

INTERANIMALITY AND ANIMAL ENCOUNTERS

THE PHENOMENOLOGY OF HUMAN-ANIMAL RELATIONS

1. Introduction

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The aim of this paper is to present a general framework for a phenomenological analysis of human-animal relations (HARs). Of course, it is impossible to provide a comprehensive and detailed analysis of HARs within the confines of such a short text. Instead I only intend to provide the basic and most important prerequisites for the analysis of our being-with-animals.

The phenomenological framework that I will be presenting is built on three major cornerstones: the interspecies intercorporeality we are inevitably immersed in; the distinctions between humans and animals, and between different animals themselves; and the possibility of animal encounters that disturb habituated normalities in our being-with-animals. After a short stroll through some classical reflections on animals in philosophy, and particularly in phenomenology (with the intention of providing a general foil for the proposed analysis and its benefits), I will start off by drawing on Husserl's work in general, and Merleau-Ponty's concepts of *intercorporeality* (Merleau-Ponty 1964: 168) and *interanimality* (Merleau-Ponty 2003: 189) in particular, in an attempt to clarify the "being-with-animals" as an immanent part of our "being-to-the-world". As bodily beings, we are constantly engaged in dialog with animals. So, interpreting animals as natural objects can only be considered as the result of a kind of *subsequent* objectification that is justified

only under certain methodological restrictions but has no clear ontological justification (Hua 6: 52). This will be described by the concept of *lateral* and *tacit co-existence* that is a precondition for any animal encounter.

In the second step, I will try to show how this *interspecies intercorporeality* is pre-determined by different significations of animals and the fact that our perspective and our world are a priori shaped anthropologically (Hua 29: 320, 324, 329). It is inevitable that we as human beings draw a line between *us and them*, but the problem is that we normally do so in the context of plural and contingent practices of inclusion and exclusion (Agamben 2003; Derrida 2008). Some animals are closer or even closest to us, and are considered as family members or even substitutes for children. Some are symbolically charged and appear as “iconography” (like eagles on flags) or as figures humans identify with (Hobbes’ *wolf* is a prime example). Some are objectified on a regular basis, and are treated, and thought of, as livestock, pests, lab animals, etc., which makes it almost impossible to recognize them as partners in mutual communication or as objects of moral concern. These differences constitute *tacit recognizability* (Butler 2009) that is an immanent part of the normal and normative infrastructure of our lifeworld, our perceptual patterns, and our practical habituation.

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Third, these structures of normality of HARs are contingent and open to disturbances that happen particularly through direct animal encounters. The *lateral sociality* with animals can be disrupted by *frontal encounters*. While the concept of lateral sociality expresses the *tacit being-with* (in which we are always already immersed) that determines our habituated routines of interactions, the frontal encounter refers to the direct confrontation with the particular Other as a disturbance of a co-existence we are inevitably in (Waldenfels 2015: 9). The *intercorporeal resonance* (Fuchs 2016, in press) in the event of encountering “*a singular animal*” (Calarco 2008: 5) has the potential of constituting a “surplus”, which breaks through the usual socio-cultural attributions and interrupts epistemological generalizations (ibid.: 118). This has been analyzed prominently by Derrida (2008), but one can also find traces of similar ideas in Levinas (1988: 171–172.; Calarco 2008: 118). Finally, I will conclude my paper with a brief synopsis and some reflections on the potential of a phenomenological theory of HARs.

Let us now take a quick look at the appearance of animals in the tradition of Western philosophy. The notions of ‘animals’ and ‘animality’ play a very prominent, if complex, role in several central texts of the Western philosophical cannon. There is hardly any philosopher – from Plato and Aristotle, via Descartes or Kant, to Husserl, Heidegger, and the post-classical phenomenologists – that doesn’t mention animals and the role they play in human life and self-understanding. But a lot of these reflections seem to conceal the phenomenal structures of our primordial being-with-animals. They concentrate on comparisons between “the human” and “the animal” by means of identifying similarities and/or differences between them.

For example, Aristotle distinguishes between humans and animals in his famous “layered” account of *psyché* (Aristotle 2002: 1097b21–1098a20; 2009: 1253a9–10), which is largely responsible for the common conception of the human being as animal plus X. In addition to the abilities of the animal soul (e.g., nutrition, flourishing, movement, perception, voice), human beings also have a further ability (*logos*) that is lacking in animals and that constitutes a classical *differentia specifica* of being human. This idea of the human-animal distinction remains influential throughout the historical development of philosophy until modern times. Descartes (with his interpretation of animals as ingenious machines without a *res cogitans*) can be said to represent a conceptual culmination of a tradition that interprets animals even as mere objects without a mind/language that are separated from human beings by a radical abyss (Merleau-Ponty 2003: 19–20).

The human self-understanding as *master and possessor of nature* has had a strong impact on how we as human beings use and have used animals, but it has also played a very prominent role in our theoretical interpretations of animals, which are often burdened with the metaphysical ballast of viewing animals as *humans minus X* and even as objects. The conception of animals as *bundles of instincts*, which was a prevailing trend in biology until at least the 20th century seems to be an extension of this traditional account of animals as beings lacking specifically *human* capacities (Ingensiep/Baranzke 2008: 60–61). As Agamben has shown, Descartes’ interpretation of animals was not a radical shift but rather a natural development within a tradition that harkens back all the way to the Ancient Greeks (Agamben 2003). The power of such

historical prejudices is still implicit in the currently predominant views on animals in our everyday lives as well as in scientific theories.

Thus, animals hardly ever appear in philosophy as participants of our being-with, i.e., as beings with which we co-inhabit a common world and are engaged in mutual interactions. Instead, they appear as a contrast foil for the general notion of “the human” against the backdrop of a presupposed hierarchical relation between humans and animals. A similar attitude has also been adopted by some prominent phenomenologists; here, I can only provide a very fragmentary overview of some of the most well-known approaches.

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In *Being and Time*, Heidegger rarely mentions animals, and when he does, he describes them as ready-to-hand (*zuhanden*) and as beings that “produce themselves” (Heidegger 2006: 70/66). In other words, and in line with the Aristotelian and Cartesian tradition, animals are conceived as *mere objects* that are not part of the fundamental co-existence in which we are always already immersed. In *The Fundamental Concepts of Metaphysics*, Heidegger claims to be elucidating the sense of animals not through a metaphysical *differentia specifica*, but then goes on to defend a subtle version of it when he uses the animal as a contrast foil for the human being. Between the *worldless stone* and the *world-forming human*, there is the animal which is said to be *poor-in-world* (*weltarm*) and not open for being, i.e. not capable of accessing things *as things* (Heidegger 1983: 272/184). In *Plato’s Doctrine of Truth* (Heidegger 1954), *On the Way to Language* (Heidegger 1959: esp. 215), and in other writings this tendency becomes even more pronounced. This can be exemplified by the exclusively human relation to death: While being-toward-death plays a fundamental role in thinking about the *Da(-)sein* throughout his work, Heidegger assumes that animals do not know about death and finitude, and are thus neither in an intelligible relation to their own existence nor are they open to being. Heidegger, then, proves to be an (maybe involuntary) heir of Aristotle and Descartes, in that he portrays animals as lacking a certain specifically human capacity. Again, animals are portrayed as *humans minus X* (for a more detailed analysis see Huth 2016).

Levinas, who, in the phenomenological tradition, is often considered to be the very opposite of Heidegger, actually proves to be very close to Heidegger when he postulates that animals do not have a *face*. While human beings raise

an instantaneous ethical demand in their appearance as Others, a demand that exceeds any conceptualization and categorization (this is what Levinas understands under the concept of “face”), animals are categorically excluded from this deep structure of experience (Levinas 1998: 64–70). There is thus an implicit abyss between the human and the animal in relation to the ethical demand exerted by the Other. Even if we “fail” to notice eye color when encountering the Other (Levinas 1996: 85), we supposedly recognize the species in apprehending the Other as the Other, since, according to Levinas, the demand is exclusively raised by members of the species *Homo sapiens*. But one has to acknowledge that there is a slight shift in these reflections on the part of Levinas. In a later interview, he admits that he is not so sure anymore whether some animals couldn’t have a face (Levinas 1988: 171–172). Yet even here Levinas hesitates to recognize a face in animals, as the following quote shows: “The human face is completely different and only afterwards do we discover the face of an animal” (ibid.: 169).

I conclude this cursory overview by going back to Husserl who is likely to prove a difficult case study for whose unique contribution presents a challenge to any critical inquiry into phenomenological theories of animals. He acknowledges that animals are partners in our co-existence (Hua 6: 621), that they have a lived body (*Leib*) as a psychophysical “uniform whole” (Heinämaa 2014: 134), which is characterized by specific movements that one *cannot interpret as anything but behavior*. Therefore, they are considered as subjects embodying another *here*, another perspective, another center of experience (Hua 1: 147; Hua 6: 108; Hua 29: 19–20). Despite the fact that humans and nonhumans also appear as objects in the world, “I experience them at the same time as *subjects for this world*, as experiencing it (this same world that I experience)” (Hua 1: 123). Because we *cannot but* interpret the movements of embodied others as behavior, we have no choice but to assume that someone must be “at home” over there; there must be a *Meinheit*, a *mineness*, of all experiences implying a *for-me-ness* qua (at least minimal) self-referentiality, implicit in any experience of the Other (Zahavi and Gallagher 2008: 50).

Even so-called “lower” animals, like the jellyfish, appear to me *immediately* as subjects that are accessible by appresentation (Hua 14: 116). The famous passages on touching in Husserl’s *Ideas II* (Hua 4: § 18) show that living and

experiencing relate fundamentally to “sensings” (*Empfindnisse*) *on* and *in* the lived body. This is noticeable through proprioception in my own body (the famous case of “double apprehension” in *touching-being touched*) and visible in the movement of other bodies, which appear through this movement directly as “enlivened” (Hua 6: 145–147, 153–155; for animals see Hua 15: 625; see also Heinämaa 2014: 132; my account here draws on Heinämaa’s interpretation). The sense of being as sensing is transferable from my own to the animal body (Hua 14: 97).

This appresentation, however, is tied to a view of animals as *anomalous* beings (Hua 14: 120, 126; Hua 29: 8, 19–20, 326; see a critique in e.g. Merleau-Ponty 2003: 79). In other words, such appresentation stems inevitably from the presupposed *human* perspective that we are in when perceiving and thinking about animals. However, one can ask why Husserl groups animals together with infants, the disabled, and the mentally ill, and conceives of them explicitly as “disturbed humans” (Hua 14: 126). In Husserl’s interpretation, they (and this refers to both animals and impaired humans) can only be grasped through *Abbau* (dismantling), or at least *Abwandlung* (variants), which takes its leave from the normal adult. We have to dismantle the “upper” strata of our human experience and transfer the “rest” (the “lower” layers) to animals so that they appear as living beings and thus centers of experience themselves (Hua 14: 116–117; Heinämaa 2014: 137). However, these centers of experience are characterized by a significant lack of certain strata of experience, namely culture and tradition (Hua 15: 181–182), making them an anomaly from the perspective of the (“normal”) human being.

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But one should hesitate to accept the view that construes animals as *identical* to anomalous human beings. Behind this idea we find a subtle teleology of nature or *scala naturae*, such as the one found in in Carl von Linné, where human beings are depicted as the pinnacle of creation. In one passage Husserl even seems to explicitly endorse organic teleology (Hua 14: 123). This conception is, in fact, closely related to the notion of animals as *human beings minus X* (implying a hierarchy without allowing for the possibility of their possessing a “different”, but nevertheless “*full-blooded*” life-form). There would, consequently, exist an ontological abyss between us and them.

In Merleau-Ponty’s later writings (unlike in some of his earlier texts such as *The Structure of Behaviour*), the *topos* of the animal as anomalous human being

or as *human minus X* is discarded. Here, animals are considered to be a *different kind of Leib* or being-to-the-world *with whom we relate in intercorporeality*: “This leads him to recognize an irreducible *Ineinander* [intertwining, M.H.] of animality and humanity such that ‘the relation of the animal to the human will not be a simply hierarchy founded in addition’ but rather a ‘strange kinship’” (Toadvine 2007: 18; see Merleau-Ponty 2003: 268; Merleau-Ponty adopts the concept of *Ineinander* from Adolf Portmann).

A *lateral* (instead of vertical)¹ co-existence is conceivable when we construe it in terms of intercorporeality instead of applying the classical notion of intersubjectivity which presupposes autonomous, reasonable – and thus “normal human” – subjects who enter into communal interrelationships consciously. Our relation to animals is now considered as one of proximity and/or distance against the backdrop of an already existing bodily relatedness, as an intertwining (Merleau-Ponty 1968: 274), but *not* as a unidimensional vertical relation or a juxtaposition (*Nebeneinander*).² In order to apprehend animals, there is no need for any kind of *dismantling*; instead, one must transcend humanity laterally to apprehend animals in their *alterity* (ibid.: 359). If we proceed from a primal intertwining or interanimality, then, on an ontological level, there are no separate animals or humans but a fundamental co-existence that allows to distinguish between “us” humans and “them” as animals only against the backdrop of this already pregiven interanimality. Of course, there are differences in body constitution, but animals and humans are “fellow inhabitants-of-the-earth” (Acampora 2006: 87) sharing an existence as lived (and vulnerable) bodies, and relating to a world that is shared at least to a certain extent. Hence, mutual (bodily) communication and intelligibility cannot be abolished by a dualism that separates bodies from minds or humans

1 The distinction between lateral and vertical relation should express the reluctance regarding a simply presupposed *hierarchical* relation between humans and animals.

2 To point out this horizontality, one can think of the empirical fact that we do not merely use animals as resources but are also express our gratitude towards them, grieve after them, etc. These practices show that we implicitly acknowledge a practical, emotional and rational interconnection with animals.

from animals by a subtle *differentia specifica* (Toadvine 2007: 26.).³

2. Interanimality

The fundamental role of the lived body (*Leib*) for enacting intentionality and intersubjectivity (or as Merleau-Ponty puts it: *intercorporeality*) has already been thematized by Husserl. The *Leib* is not a mere body-object, but a fundamental starting point, the “zero-point of orientation” (Hua 4: 158), and the basic “*I can*” (ibid.: 253),⁴ through which I experience and engage with all other things and living beings from the very beginning of my ontogenesis. It is not (de)limited by the skin (and thus not co-extensive with the *Körper*), but is rather in a dynamic interdependence with a certain *milieu* or *Umwelt*, as emphasized by Merleau-Ponty (1966: 132–134) drawing on Uexküll. This milieu is not a lifeless field, but is fused with and co-constituted by living (bodily) beings – not least animals as part of *co-existence*. Therefore, the idea of a discrete, independent subject that enters social relations only subsequently (as famously propounded by, e.g., Hobbes and Rousseau) is in sharp contrast with the phenomenological idea of the *bodily* self.

In what follows, I will further elaborate upon the idea of a bodily self in a primal interrelation with Others by drawing particularly on Merleau-Ponty’s concept of *intercorporeality* (1964: 168) and on his idea of being located “within” *animality* instead of *vis-à-vis* the animals (e.g., Merleau-Ponty 2003: 227). An *interspecies co-existence* and *being-co-determined-by* the Others precedes not only our conscious decisions to constitute or enter

3 According to Heinämaa (2014), this account can also be found in some of Husserl’s writings – but only to a certain extent. Animals are part of the co-existence we as humans are inevitably immersed in, but Husserl always emphasises at the same time the human-animal contrast that subverts the role of animals in sociality. As Heinämaa points out, in Husserl animals lack language, knowledge regarding natality and mortality, and they lack traditionality (ibid.: 139; see also Hua 15: 159, Fn. 1). Thus, they are not to be considered as co-constituters of the cultural-historical world, but instead as determinants of co-existence only on a pre-cultural level (Heinämaa 2014: 163).

4 Any perception, any experience is dependent on the lived body and its immanent kinesthetic potentiality. It is the very condition respectively ability to move, perceive, and to act.

a community, but even our understanding of, and empathy for, another individual being (Zahavi 2001: 166).

This is most vividly portrayed by Merleau-Ponty's earlier description of the "two distinct layers, that of the habit body and the body at this moment" (Merleau-Ponty 1962: 82). Bodily habituation is said to reside on the most fundamental level of behavior (perception and gestalt constitution, gesture, posture, movement patterns, and practical know-how) constituting the already mentioned "*I can*". It is an *implicit* bodily memory (Fuchs 2016, in press) that is not under our direct conscious control but that is the very condition of any kind of perceptual or practical disposition or capacity. It is deeply influenced by the co-existence of humans and animals and grows out of a history of "*mutual incorporation*" (ibid.), starting in the earliest stages of childhood. Wehrle is on the right track when she describes it as "proper synchronization" (Wehrle 2013: 228) preceding our intentional behavior: "The in-between becomes the source of the operative intentionality of both partners" (Fuchs and De Jaegher 2009: 465). Any behavior *at this moment* can be understood only against the background of the bodily past (habituation) that is not exclusively of my own, nor even of exclusively *human* making. The co-habituation constitutes "open loops" (Fuchs 2016, in press) of behavior qua dispositions that are actualized in concrete situations and encounters. Fuchs' examples include our immediate, pre-reflective sliding into a certain dialect when meeting an old friend or taking on other tacit dispositions that seem *prior to our conscious decisions*. Similar examples can also be extended to our behavior towards, and communication with, animals where postures, gestures, tones of voice, etc., play a crucial role.

The body as the "carrier" of our capacities is characterized by a primordial openness towards mutual communication and is thus constituted by communication with the world and the Others (Merleau-Ponty 2003: 208). The most fundamental presupposition here is the inevitable *expressivity* of all bodies (e.g., Hua 6: 109; Scheler 1973; Merleau-Ponty 1962 and 2003), including animal bodies that are a part of the milieu into which our bodies are immersed. The *Umwelten* of humans and animals are not identical, but they overlap to a considerable degree, so that the already mentioned mutual incorporation, mutual bodily understanding, and the reference to the same

things, situations, and significations is made possible in and through a kind of *interanimality* (Merleau-Ponty 2003: 189). This can be gleaned from the most trivial fact that humans and animals alike tend to ask and respond, beg and demand, by means of gestures, tones, and other forms of expression. In the vein of Scheler, one could say that there exists a general *inter-species grammar of expression* that exceeds the realm of humanity, although the total and ongoing communication between human beings and animals seems illusionary, of course – especially when considering animals that resemble humans only to a very little degree, e.g., invertebrates and the like. However, common phenomena, such as showing teeth in aggression, shivering from cold (an example Husserl uses in Hua 14: 118), flight and fright behaviors, etc. show that “understanding and fellow-feeling are able to range throughout the entire animate universe, even though they rapidly fall off in respect of specific qualities as we descend the organic scale“ (Scheler 1973: 48).

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The famous anecdote about *Clever Hans* is a prime example of interspecies expressivity on a corporeal level. The horse named Hans was said to be able to perform mathematical calculations. Whenever Hans was presented with a mathematical riddle, he would convey his answer by tapping with his hoof. However, such claims soon proved to be false, because whenever his owner was absent, Hans was unable to solve any mathematical tasks. It turned out that Hans was able to “read off” (as a specific form of bodily *know-how*) minimal gestures or even mere bodily tensions that were specific to his owner, so he noticed when he should stop tapping. This example of a finely tuned bodily *cor-responsence* or *resonance* indicates a – potentially mutual – in-corporation between different species on a pre-reflective level, which holds true especially in the case of co-habitation between a human being and an animal. It is a naive underestimation of the scope of the anecdote to use it only as an example of a bad experiment in cognitive biology and ethology purporting to show the distorting effects that the animal owners can have on the validity of the research outcome (the so-called *Clever-Hans-effect*; Schmidjell et al. 2012).

Another (almost trivial) example of the co-dependency of understanding and behavior is playing with companion animals (based on training and habits). Here, mutual incorporation can reach a very high level of complexity. In the act of playing (even if it is just with a regular ball) one can see that humans as

well as animals can even anticipate the anticipations of other participants in the HARs; this complex anticipation relies on bodily co-habitation in which open loops qua specific behavioral dispositions are constituted, as Fuchs describes by drawing on the work of Bourdieu (Fuchs 2016, in press). This is also significant for the training of guide dogs or therapy animals.

One last example of interspecies intercorporeality is the psychological fact that ongoing, regular human-animal interactions can significantly increase one's ability to read emotions in human faces (Stetina et al. 2011). Here, we can see particularly well that the habituation in intercorporeality is effective on a subtle, pre-conscious level and might lead to an increase in sensitivity and responsiveness (understood as a bodily *know-how*).

To sum up, it might be said that animals do not only, or inevitably, appear as beings accessible through a progressive dismantling of experiential strata or even as objects concealing minds in their bodies, but as parts of the *co-existence* in which we already find ourselves submerged. They are our (bodily) expressive partners in habitual mutual incorporations, joint actions, and joint experiences.

These practical realities of co-existence often remain in the form of a *tacit, lateral sociality* that is hidden behind the ongoing debates about human-animal distinctions, cognitive abilities of animals, and their use as resources, or the ethical debates about logically and morally consistent treatment of animals. We are interconnected with animals on an *a priori* level; the self-discrimination as humans as well as the definition of animals as animals is based upon, and derives from, an *interanimality* that is hidden behind the assumptions of discrete entities that are separated from each other through a *differentia specifica*.

3. Interludium: Thresholds between us and them

Before I elaborate more deeply on the frontal encounter (see the following section), we need a more precise account of lateral sociality because so far, the description of the interconnectedness of humans and animals has not considered the relief of HARs in terms of differences between humans and animals as well as among animals (in terms of their different significations)

sufficiently. But a proper phenomenological analysis of interspecies intercorporeality must take into account the infrastructure of our lifeworld as an “anthropological world” (Hua 15: 617; Hua 29: 324). The primal norm (*Urnorm*, Hua 14: 154) that constitutes our perspective is the human being in its unique bodily condition and situated in its unique life-world imbued with uniquely human significances that co-structure any kind of HAR.⁵

166 The notions of animals and of our co-existence with them are never understood adequately without critically examining the predominant notions of nature, animals, and humans in our particular socio-cultural context (Därmann 2011: 314). Animals are an integral part of our social milieu, not least because of their *significance for us*: they are portrayed as helpful and friendly or annoying and dangerous (Hua 15: 625), as family members, pests, disease (zoonotic) vectors, data providers, food, as symbolically charged figures (the eagle in iconographies of power, Hobbes’ wolf, the dog as our best friend, etc.). These significations are not only external frameworks that add to our bodily interconnectedness with animals, but are co-constitutive for our perceptual and behavioral patterns. A cow, pig or chicken do not appear primarily as animals to play with, while a dog or a cat do not appear primarily as animals to make use of in the sense of “mere” resources.

Sympathy and antipathy, fear and disgust, attraction and repulsion, but also indifference, are deeply influenced by these frameworks which pre-determine the mutual incorporation with animals at the habitual level. These social constructions build the anchor of what Husserl terms the *logos of the aesthetical world* or *orthoaisthesis* (Hua 4: §18), and co-determine, on a perceptual level, our affectability by animals as well as relevant practices related to them (of dealing with animals as edible resources, as best friends, particularly vulnerable beings we are obliged to care for, as pests, etc.). They constitute animals as co-beings in proximity and lead us to recognize them as expressive and vulnerable bodily beings or, on the other side of the spectrum, as resources or enemies. Butler terms this multi-layered dynamic *recognizability*,

5 Thus, the description of animals as “anomalous” is even comprehensible. However, I think that the blatant schism between the co-existence with animals and the historical-cultural world in Husserl leads to an underestimation of the role animals play in our culturality and exacerbates metaphysical burdens.

i.e., a *structural prerequisite* for any possible recognition of living beings as co-beings, as protection-worthy, “grievable”, etc. Recognizability is the sine qua non for any notion of a “life that matters” (Butler 2009: 14). It consists of patterns of perception and associated actions that predetermine what we can see and feel when encountering different species of animals.⁶

These social orthodoxies of perception and action are operative in the form of open loops qua habitual dispositions for compassion, communication, and other kinds of interaction. But specifically, they lead to different interconnections and thresholds between “us” and “them”.

The world is inevitably *anthropological* and is constituted by human significations (see above the considerations drawing on Husserl). These significations, as well as our notions of being human, are the outcome of responsive humanization and self-discrimination (Waldenfels 2015: 22). There is no “human” without a reference to that which is “non-human”, which helps us determine what we understand as typically, or “essentially”, human. Unlike Husserl, Merleau-Ponty describes “the human” neither as a metaphysical essence nor as a *telos* of natural development, but as a contingent outcome of the struggle with other species (Merleau-Ponty 2003: 94). “The human”, as Därmann puts it, is grounded in zoological power (Därmann 2011: 304).

Thus, the human perspective is to be interpreted as a relational structure (or a framework) that is dependent on its various counterparts, which occur within the presupposed co-existence. This relational structure constitutes *tacit thresholds* (Waldenfels 2015: 219; Butler 2009: 41, 51) *between us and them*. Human beings are the ever-pursued outcome of self-discrimination practices rooted in symbolic and material processes, as well as on social practices of inclusion and exclusion (Agamben 2003: 46–47; Calarco 2008: 92–93). To capture these processes, Agamben coined the term *anthropological machine* (Agamben 2003: 31). There is no *differentia specifica* that is simply “given”

6 In 2014, a giraffe in the Copenhagen zoo was killed due to overpopulation, and fed to the lions. As a consequence, there was a public outcry in the media and an online petition to close the zoo signed by more than 60,000 people. Inhabitants were outraged and considered the act as exceedingly cruel. However, probably very few people would object if those same lions were fed a young calf, even if it happened in the presence of zoo visitors themselves.

and independent of human actions. The thresholds between us and them consist in contingent and variegated chrono-topical exclusions and limitations (Waldenfels 2015: 211). Therefore, there is not just one fixed border between *the human* and *the animal*, but rather a plurality of asymmetries and fluctuating domains of limitation and discrimination (Därmann 2011: 304) that lead to the already mentioned multi-dimensional *allocations of recognition* within a primordial co-existence.⁷

The differential recognition of animals as parts of our sociality is particularly obvious in the opposition between the humanization of companion animals on the one hand and the excessive devaluation and reification of animals in factory farms, lab experiments, etc. on the other. In factory farming, to take what is probably the most prominent example, the bodily being we meet is reduced to a *mere object*, it is given a *number* instead of a name, and is conceived of as a *production unit* instead of a partner in bodily communication.

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These ambiguities are often the target of a sustained critique that is usually directed toward the supposedly morally unjustifiable inconsistencies in the treatment of animals. However, this *shared ethos* constituted by the structures of recognizability is not necessarily “logically consistent”. The described treatment of animals and its acceptance in society is not derived from a strict principle claiming that equals (in terms of biological characteristics) must be treated equally. On the contrary, we see that the sources and forms of moral respect for animals are as complex and multidimensional as the human-animal thresholds or the HARs. This complexity is overlooked by the unidimensional principles proposed to govern our treatment of, and relation to, animals, such

7 As Butler (2009) and Agamben (2003) point out, the distinctive criteria for being human are often selective in the sense that some human beings do not fulfil them so that they are not (fully) recognized as human beings or persons.

as Regan's subject-of-a-life criterion⁸ which leads to kind of a vegan imperative, or Singer's (2011) equal treatment of all animals in possession of self-awareness and the ability to suffer irrespective of the species they belong to.

Nevertheless, there are strong intuitions in our society about how animals should be treated properly, e.g., in terms of obligations pertaining to the proper care for companion animals from the beginning of their lives until they are humanely euthanized, limitations on cruelty in dealing with livestock or laboratory animals, etc. These intuitions exist by virtue of an incorporated ethos that is part of our *personal* (not to be misunderstood as "private") bodily habits⁹ and is therefore never entirely consciously accessible or in our direct possession (Varela 1989: 12–14).

This always already pre-given *ethos* of HARs is particularly obvious in social approbations and legal regulations that draw clear lines between different animals in accordance with their lifeworld significations. Laboratory experiments on pigs, mice, or rats are permitted only if they meet legal requirements, for instance, only if they abide to the 3R-principles.¹⁰ Experiments on cats or dogs are not allowed, e.g. in the Austrian Protection Law, because they would seem cruel to a majority of people, whereas in other

8 The subject-of-a-life-criterion is valid for all individuals if they "are able to perceive and remember; if they have beliefs, desires, and preferences; if they are able to act intentionally in pursuit of their desires or goals; if they are sentient and have an emotional life; if they have a sense for future, including a sense of their own future; if they have a psychophysical identity over time; and if they have an individual experiential welfare" (Regan 2004: 264). In a thought experiment that is similar to the (in)famous "trolley case", Regan builds on cognitive abilities, independently from being human or non-human, as the anchor point for ethical considerations. This leads him to the claim that animals should have a greater priority when it comes to survival than *mentally impaired* human beings (ibid.: 324).

9 We learn how to treat animals when engaging with them in different socially approved practices, such as caring for, using, or eating them. How we treat animals is socially determined, and are thus never strictly "our own". Moreover, treating animals is not arbitrary; any moral and/or social permission of a particular treatment is dependent on the intersubjective comprehensibility of motifs and reasons for actions.

10 The 3R-principles comprise (i) *reduction* of the number of individuals used; (ii) *replacement* of animals in research by computer models or tissue samples; and (iii) *refinement* (improvement regarding animal welfare) of keeping systems and test sequences.

socio-cultural contexts dogs are regularly considered as edible animals and thus as livestock and food source. So, the incorporated ethos pre-determines what one should (not) do with specific animals on a personal (habitual), but also on an institutional, level. The backdrop is our differential affectability by dogs, cats and other companion animals in contrast to rats, mice, or livestock. This affectability rests on the aforementioned *incorporated ethos*; “our moral responses [...] are tacitly regulated by certain kinds of interpretive frameworks” (Butler 2009: 41).

This is true not only for our lifeworld *in toto*, but also for what Husserl calls *Sonderwelten* (“special regional worlds”) (Hua 6: 125). The German sociologist Marcel Sebastian has shown that even in specific segments of our society, where animals are handled by skilled professionals in the context of highly technical routines, tacit moral arrangements underlie our dealings with animals. Sebastian’s investigations into the attitudes of slaughterhouse workers reveal complex differentiations; some actions are considered legitimate (including specific types of killing), others unnecessary and cruel (Sebastian 2013). Some tacit norms therefore can even be found in a social practice of objectifying the animal where one is, to a certain extent, forced to avoid having feelings towards the other living being.

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One last issue seems relevant with regard to the recognizability set against the background of thresholds that delineate humanity from animality. Our capacity to apprehend bodily beings qua centers of experience and partners in mutual communication is dependent on “life being produced according to norms that qualify it as a life, or, indeed, as part of life” (Butler 2009: 3). These frameworks organize or predetermine our morally primed perception of animals. The notorious Singer debate is a telling example of the fact that the thresholds are contingent but never arbitrary. In Singer’s view being human is a biological fact without any moral or practical signification. The treatment of a living being is dependent on rational capacities and the ability to suffer, but not on any species affiliation (Singer 2011: 73–75). Thus, the justification of animal experiments is analogous to a justification of experiments conducted on impaired humans (*ibid.*: 52). The outcries against Singer show that not many people are willing to adopt this view. Our ethos is not open for an abandonment of a value-laden concept of humanity.

This is also meant to counter Agamben's bold plea for an *Aufhebung* of the anthropological difference by shutting down completely the functioning of the anthropological machine. Agamben writes:

“[T]o render inoperative the machine that governs our conception of man will therefore mean no longer to seek new – and more effective or more authentic – articulations, but rather to show the central emptiness, the hiatus that – within man – separates man and animal, and to risk ourselves in this emptiness: the suspension of the suspension, Sabbath of both animal and man. (Agamben 2003: 92)”

However, if Husserl is right in stating that we inhabit an *anthropological world*, then the processes of constituting plural thresholds are a pre-condition of any human self-understanding and of any HAR. A hiatus between us and them remains inevitable because we *cannot but* speak, act, and think from a human perspective that is not at least partly constituted by socio-cultural significations. But the processes and practices that constitute these thresholds and structure the recognizability of animals remain always *in statu nascendi*. The rise of animal ethics as well as recent developments in ethology, which ascribe a theory of mind, culturality, and even proto-morality to animals (de Waal 2013 as prime example), indicate that the predominant notion of what it means to be an animal is never a given fact, but rather a contingent outcome of specific historical situations, institutions, and practices. These changes might rest on social shifts, scientific insights, or historical events. Moreover, enough room is left open for individual (re)conceptualizations of animals as partners within a co-existence that might be co-determined by concrete animal encounters.

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4. Animal Encounters

I have indicated several times that the normative infrastructure we are living in is not arbitrary, but contingent. The changeability of the prevailing conceptions of animals (and humans) relies on what Waldenfels calls *productive forms of experience* (Waldenfels 2015: 9, 149). Such productive

forms have the power to change the incorporated structures of perceiving, and acting towards, (human or non-human) Others. *Gestalt shifts*, coupled with shifts in the already mentioned practical open loops, *are* possible. The horizon of the world as the horizon of possible experience (Hua 6: 141) is not to be understood as homogenous and infinite field, but contains margins and remote areas that might be “unlocked” by these productive experiences. This has been exemplified by Butler’s concept of recognizability, understood as a selective and exclusive primal structure of our currently prevalent orthodoxies about perception and action (see also Agamben 2003; Waldenfels 2015).

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What might such productive forms of experience that are capable of changing our habits look like? Probably, the most prominent theory of hyperbolic experiences that transcend the incorporated habituations is the one propounded by Levinas, who tried to analyze the profound disturbances that occur in our ordinary being-in-the-world through the encounters with the emphatic Other. Such disturbances arise from the *frontal encounter* (the famous *face-to-face* encounter of the Levinasian phenomenology). Within a *presupposed* co-existence that is part of our bodily habits and behavioral patterns, the appearance of the Other can exceed and challenge our ordinary, habitual categorizations and epistemological conceptualizations. The categories in which animals are framed by socio-cultural perceptual and behavioral patterns can be radically suspended by the bodily appearance of the Other. In phenomenology, such an event is prototypically exemplified by the *gaze*, i.e. by the experience of being seen by the Other (Levinas 1995; 1998; Sartre 1965; applied to animals in Acampora 2006; Calarco 2008; Derrida 2008).

Let us have a look at a famous passage from Tolstoy’s *War and Peace* (1958), which illustrates beautifully the importance of a frontal (face-to-face) encounter. One of the main characters of the book, Pierre Besukhov, is presented to General Davout *as a prisoner of war*, and is about to be executed. In a lengthy paragraph, Tolstoy describes how, at a certain moment, the eyes of the two protagonists meet, and the bodily being of Pierre Besukhov, which was hitherto hidden behind a general category “enemy/prisoner of war”, is all of a sudden let out into the open. Besukhov survives. Such suspension or transcendence of a generalized mode of relating to the Other can be interpreted as a telling example of genuine (concrete) encounters with the Other, for it

bears an appellative character constituting not only the suspension of usual patterns of perceiving, and acting towards, the Other, but also a basic ethical *non-indifference* towards the Other's vulnerability and mortality (Levinas 1997: 139). The event of the intercorporeal resonance *at this very moment* finds its culmination in the *gaze* of the Other – one experiences or feels the bodily Other particularly in their gaze. Sartre claims that the truth of seeing the Other coincides with seeing oneself being seen by the Other (Sartre 1965: 257).

In the more recent literature, there have been several attempts to transfer the motif of the gaze and of being affected by the Other to nonhuman beings (e.g., Calarco 2008: 75; Derrida 2008: 23). Calarco even goes on to claim that Levinas' blatant (early) refusal to consider the animal contrasts sharply with the inner logic of his philosophy of alterity (Calarco 2010: 113). This becomes particularly evident when we consider once more the famous passage from *Ethics and Infinity*, where Levinas claims that "the best way of encountering the Other is not even to notice the color of his eyes" (Levinas 1996: 85). Any kind of specification, coupled with the corresponding socio-cultural signification that would direct our behavior towards the Other, is undermined by the event of the gaze. According to Calarco (2010: 113), this also holds true for any biological specification.

The very event of encountering the Other as a bodily being *that is looking at me* thus disturbs my deeply-rooted routines of perception and action, which in turn may lead to a profound change or at least to my being more attentive to the bodily beings that I am dealing with. The recognizability of animals as bodily, expressive, and vulnerable beings is contingent and can thus be changed by productive experiences. However, there is no guarantee that such productive experiences will, in fact, occur. One could also try to immunize oneself against such experiences/disturbances by hiding the animal gaze behind the structures and institutions that actively try to prevent frontal encounters. A telling example *ex negativo* would be the following quote from a laboratory assistant: "They did not like to have clear cages because 'the animals could look at you'" (Linda Birke, quoted in Acampora 2006: 100). But nobody and nothing can guarantee that the face-to-face encounter will happen and/or that this will have productive implications for how animals are subsequently perceived and treated.

5. Conclusion

This paper provided an overview of the three cornerstones of phenomenological analyses of HARs. First, *interanimality* must be understood as *interspecies intercorporeality*, as lateral *sociality* or *co-habitualization* that opens up perceptual and behavioral dispositions of mutual incorporation and synchronization between human and non-human bodies. The Clever-Hans-effect served as one prominent example of this, but one can also think of how animals are being used in therapeutic contexts, etc. Second, *interanimality* is not a natural fact but is co-determined by respective predominant social notions about animals. The appearance of animals and of humans is framed by different significations, which allows us to conceive of, and experience, animals differently. This tacitly organizes different ways of our being affected by animals that ranges from compassion to disgust. It has been concluded that the human-animal border is not a straight, clear line, but consists of a plurality of thresholds that pre-determine our perceptions and HARs. Third, these frameworks, while inevitable (I argued against the possibility of rendering the anthropological machine inoperative), are nevertheless contingent, and can therefore be disturbed especially by singular (face-to-face) bodily encounters. The gaze of the Other has been described as a climactic event of such encounters that could build up to a productive experience. Such a productive experience might then disturb, and thus also influence, the embodied habituations of how animals are treated – but there can be no guarantees that such an event would happen or, having happened, that it would be powerful enough to engender far-reaching changes.

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