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Radically Reasonable Politics: Animals Rights and Liberal Democracy

Donaldson, Sue, and Will Kymlicka. *Zoopolis: A Political Theory of Animal Rights*. Oxford: Oxford UP, 2011. 329 pp. \$29.95. Hc.

Sue Donaldson and Will Kymlicka maintain that the animal movement, a movement which, as they note, has never seen much success anyway, is mired in deficient theories. The authors suggest that animals do not have a chance without a meaningful place in politics. They seek to “shift the debate about animals from an issue in applied ethics to a question of political theory” (12). Donaldson and Kymlicka are on board with the objective of traditional animal rights theory—to end the human exploitation of nonhuman animals—but they believe that animal rights advocates have gone about it all wrong.

At the outset, *Zoopolis* presents the “three basic moral frameworks” found in animal-interested literature; these are the welfarist approach, the ecological approach, and the basic rights approach (3). Animal welfarists hold that there is nothing wrong with humans using other animals for their own interests, provided the use is *humane*. The question, of course, of what humane and inhumane treatment consists of is up for debate and in my opinion irresolvable anyway. The ecologists have as their primary concern ecosystems as wholes, of which animals are parts, but not privileged members. Unlike these first two moral frameworks, the basic rights approach, which the authors refer to as “animal rights theory” or “ART,” insists that nonhuman animals, by virtue of their sentience and subjectivity, possess inherent worth; they are “selves” who have experiences and feelings that matter, and are accordingly owed certain inviolable rights. Donaldson and Kymlicka accept this position fundamentally; they argue, however, that the basic rights approach has largely neglected our “relational duties” to nonhuman animals: “duties arising not just from the intrinsic characteristics of animals . . . but from the more geographically and historically specific relationships that have developed between particular groups of humans and particular groups of animals” (6). In other words, they argue for a situated ethics, where specific rights and responsibilities are context-dependent. Moreover, while ART has traditionally focused on our *negative* duties towards animals—basically our responsibility not to interfere in their lives—Donaldson and Kymlicka insist that animals also deserve *positive* rights—for example, to legal representation, health care, and even property. The *Zoopolis* authors argue that

animal rights theory is in need of a political framework, and in particular a liberal democratic one. They focus on the concepts of citizenship, denizenship, and sovereignty as key to establishing a rights-based position for nonhuman animals in a world where no one, regardless of species, remains unaffected by, or indifferent to, the actions of human beings.

The authors divide nonhuman animals, roughly, into three categories: domesticated animals, wild animals, and liminal animals. Domesticated animals, they argue, deserve citizenship rights alongside human citizens. Donaldson and Kymlicka resist the abolitionist argument, defended most notably by Gary Francione, which holds that domesticated animals are inevitably exploited animals and that, therefore, relations between humans and domesticated animals are necessarily unjust. The authors are slightly misleading in their construal of the abolitionist position. They suggest that *abolition* here means abolition of *domesticated animals*, which is not exactly correct, even though the abolition of domesticated animals is an eventuality of the abolitionist argument as conceived by Francione and others. Abolitionists seek to abolish all animal exploitation. Donaldson and Kymlicka are themselves abolitionists of a sort—it's just that they believe ending animal exploitation and keeping domesticated animals are compatible. They believe that "[r]elations between humans and domesticated animals can be reordered in a just way if they are reconceived along the lines of membership and citizenship" (73). In other words, we can establish ethical relationships with the domesticated animals amongst us by granting them a nuanced form of citizenship.

The authors maintain that the traditional idea of citizenship, both in the popular imagination and political theory, over-emphasizes and over-values rational and intellectual capacities—to the detriment of not only nonhuman animals but also many humans, including the mentally disabled. In order to make space for nonhuman animals within citizenship theory, Donaldson and Kymlicka turn to the idea of "dependent agency," which has been developed extensively in the disability movement. Nonhuman animals, like many (and arguably all) humans, depend upon others to attend to and facilitate their agencies. As the authors note, domesticated animals express their needs and desires to us "[t]hrough a vast repertoire of vocalizations, gestures, movements, and signals" (109). Domesticated animal citizenship would accord rights to domesticated animals based on their needs and desires, and out of respect for their agencies; these rights, in the authors' imagination, would include the right to socialization, freedom of movement, and political representation. Above all, "a citizenship approach asserts the fundamental equality of all members of the

community” (155)—and so, in Donaldson and Kymlicka’s view, applying a citizenship model to domesticated animals would make obsolete their exploitation.

In contrast to domesticated animals, wild animals are not part of human society, and do not, in general, rely upon humans to meet their needs and wants. It would not make sense, then, to grant them membership in human communities; indeed, it would do them no good. Instead, with respect to wild animals, Donaldson and Kymlicka turn to the concepts of international justice and sovereignty. “[W]e need to think about wild animal communities,” they write, “as organized and self-governing communities” (166). We need, accordingly, to respect their right to sovereignty—to autonomy and self-determination. This means only interfering in wild animal communities when doing so would facilitate them in their own self-determined projects. It also means reducing the inordinate degree of risk we impose upon wild animals—by, for example, “rethinking our highways in many ways: relocating them away from large wildlife populations; creating buffer zones, travel corridors, and tunnels; lowering speed limits and redesigning cars” (189). Most drastically, respecting the sovereign rights of wild animals would mean

“an end to expansion of human settlement” (193). Because all livable territory not presently settled by human beings is occupied to some degree by wild animals, and given the tremendous destruction that human settlement wreaks on wild animal communities, further human encroachment on sovereign animal territory is morally indefensible. In sum, Donaldson and Kymlicka’s approach to wild animals defends their sovereignty “on the grounds that there is a great moral value at stake in the autonomy of wild animal communities, and that establishing relationships of sovereignty is the best way of respecting those moral values” (207).

Liminal animals constitute the final category of nonhuman animal addressed in *Zoopolis*. Donaldson and Kymlicka criticize animal rights theory for largely ignoring these animals, neither wild nor domestic, and thereby perpetuating the false wild/domestic dichotomy. “From a legal and moral perspective,” they attest, “[liminal animals] are amongst the least recognized or protected animals” (211). Liminal animals are those animals—including, for example, raccoons, rats, and crows—who have not been domesticated by humans, but nonetheless share spaces and resources with human communities. Donaldson and Kymlicka argue that liminal animals are best served through a denizenship model: “Denizenship combines secure residence with exemption from, or reduction of, some of the rights and responsibilities of citizenship” (230). In this model, liminal animals would be protected from the mass extermination that they are

so often subjected to, and their way of life in human-animal society would be rightly secured. “The values of liminal denizenship,” the authors note, “are in fact the same as for domestic co-citizenship and wild animal sovereignty—values of moral equality, autonomy, individual and communal flourishing” (251).

Zoopolis presents a meticulously principled, thorough—and maybe, hopefully, even realistic—theory, which in many ways improves upon preexisting theories of animal rights. Donaldson and Kymlicka’s argument is weakened, however, by a number of specious analogies that they draw between human and animal situations. Perhaps the most conspicuous of these is their comparison of human slaves and domesticated animals. They point out that Americans abolished slavery without abolishing the individuals themselves who had been slaves; therefore, they argue, we can abolish the exploitation of domesticated animals without abolishing the animals themselves. They use this analogy to counter the claims of animal rights theorists like Francione, who argue that the existence of domesticated animals is inherently unjust. Donaldson and Kymlicka do not acknowledge a crucial difference between human slaves and domesticated animals: that is, human slaves are not *biologically* slaves; there is nothing inherent about their position as slaves in human society—which is why the abolishment of slavery did not entail the abolishment of the individuals themselves. In the case of domesticated animals, however, groups have been biologically, and in many cases irreversibly, altered through human intervention. While humans were able to extinguish slaves *qua* slaves—we have no way of extinguishing domesticated animals *qua* domesticated animals, without, that is, extinguishing the animals themselves. Donaldson and Kymlicka fail to engage genuinely with the argument against domesticated animals because they fail to consider the primary point: that to a large extent at least, domesticated animals were specifically bred to be subordinate and subservient—characteristics that are difficult if not impossible to separate from a condition of exploitation. Their sloppiness with this analogy and others, analogies that are not anyway essential to their argument, detracts unfortunately from their otherwise exceptionally well-reasoned theory.

With *Zoopolis*, Donaldson and Kymlicka want “to shift the animal question from applied ethics to political theory” (263, n.22). It seems to me that a human-animal political theory is precisely an applied ethics, but maybe that’s beside the point. Any theory of animal ethics that cares about real animals ought to be political—*Zoopolis* not only makes this point, but itself makes a great contribution towards the politicization of animal ethics. The book, however, is far from alone in its endeavor to connect animal ethics and political theory; increasingly, the animal question is gaining ground in

political discourse. Siobhan O’Sullivan’s *Animals, Equality, and Democracy* (2011), for example, develops a liberal democratic theory of animal rights (which incidentally reaches conclusions very different from *Zoopolis*); and Alasdair Cochrane’s *Introduction to Animals and Political Theory* (2010) surveys contemporary Western political theory and its relation to nonhuman animals. As Donaldson and Kymlicka maintain, political terms and concepts help specify our duties to animals (208). Animal rights do not become tangible, however, without legal support; and as anyone working in animal rights is well aware, the law has a long way to go to catch up with ethics.

While radical in many of its prescriptions—universal veganism, for example, and nonhuman sovereignty and citizenship rights—*Zoopolis* is ultimately a highly judicious book. Donaldson and Kymlicka show not only how unethical, but also how egregiously unreasonable, humans have been in their relations with nonhuman animals. *Zoopolis* offers a sturdy step towards the establishment of an ethically-informed place for nonhuman animals in the political and legal systems of what is, as of yet, an unconscionably speciesist *Zoopolis*. The question remains whether we will take it.