Scully (2002) wrote that it is our responsibility as moral beings to treat animals with compassion. We can see with our own eyes that animals feel pain and have thoughts, he contended. And, in any case, whether animals are intelligent or not is irrelevant with regard to human ethical responsibilities to them. Scully argued that much maltreatment of animals is simply the result of greed, and a demand for luxury goods driven by the wealthy. Helping other creatures is an “opportunity to do good.”¹⁵ “How much misery, how much death, can we extract every day in the life of the world before it is enough?” he asks.¹⁶

Philosophers of ethics have certainly contributed a great deal to the development of contemporary animal studies, but there is also a robust literature in the field of legal theory. Martha Nussbaum, for example, has written about how rationality becomes the criteria for membership in moral communities because it is imagined that people can make choices for themselves. But this, she argues, is no more the case for all humans than it is for animals. As an alternative to the rationality standard, Nussbaum offers what she terms the, “capabilities approach.” Nussbaum begins with the assumption that beings all have different capabilities that are each worthwhile on their own terms.¹⁷ It is good for beings to flourish on their own terms as the kind of beings that they are. By determining which capabilities are central to a decently “flourishing life” with dignity for any given being, Nussbaum argues that we can deduce a corresponding ethical standard.¹⁸ That is, it is wrong for the flourishing agent to be blocked by the agency of another. She believes that this “capabilities approach” enables humans to differentiate their treatment of various animals according to the specific kind of harm a particular animal can suffer relative to that animal’s capability.¹⁹

These developments have led to a robust discussion of the legal and philosophical difference between membership in the human species and “personhood,” the latter being a normative category linked to various sets of rights, privileges, and moral protections.²⁰ In 1993, Peter Singer and Paola Cavalieri founded the Great Ape Project (GAP). “This project is an international attempt to expand the community of beings who we now recognize as having certain basic rights, urging in particular that we extend to chimpanzees, bonobos, gorillas and

orangutans the rights to life, liberty and protection from torture.”²¹ Scholar-activists, including Peter Singer and Jane Goodall, have argued in favor of international rights for primates based on the principles of the international declaration of human rights. They have demanded the right to life, liberty, and the prohibition of torture, as well as a demand for the release of all great apes from captivity in research facilities. As of June 2013, all great apes, even those in captivity, have been moved to the endangered species list. This is due largely to the work of the GAP, which has successfully argued that this at least protects the apes from any research done on them unless it is done for the benefit of the apes themselves.²² In Argentina, in December 2014, a court has declared an orangutan a “person” in response to a petition from animal rights groups who filed for the freedom of twenty-nine-year-old Sandra, saying that her “detention and imprisonment” in a Buenos Aires Zoo violated her rights as a nonhuman person.²³

The work of legal theorists such as Steven Wise and Gary Francione has provided the foundational legal theory for this movement. Steven Wise argues from legal precedent to show that certain people, such as the mentally challenged, children, people in comas, and so on, are not moral agents in the strong meaning of that term. In such cases, it is well established in law that anyone with a legal interest can sue on behalf of another individual. Given this, must a person be human to make a legal claim as a person or an individual under the law, he asks? In law, personhood does not depend on whether beings can or cannot choose for themselves, only on whether they have a freedom that needs to be protected. In fact, the law says a guardian may sue on behalf of a person who needs protection. Wise argues that nonhuman primates meet the criteria for legal personhood.²⁴ Francione has also argued for legal personhood for apes on the grounds that the history of American law reveals that “not all humans are (or were) regarded as persons, and not all legal persons are human.” Examples include children, slaves, women, and corporations.²⁵

A related branch of animal studies connects the plight of nonhuman animals to that of humans. Beginning with a basic agreement that the current treatment of animals is unjust, these scholars have taken seriously questions arising from the notion that mistreated humans are treated “like animals.” These scholars have begun to work on the connections between injustices against humans as they are related to the treatment and ideological representations of animals. Feminist theorists have been at the forefront of this branch of animal studies. An excellent

example is Carol Adams's remarkable book *The Sexual Politics of Meat*. This classic work traces the utterly gendered and sexed history and literary representation of meat eating, and shows how the fates of women and animals have been inextricably linked in history, culture, and representation.²⁶ Her subsequent collaborations with Josephine Donovan have highlighted the possible uses of feminist theories of care for a feminist animal ethics.²⁷ Similarly, Donna Haraway has written extensively about how science can function as an ideological system that orders boundaries and difference between animal and human.²⁸

More recently, the discipline of animal studies has been linked to the larger interdisciplinary work in posthumanism, and here we begin to see a dialogue between traditional animal studies and critiques of humanism rooted in critical theory. Again, Donna Haraway's work has been paramount. Her widely read essay "A Cyborg Manifesto" explores the position of "human" as it exists at the intersection of animal and machine.²⁹ Cary Wolfe has written a very useful analysis of posthumanism. Agreeing with Foucault, Wolfe writes that humanism is its own dogma, "achieved by escaping or repressing not just its animal origins in nature, the biological, and the evolutionary, but more generally by transcending the bonds of materiality and embodiment altogether."³⁰ One of the truly insightful claims that Wolfe makes is that posthumanism ought to be understood as "analogous to Jean-Francois Lyotard's rendering of the postmodern. That is, it comes both before and after humanism: before in the sense that it names the embodiment and embeddedness of the human being in not just its biological but also its technological world," and after in that its development "points toward the necessity of new theoretical paradigms."³¹

Though animal studies has definitely taken a foothold in the academy, political theorists have only recently begun to interrogate anthropocentrism by theorizing the relationships between animal, the thing, and the human, and the ways in which they are interdependent and falsely dualized. Jane Bennett's work has been in the forefront of political theoretical contributions to posthumanist studies, suggesting as she did in her book *Vibrant Matter* that agency ought not be conceptually restricted to humans but should also account for animals and technology.³² Likewise, Timothy Kaufman-Osborn's book *Creatures of Prometheus* was an important study of the relationship between human beings and things that argued, in part, that things are more like humans than one might think in that they gain something like agency in springing from and responding to human needs.³³

Curiously, there has been little work in political theory that takes the plight of animals directly into consideration, or even that attempts to link the condition of animals to those of humans. Exceptions include several of the authors in this volume who have already published book-length treatments on the subject. Paul Apostolidis's *Breaks in the Chain: What Immigrant Workers Can Teach America About Democracy* is a critical analysis of the biopolitics of the mass production of meat that links the plight of immigrant workers to that of animals.³⁴ Claire Rasmussen's *The Autonomous Animal: Self Governance and the Modern Subject* contains an excellent discussion of the ways in which animals and our collective understandings of them are central to our understandings of human autonomy.³⁵ Other political theorists whose work does not appear herein have also successfully explored this topic. Timothy Pachirat's *Every Twelve Seconds: Industrialized Slaughter and the Politics of Sight* skillfully uses ethnography and political theory to make provocative points about the treatment of immigrant workers and the animals they are charged with killing.³⁶ And Kennan Ferguson's essay "I ♥ My Dog" also contributes, though in a less sympathetic vein, in writing about the ethical concern that people spend more time and money on their pets than on abstract humanity.³⁷

POLITICAL THEORY AND THE ANIMAL/HUMAN RELATIONSHIP

This volume explores the contingency and fluidity of the animal/human yet also takes seriously the complexity and ambiguity—the ever-present gray area—of these relationships. The animal/human binary hardly ever establishes itself as clearly demarcated. This volume brings together analyses of various, and contradictory, configurations, and concentrates on the question of the political. At times, the chapters in the book analyze the animal/human as contingent binary, at others as an ironic identity configuration that describes those human animals who violently hold power, and yet at other times the authors explore the nexus of identities in which hybridity seems inevitable in a world where humans and animals must live together in close proximity.

Political Theory and the Animal/Human Relationship enters into these various configurations of this foundational relationship with valuable normative perspectives and visions, ones that will lead readers to rethink

their relationships to nonhuman animals. One of the key points of this collection of essays is that, while rights talk is a vital part of animal/human discourses, there needs to be more political theorization that reaches beyond rights. Much of the work on animals has centered on animal liberation via some conferring of rights. This work has been transformative. Yet, as it has gained wide attention, it has occupied much of the space dedicated to thinking about animals and thereby has left unturned many important stones of animal/human theorization. Furthermore, it also encounters the same limitations that rights talk has encountered for human populations (the difficulty of enforcing rights, the huge gap between rights granted and rights realized, the alienation of rights, etc.). Some of the core concepts of political theory, which also are some of the major ways life is organized politically, are still ripe for critical engagement as they relate to the animal/human. Thus this collection is unique in that it takes a step forward, beyond one-dimensional rights discourse, into fundamental aspects of political life as they relate to the animal/human.

Part I: Toward Posthumanism

The material in this introduction offers a rethinking of the animal human distinction, and is suggestive of a posthumanist politics. Part I of this collection includes two chapters that point to the ways that “human being” was already becoming decentered in nineteenth-century “humanist” discourse. Building on a discussion of what political theory has to offer a world always struggling to come to contingent terms with the animal/human, Chapter 1, “Marx and the Human/Animal Dialectic,” by Bradley J. Macdonald disputes the view that Marx’s theory has nothing relevant to say about animal politics. Macdonald reads selected texts by Marx to examine what he argues is an important articulation of the human/animal dialectic that assumes a mutual interconnectedness between humans and animals under capitalism. Differentiating between a form of “differential dualism” (which is implied in Marx’s work) and “alienated speciesism,” Macdonald argues that the latter position—which assumes human/animal differences and the destruction of animals—only arises within the instrumentalizing practices associated with capitalist production, and concludes that Marx’s position points toward a socialist politics that takes the animal question seriously.

Western philosophy has defined *human* in terms of its exclusion of the animal. Judith Grant argues that Freud confounded this distinction by pointing to the human struggle to conquer the unruly “animal within”—that is, the subconscious. Freud argues that there are certain instinctual drives within us against which we are in almost constant battle. These instincts represent the animal within us, and whether we can effectively separate and conquer the animal determines the whole of mankind’s existence as individuals, races, and species. The animal/human distinction remained embedded in his work, though transformed into the social constructs “primitive” and “civilized.” Through a close reading of Freud’s *Totem and Taboo*, Grant’s chapter, “Darwin and Freud’s Post-humanist Political Theory,” shows how Freud conceptualized human in terms of animal, and then used the distinction to form the basis for colonialist hierarchies within the category of “human.” The chapter uses Darwin and Freud to show how the human/animal dualism began to disassemble in the late nineteenth century. Grant is primarily concerned with the relationship of human/animal to the colonizer/colonized mentalities, and reads Freud and Darwin for traces of evidence about the morphing of animal/human morphed into a parallel discourse around the savage and civilization. A close reading of key texts from Freud and Darwin illustrates the evolution of the mindset of colonialists, who in seeking to show how non-Europeans were savage had to admit that the divide between humans and animals was blurred.

Part II: Ironies of Civilization, Sovereignty, and Democracy

Civilization, sovereignty, and democracy have been constructed as membership categories. This is a more straightforward observation when thinking about civilization. The ideas of civilization, civilizing, and the civilized quickly bring to mind that some subjects, including humans, are deemed civilized and others uncivilized, as well as the possibility that some subjects are “civilizeable.” Yet the observation has become somewhat more tenuous in contemporary societies when thinking about democracy and people. However, the fact remains that there has been a civilization-sovereignty-democracy nexus, one that contends (whether blatantly or implicitly) that civilized subjects are those worthy of membership in democratic societies, and that only some persons are capable

of self-government: sovereignty is reserved for those farthest from the “animal.”

These membership categories have their fair share of ironies and paradoxes. For, with each, enforcement of the membership boundaries has entailed an enormous amount of violence among the so-called civilized and democratic—those very subjects whose membership status supposedly meant that, by their very nature, they were far less inclined to violence. The animal/human has been central to both the varying ways the categories *civilization* and *democratic* have been constituted, and the violence that has gone into such constitution. The “democratic” and “civilized” selves created by many political actors and theorists as they mobilized the human/animal binary have embedded all of us into a paradigm pervaded by contradictions regarding who we are as we engage in what many would consider uncivilized, barbaric, or animalistic behavior in the name of “civilization.” There are ironies in the ways we have killed and enslaved using the human/animal: “we,” the “civilized” and “human,” have many times acted more “animalistic” and “savage” than the very beings we have labeled as such. On our way to supposedly democratic states, we have relied on the human/animal to justify our own violence, and have silenced, imprisoned, and encaged beings who, over time, are being reenvisioned as democratic selves, thereby undermining the being we see when we look in the mirror. The three chapters in Part II, in both direct and nuanced ways, explore these dynamics, illuminating some of the ironies of the civilizing and democratic projects of sovereignty, as they rely on, and exploit, the animal/human.

Claire Rasmussen’s “Domesticating Bodies: Race, Species, Sex, and Citizenship,” elucidates how practices of dog breeding and showing emerged in the nineteenth century in the shadow of a growing scientific literature focused on genetics, blood, and lineage. Ideas about species, breed, and purity of dog lineages reflected a growing belief that the management of reproduction could enable the deliberate direction of species progress, a biopolitical project that crossed the canine/human boundary. Prevailing arguments about the morphology between species quality and breeding were laden with assumptions about race, class, gender, and sexuality. The relationship between humans and domesticated animals was variously a symbol of civilization, class hierarchy, gender norms, and sexual self-management, inserting dogs into a very human milieu of political identities. In her chapter, Rasmussen argues that the

emergence of the practice of institutionalizing dog breeding and showing is a reflection of anxieties about democratization and debates around whether particular subjects were capable of engaging in the project of self-governance. Tracing the emergence of dog shows, or conformation titles, and breed clubs, Rasmussen links these practices to two specific discourses—scientific racism and reproductive self-management—that placed the biological animal at the center of societal concerns. She concludes that the ideal of “good breeding” developed in the dog show ring was also a central component of thinking about democratic citizenship in which good subjects were the product of both breeding and training.

Sovereignty and the animal/human are deeply intertwined. All the chapters in this volume speak to this important and fundamental logic of political societies. The closer a subject’s approximation to animality, the farther from access to sovereignty as some configuration of self-rule one is, and the more one is subjected to domination. However, as with all political concepts and realities, sovereignty is an ever-changing contextual concept. Thus the perpetuation of notions of sovereignty that depend on the animal/human is subject to challenge and change. On the one hand, shifting notions of sovereignty reconstitute how animals matter, opening up new possibilities for better treatment of nonhuman animals. On the other hand, in many areas of political contestation, the notion of “human” sovereignty boxes us in. In order to make arguments in favor of equality or liberation that make sense—that resonate with social schema—subjects are many times forced to appeal to the “human” in contrast to the “animal.” Those humans who have been marginalized via a human–animal binary have, in turn, tried to use that very binary to gain access to sovereignty in order to resist their oppression; they argue against their own “dehumanization”—human sovereignty matters. The chapters in Part II explore both these dynamics: new potentialities, as well as paradoxes of resistance in a human-privileged political discourse.

Taking an internationalist perspective on interspecies relations, Rafi Youatt’s chapter, “Sovereignty and the Wolves of Isle Royale,” explores the changing territorial and political logics of sovereignty as they pertain to human–animal relations. Analyzing a fifty-year case regarding the status of wolves and moose on Isle Royale, Youatt observes that Westphalian sovereignty—constituted through absolute territorial control, traditionally including sovereign prerogative over animals and nature—has morphed into a post-Westphalian mode that is partly deterritorialized and increasingly biopolitical. In particular, Youatt argues, the study

reflects “sovereign sensibilities and logics about power over life, as they shifted from earlier, legally established programs to kill wolves through bounty programs, to one where wolves were managed, studied, and optimized as life forms (both individually and collectively), but still subject in the final instance to a sovereign decision to intervene to prevent or allow their extinction.”

Paul Apostolidis’s chapter, “Agamben in the Slaughterhouse: On Humanimal Politics, Immigrant Workers, and the State of Exception” makes use of Giorgio Agamben to explore the discursive presuppositions and political effects of coalition formation among an unlikely set of allies: immigrant slaughterhouse workers and animal welfare activists. Interviews conducted with immigrant meatpackers who waged a ten-year union drive at a major Tyson Foods beef-processing facility in Washington State illuminate the transformative political implications of cultivating these kinds of alliances. Recycling a standard motif in the immigrant worker movement in general, these workers commonly invoke an essential human-animal distinction as a rhetorical warrant for claiming the “right” not to be “treated like animals.” Doing so, however, undermines their own ability to challenge their treatment by the company effectively. The assertion of a human identity configured as the binary opposite of animality lends itself to the pursuit of abstract legal rights as substitutes for concretely altered conditions of labor. “Agamben’s theory of the ‘state of exception’ illuminates this discursive dynamic,” Apostoldis argues, in that it “opens up a new perspective on how states of exception operate in the lives of immigrant workers, and how such states can rely on unquestioned assumptions about fundamental differences between human and animal life.”

Part III: Meaningful Speech, Silenced Voices

Political theory, from its inception, constructed politics as a talking activity. Aristotle, in *The Politics*, stated, “And whereas mere voice is but an indication of pleasure or pain, and is therefore found in other animals . . . the power of speech is intended to set forth the expedient and inexpedient, and therefore likewise the just and the unjust.” Speech has always been central to the study of politics. In fact, it is assumed that politics cannot take place, does not take place, without talk. Politics is also a membership category. Those who are capable of