

Original Article

**Animal Citizenship, Phenomenology, and Ontology: Some reflections on Donaldson's & Kymlicka's *Zoopolis***

**Iván Ortega Rodríguez**

Universidad Pontificia Comillas, Madrid, Spain

Email: [iortega@comillas.edu](mailto:iortega@comillas.edu), [ivan.ortega79@gmail.com](mailto:ivan.ortega79@gmail.com)

**Abstract:** This paper is a dialogue with Sue Donaldson's and Will Kymlicka's book *Zoopolis: A Political Theory of Animal Rights*. My thesis is that, despite the authors' reticence, considerations in first philosophy regarding humans and nonhumans are relevant to their goal of building a more comprehensive animal rights philosophy. What is more, I believe that first philosophy actually can be of help for their proposal, specifically in the form of phenomenology and phenomenological ontology. For this purpose, I first summarize the basic outline of *Zoopolis*'s position and indicate some questions that arise from a strictly internal consideration of its theses. And secondly, I introduce some aspects in which phenomenological research would be relevant, along with some particular and provisional analyses carried out from the standpoint of a phenomenologically-based ontology. Especially, there is a theme that stands out: the intersubjective realms between humans and nonhumans.

**Key Words:** Animal Rights, Animal Philosophy, Phenomenology, ontology Bioethics, Ecology.

**Introduction:** Animal philosophy received a decisive impulse with Sue Donaldson's and Will Kymlicka's book *Zoopolis: A Political Theory of Animal Rights*<sup>1</sup>. It offered a comprehensive theory that, to a great extent, creates a new theoretical framework for thinking the moral status of nonhuman animals. In fact, it is not an understatement to say that *Zoopolis* is already a reference so unavoidable as Peter Singer's *Animal Liberation*. It has acquired one of the greatest relevance statuses: that of being an inevitable part of the discussion.

This contribution wants to engage in this now inescapable dialogue with *Zoopolis*. My starting position is that of a basic acceptance of its positions, as well as an acknowledgment of Donaldson's and Kymlicka's achievement. Nonetheless, as the authors know very well, the greatest act of philosophical admiration consists in engaging a dialogue that does not shy away from possible suggestions or corrections. In this regard, I want to defend the relevance of first philosophy, in the manner of phenomenological analysis and phenomenology-based ontology. Contrary to the authors' suspicions, I defend that this discussion does not necessarily undermine the case for animal rights but may even strengthen it.

**A brief overview of *Zoopolis*:** The first step in my argument is an assessment of *Zoopolis*' great theses. The main argument of *Zoopolis* has a clear structure: the quality of selfhood and self-interest, unquestionably present in nonhuman animals, justifies their deserving the same

moral status as humans. The combination of this fundamental thesis with a consideration of the different possible relationships between nonhuman and human animals results in three further theses concerning the moral status of nonhumans, specifically the political status they deserve as part of the same planet and thus in some form of interrelation with us. For the authors, these statuses are citizenship for domestic animals, sovereignty for wild animals, and “denizenship” for “liminal” animals.

Thus, firstly, domesticated animals share our same space, are dependent on us and can interact even to the point of contributing to the institutional shaping of our community. Consequently, *Zoopolis* states that they must be considered as full citizens.

Secondly, wild animals live in their own habitats and their behaviour unmistakably indicates that their self-interest includes not entering into contact with humans and keeping their autonomy in the areas where they have for a long time developed their lives (or also the routes along which they have migrated and those realms where they have seasonally dwelt since time immemorial). Consequently, they must be taken as sovereign inhabitants rightfully living in their territories.

Thirdly, there is another category of animals who are neither domestic nor wild, and who *Zoopolis* refers to as “liminal”, namely those who are not domesticated but live in our midst. They live among us for a variety of motives: either because their habitats have been enclosed by human settlements, or because of the introduction of exotic species, either because they are former domesticated animals who have become feral or their descendants, or also because they are niche specialists, opportunistic animals and synanthropic species, whose existence is more narrowly dependent on us. In all cases, they have in common that they are dependent on humans in a non-specific way: they need human beings to get food or shelter but are not dependent on any individual human being —at least *qua* species. For these animals, Donaldson and Kymlicka consider that a new category has to be created: “denizenship”<sup>2</sup>. With this term they refer to those inhabitants who live in the same space as us but cannot or have no interest in being part of our political community. They cannot have the same rights and duties as citizens, especially those referring to participation in the communal life, but they still have rights of justice, especially concerning their physical integrity and their right to develop their lives. Consequently, for example, not any solution for human-nonhuman conflicts is acceptable, not even in the case of our animal denizens. In this regard, Donaldson’s and Kymlicka’s book is full of beautiful examples of solving coexistence problems without recurring to extermination procedures, which are not only immoral but also largely inefficient.

Concentrating now on their defence of citizenship for nonhuman animals, Donaldson and Kymlicka take into account the main objection: nonhumans are incapable of language, and therefore of engaging into dialogue, understanding the sense of norms and even less of participating in the public deliberations to make decisions regarding our coexistence<sup>3</sup>. In particular, they consider the three “moral powers” required for the exercise of citizenship:

- (i) the capacity to have a subjective good, and to communicate it;
- (ii) the capacity to comply with social norms/cooperation; and
- (iii) the capacity to participate in the co-authoring of laws<sup>4</sup>.

These three requirements seem to discard citizenship for domesticated animals. Indeed, without the use of language — in any conceivable symbolic form, we could add—, many consider it impossible for animals to participate in citizenship. However, Donaldson and Kymlicka believe that in this refusal there is a flaw in the *description* of these powers:

We do not dispute this basic list. We do, however, dispute the way in which these three capacities are typically interpreted<sup>5</sup>.

To support their thesis, they refer to recent disability theories of citizenship and claim that their fundamental tenets can also be affirmed for animals<sup>6</sup>. Disabled people too have often been seen from a paternalistic perspective, considering that they had to be “well treated” but not believing that they could be full citizens.

However, recently the expression of the point of view of people with disabilities (either by themselves or by their caretakers) has questioned this assumption; and their questioning lies in objecting to the idea that we have to exercise all our intellectual powers to be an active part of the political community. If we do not take such a narrow concept of agency, and admit that one can express oneself with some assistance, participation becomes conceivable. We can think of someone having a subjective conception of good as expressed by certain nonverbal indexes, who can comply with norms and who is able to defend their perspective when elaborating regulations<sup>7</sup>. But now, if we have a look at domesticated animals, we verify that at least in many species they can also exercise the moral powers with some assistance. Therefore, *Zoopolis* concludes, citizenship is an adequate concept for their participation in our shared community.

**An internal difficulty and the possible usefulness of phenomenology and ontology:** Along their reasoning, the authors of *Zoopolis* are insistent on refusing to consider the ontological question concerning the animal/human divide. With this, they reject any metaphysical consideration or, as I prefer to say, first philosophy. In particular, they explicitly criticize the use of “personhood” to deny citizenship rights — or even any right whatsoever— to nonhuman animals<sup>8</sup>. The authors are right, in my view, to “*reject any attempt to distinguish personhood from selfhood as the basis for inviolable rights*”<sup>9</sup> and they are also right to qualify these attempts as “*conceptually unsustainable, morally unmotivated, and radically destabilizing of the very idea of universal human rights.*”<sup>10</sup> Nonetheless, they seem to consider that no more considerations in first philosophy are necessary to pursue their argument. In my view, this is a mistake, mainly because it undermines their capacity to face a serious internal difficulty; and also because they may have missed an intellectual tool in favour of their positions.

This becomes clear in my view when we consider the “internal” difficulty that arises if we analyse the “communicative requirements” of political participation. Above all, it is true that *Zoopolis* persuasively establishes that animals do have the “prerequisites” not only to claim “negative” rights but also for the exercise of “positive” rights, such as those of political participation.

Nevertheless, we may consider that, after all, there is a difference between the participation which involves reflection and language<sup>11</sup>, and that which does not include them. This distinction goes mostly along the divide between humans and nonhumans<sup>12</sup>. And it may be asked whether this different form of participation may have consequences regarding different participation rights.

Thus, animals for sure can make their needs and interests conveyed, but generally it is humans *who know them, have learned to understand their signs*, and, as the authors themselves recognise, *must interpret them*. Animals need humans to make their claims heard; and they need humans to use arguments “on behalf” of them, not as if they had told them previously but rather in the sense that some humans design arguments that animals *would possibly have made if they had been able to*. In sum, for this discursive and argumentative political participation, *animals need some humans to be their voice*.

In my view, this “communicative difference” poses a problem for the use of “citizenship” for domestic animals<sup>13</sup>. Referring to the “modified” and “amplified” notion of participation, which includes other ways of having your case be taken into account, does not solve this difficulty, as Donaldson and Kymlicka seem to believe<sup>14</sup>. Indeed, this “wider” notion makes it clear that animals’ participation has to be conceptualised, but not necessarily by the same concept we use for humans. Therefore, it may be asked whether “citizenship” can be applied to participants that take part in so different ways, or if rather this “amplification” would in fact change the notion of citizenship in such a way that it would be deprived of its usefulness in political theory. In sum, the communicative difference leads us to ask whether *Zoopolis’* use of citizenship, in the name of a just cause, would not finally use it too vaguely, blurring important differences, and thus denaturalizing an important concept for thinking political participation, a denaturalization that would possibly undermine not only rights for humans, but also for nonhuman animals.

Thus, if my considerations are correct, *Zoopolis* has a problem that must be faced. However, I believe that a full assessment of this problem needs to go beyond the framework of Donaldson’s and Kymlicka’s book. In my view, it is necessary to go beyond the domain of political philosophy and carry out some analyses in first philosophy. We need to see in more detail how this communicative difference is structured and what this means with regard to a possible ontological distinction between humans and non-humans. If our attempt was successful, then we would have a more clarified conceptual landscape of the relationship between humans and other animals, at least in some important cases (some of the most common and closest human/animal interactions)<sup>15</sup>. And this, in turn, could help develop a

moral reasoning and decide on the pertinence of participation rights for animals and if this participation has to be conceptualised as citizenship in the case of domesticated animals.

**Different realms and different types: being-in-the-world and being-in-an-environment; Phenomenological and ontological considerations:** In my opinion, the considerations in first philosophy need to consider firstly the different realms established in the interactions between humans and other animals — we leave aside the realms constituted by nonhuman animals among themselves, within the same species or between different ones —; and secondly, we need to study the problem of the *type of being that each of us is*, humans and nonhumans, according to their belonging or not to each realm<sup>16</sup>.

There are of course different methods in first philosophy. Here I assume a phenomenological approach. Certainly in a longer paper I should make a lengthier justification, but given the scope of this paper I propose phenomenology as a method that is particularly useful to describe what happens in the interactions between humans and other animals, particularly with regard to the realms that become constituted by virtue of their interaction. From there, we could draw some ontological hypotheses.

Certainly, it may be argued that phenomenology is firstly a method and ontology goes beyond its domain. But this passage is part of the phenomenological tradition. It is present in Husserl himself, when speaking about consciousness as the transcendental realm, and also well beyond Husserl; for example, Jan Patočka gives an interesting distinction, between phenomenology and phenomenological philosophy, whereby phenomenology deals strictly with the analysis of appearance, while the latter derives “metaphysical consequences” from these analyses, which makes possible a phenomenological ontology<sup>17</sup>.

As is also known, there are as many directions in phenomenology as there are phenomenologists. Indeed, for the question of humans and other animals there are some very interesting authors, like Renaud Barbaras in France, to mention a contemporary thinker. For my purpose, and considering the communicative problem I take as a basis, I propose to the reader to follow here one development that I have found particularly helpful: the analysis of transcendental intersubjectivity according to Edmund Husserl, the founder of phenomenology<sup>18</sup>.

For Husserl, the subjective transcendental realm is inescapably intersubjective. Subjects are given to us as opposed to pure objects. Indeed, when being referred to other subjects, I know from the phenomenon itself, “directly” that they are “I”s with their own lives. However, this does not entail that I “enter” their conscious lives and somehow become one with them. There is a special form of presentation of subjects in which we immediately take certain traits of the other as pertaining to an inner life. Husserl calls this form of presentation “appresentation”. It is a form of apperception, a mode of perception in which there is more than what is actually perceived. In this case, we perceive a body making certain gestures, but we go beyond towards the apperception and appresentation of another “I”:

To apperceive means to grasp something over and above what is actually perceived [...]. In apperception, there is a sense that the object is mediated through something else that is presented immediately. For instance, in all perception of a physical object, direct perception is of the facing side of the object, the hidden sides of the object are *apperceived* or *appresented* in an empty manner [...]. When I perceive someone's living body, I perceive it as a living organism but I apperceive it as someone else's living body<sup>19</sup>.

Now, concerning the possible appresentations between humans and other animals, there are two things that might be said for the moment. Firstly, it seems clear that between humans there is apperception and appresentation in a much profounder way than between humans and other animals, as well as probably between nonhuman animals themselves. However, secondly, nonhuman animals and humans are together opposed to vegetables, other life forms and inert beings in that between them there is some form of appresentation. We perceive in them some signs of a living body and thus we apperceive a living self; and in turn, animals make clear signs of doing a similar process with us.

Let us consider an example: I now see my cat “Leo” in the corridor. He looks excited. I can tell this from how he has his ears and how he moves his tail. As he also moves in a confident way, I know that his excitement is because he wants to play; in turn, he sees me and hears the tone of my voice. This is the tone I normally use when I am about to start playing, and so Leo gets more excited and even jumps a little. I have seen in Leo some signs of a living body and a living subject who is able to know himself well enough to be aware that he wants to play. Conversely, it seems that Leo knows and acknowledges in his manner that I am a subject with a living body, and a subject who wants to play with him. Leo and I are carrying out appresentation processes. This interaction between Leo and I is not for sure the same I may have with my human friends or with my human students; but anyone can see that with other “lower” animals this interaction is impossible, not to speak of inanimate things, like the poor toy I use to play with Leo.

Our phenomenological analysis can go further, and we can see that in this interaction there is something more going on: the constitution of a *realm* within which Leo and I are interacting, some sort of “space” where we develop our appresentation processes<sup>20</sup>. However, there is also a difference regarding the realms constituted.

Firstly, we may say that humans among themselves constitute a realm which in my opinion has to be described as *world*. The world is not primarily the sum of all entities but rather the all-encompassing realm within which everything else is included. It is given in experience as a horizon necessarily present whenever consciousness is referred to any object. Husserl gives a very famous example in the first volume of *Ideas*<sup>21</sup>. In this example, I am sitting on my desk writing philosophy, but simultaneously and inevitably I co-perceive the room around me; also, in a more blurred way, I notice my wife and children in the dining room. In these co-perceptions, I am “referred” and “led” from one object to the other. Further, these references do not stop at the co-perceptions, as from the dining room and my house I am also

referred to other objects that are not perceived but of which I know; this is “a ‘knowing of them’ which involves no conceptual thinking and it changes into a clear intuiting only with the advertence of attention.”<sup>22</sup> But this is not the end, as from there I am finally remitted to the all-encompassing horizon:

What is now perceived and what is more or less clearly co-present and determinate (or at least somewhat determinate), are penetrated and surrounded *by an obscurely intended horizon of indeterminate reality* [Wirklichkeit]<sup>23</sup>.

In contrast, it does not seem that animals have a world in the sense described. As we observe them, they do not seem to behave as if they are related to an all-encompassing world. They have rather an “environment,” a more or less extended field which is finally limited: a house, a garden, a forest, or even two areas linked by a migration route. In all these cases, the realm is *determinate*. And especially, when we interact with them — and *as far as we interact, within the interaction itself, but also within each interaction we may have* —, we are not being referred to a common “world” that the animal and I would share; we are also in an environment. I myself am for sure referred to the “world,” but only if I get out of the interaction with the animal and the common realm constituted when I (or we) interact with him or her. And this is true, I think, no matter how large the environment can be.

Returning to my previous example: when I play with Leo, he and I are for sure in a common realm; but as we interact, it is not the world that is in perspective (in *our common perspective*, that which we are sharing as we play). Playing together, we are in a house, and the domain of our playing is enclosed within the house; *in our playing* we have not the “world” in perspective. *I may have it*, but for this I have to get out from the interaction with Leo, even if for an instant.

There are, consequently, two different realms: the human realm that is the *world* and the human-animal realm that is an environment. These realms are qualitatively different. Firstly, the environment is limited and determinate while the world is indeterminately extending to the infinite. But there is more, as the human realm is one where humans linguistically interact; the world appears to humans who interact using complex language. On the other hand, the human-animal realm is one where we interact exclusively by bodily signs that indicate our interests and requirements. I as a human may have language, but interacting with Leo I am attentive to his bodily signs (tail movement, miaow, etc.). Even when I speak to him, my words are bodily signs: my “no” addressed to him as he has done something he shouldn’t have is intended to be a bodily sign.

From this difference of realms we may further conclude that *different kinds of subjectivity are exercised in each realm*. I say here “exercised” because I am not dealing now with what animal or human subjectivity *is “as such”* but in how animals and humans concretely develop their subjective life when situated in one or another realm (we may put it by saying that I am here on the plane of phenomenology, while the other consideration would already belong to ontology). On one hand, it is clear to me that in both realms we are dealing with

*selves*, that is. More importantly, in both realms the self shows signs of being aware and “in possession” of its needs and wants as to say that this self has *interests*. These interests, in turn, given the interactive nature of the realms, are ones which will take a part in any confrontation and decision, whether mediated by language (in the human realm) or by other bodily signs.

On the other hand, however, it seems clear to me that there are differences. The key element here is the presence of language. In the case of the human realm, the world, the subjects use language to make sense of their needs and wants; this enables them to carry out more elaborate connections among these needs, confronting them with others with high detail and eventually modifying them by virtue of this confrontation. Especially, this means that their interests are confronted within complex reasoning processes that indispensably involve language. This means that any agreement requires, at least ideally, agreements based on discussion and reasoning using language, as for example Habermas has so well described.

Thus, it may be said that although humans and animals live and interact in their realms as selves, they “exercise” them differently. However, this does not lead to deny animals’ subjectivity, reducing them to purely present sensorial stimulation. Animals may “exercise” their subjective life differently, but in my view there is undeniably a true subjective life and a true self. My point is that, phenomenologically speaking, we need to speak of different kinds of exercising subjectivity, not that there is not subjective life in animals<sup>24</sup>.

Now, from these phenomenological descriptions, we may draw some ontological conclusions. Thus, firstly we may establish a difference between human beings and other animals. On one side, we have humans, those beings between whom linguistic communication and complex reasoning is necessary, and between whom a realm called “world” is constituted. On the other side, we have animals — or at least many animals —, characterised by bodily signs which seem to point to some sort of embodied self which we perceive as similar to us but also distinct from any human being; among them (and among them and us) the realm constituted is enclosed and excludes language, at least most times. This means that we humans are ontologically different from animals, although we may have an ontological common realm, the environment (or rather, environments). However, this first ontological thesis, which stresses the distinction, has to be balanced with a second thesis according to which animals and humans are together in the same class as opposed to the rest of realities, as among them there can be some form of “appresentation,” unlike in the other cases.

The previous considerations are also relevant for an important conclusion regarding the types of subjectivity that each of us are, humans or animals. Now we are no longer on the plane of phenomenology as when speaking about the “exercising” of subjective life, but on that of phenomenological ontology. In this sense, it seems clear to me that we need to speak of two kinds of subjectivity: one of them (humans) is capable *both* of linguistic interaction within the world and within an environment; and the other is *only* capable of the non-linguistic interaction within an environment. Going back to the previous example: when interacting



with Leo, I am exercising a subjective life like his. This is why we can understand each other. But at any moment I can pass into my other possibility, which Leo cannot. And in my view, this has to be interpreted as he and I being different kinds of subjective beings.

**Conclusion: the ontological difference and the affirmation of participation rights for nonhuman animals; A preliminary thesis in moral philosophy:** Our previous considerations point to an *ontological difference* between humans and nonhumans. Nonetheless, establishing of this distinction is one thing and inferring rights and duties is quite another.

Now, for the moral argument, and taking into account the hypotheses described above, we need to consider that in both realms the participants are selves with their own necessities and interests. Consequently, if we accept as a moral criterion that morally correct decisions require an equitable assessment of everyone's positions, then in both cases their interests matter, in both they need to be taken into account and in both they have to be expressed and included in discussions.

However, the differences we have remarked make us see something crucial for the moral argument: animals can only express their needs and interests through direct bodily non-linguistic signs, *but their interests need to be taken into account in the language-mediated interaction within the human realm*. From there, I think that a first *moral conclusion* can be drawn, namely: that animals not only depend on us being their voice, but also that we are under the moral obligation to be their voice and take them into account.

We may also draw some other conclusions, which of course are provisional and open to discussion. Firstly, we agree with *Zoopolis'* authors that from selfhood it may be inferred that nonhuman animals are subjects entitled to have both positive and negative rights. However, we may say that a phenomenological and ontological distinction is clear between animals and humans, and that this must be reflected in the use of moral and political concepts. Therefore, from a conceptual perspective, we may state as a second ethico-political thesis that some sort of concept must be used whose *intension* adequately reflects the relevant features of animals and humans with regard to political participation, and whose *extension* is univocally referred to both animals and humans. Closely related to this second thesis, and also within the "conceptual" sphere, our third thesis states that another concept must be used to speak about the ethical status, rights, and duties of those who can engage in a more elaborate form of political participation made possible by the shared world constituted through human intersubjective re-presentation mediated by language. However, fourthly, we may for the moment leave open the question whether we use *citizenship* for domesticated animals and a *new concept* for humans, or rather if we create a new concept for animals and humans. In my view, both options are defensible: using citizenship for humans and animals may have the advantage of providing the symbolical force of this concept to non-humans; and restricting citizenship for humans could help avoid the risk of diluting the force of the concept of citizenship while encouraging our moral imagination to design another concept for positive participation.

Furthermore, I believe that our phenomenological and ontological reading of the human/animal relationship may help overcome the possible insufficiency of *Zoopolis* with regard to the communicative difference. Indeed, if our theses are sustainable, then we could defend the idea that “citizenship” can be applied cogently to domesticated non-human animals despite their belonging to different types of being. And even if we think that citizenship has to be applied only to humans, at least our considerations would make sure that positive participation rights, *whatever the name we use for them*, are granted to non-human animals, *in spite of the phenomenological and ontological differences*.

There are many other subjects that should be addressed. For instance, as I have already indicated, a further development should take into account the possible ontological differences between what we may have too overarchingly called “nonhuman animals.” There should be a justification of the phenomenological method. And for sure, the integration of data from the different sciences would be pertinent; in this regard, Mary Midgley's wide use of ethology is to me a referent despite the years passed<sup>25</sup>.

Ethical progress has historically taken the form of enlarging the scope of those who matter morally. Those who before were aliens, and thus without rights, were deemed later “like us” and entitled to the same rights. The animal rights movement is decidedly part of this movement. Still, maybe here we will not be able to reject all differences but simultaneously see that this is no reason to deny rights. I know that this may sound like the classical “separate but equal” argument that has been so rightfully refuted in the past when speaking about humans. However, here I cannot help thinking that this difference must be kept; and as I am persuaded of the justification of participation rights for animals, I believe that we need to find some operative notion of a distinction compatible with equality. Still, even if my views are contested or refuted I will be happy if that means a clarification of the discussion, as well as effective progress for the animals with whom we share the planet.

**Author Contribution:** The author developed the conceptual idea and wrote the manuscript.

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**Dedicated:** To Leo, my cat companion and my best teacher in Animal Philosophy.

## Notes and References

<sup>1</sup> Sue Donaldson, & Will Kymlicka. *Zoopolis. A Political Theory of Animal Rights*. Oxford University Press, Oxford; 2011.

<sup>2</sup> The use and etymology of the term “denizen” is in itself revealing. According to the Merriam-Webster dictionary, its first meaning is simply “inhabitant”, but the second one is “a

person admitted to residence in a foreign country; *especially*: an alien admitted to rights of citizenship”. This last meaning points to the inner strength of the concept of denizenship for liminal animals: they are within us although they are not “one of us,” they might even be called resident aliens, though Donaldson and Kymlicka could find this expression objectionable as being vulnerable to the false assumption that liminal animals “do not belong here.” In fact, we agree with them: they may be “alien” to us, but they definitely “belong here.” (<http://www.merriam-webster.com/dictionary/denizen>, seen on September 10<sup>th</sup>, 2016).

<sup>3</sup> Cf. *Zoopolis*, pp. 102 ff. The discussion on pp. 57 ff. is also relevant: it highlights the fact that the concept “citizenship” is not restricted to “democratic political agency”, but also to “nationality” and “popular sovereignty”; this means that we could even consider some form of citizenship for nonhuman animals without ascribing to them some form of political agency. However, for my aim here, it is more interesting to consider the authors’ thesis of political agency for animals.

<sup>4</sup> *Ibidem*, p. 103.

<sup>5</sup> *loc.cit.*

<sup>6</sup> Cf. *ibidem*, pp. 105-108.

<sup>7</sup> The authors admit the difficulties present in this approach: there is a risk of manipulation by the caretakers who assist them in expressing their points of view. But this for them is not an insurmountable obstacle.

<sup>8</sup> Cf. *ibidem*, pp. 27-33.

<sup>9</sup> *Ibidem*, p. 32.

<sup>10</sup> *Loc. Cit.*

<sup>11</sup> This is the kind of interaction considered in most of contemporary political philosophy, especially in Habermas or Rawls.

<sup>12</sup> I leave aside the problem of limit cases. I find that to sort out the problem we should make other considerations in detail, especially the fact that the appresentation between a human being and another human being who is unconscious still point to a human subjectivity, which is not the case in animals. As I say below, explaining appresentation, this is mediated by bodily signs that speak of a human lived corporeality in spite of the circumstances.

<sup>13</sup> Or, for that matter, sovereignty or denizenship. Although some differential qualifications could be necessary, I do believe that what I say about citizenship can also be said of the other two possibilities. I will not repeat it, as to not to be too reiterative.

<sup>14</sup> Cf. *ibidem*, pp. 57-59.

<sup>15</sup> I express here my gratitude to an anonymous reviewer of an earlier version of this paper, who remarked that I had to be precise in what sense ontology could be useful. As a result, I have seen that firstly it can help clarify the conceptual landscape; and secondly I have insisted more on the role that *phenomenology* strictly speaking can play before getting into ontology.

<sup>16</sup> I insist on the qualification that these “types” are established *with regard to the belonging to the realms described*. Other types of being according to other criteria could be established, and for sure in some of them humans and some animals would be together. I do not claim to propose here an exclusive classification.

<sup>17</sup> Cf. *Plato and Europe*. Stanford University Press, Stanford (CA); 2002, pp. 15-37.

<sup>18</sup> I do not use Husserl's analyses of animals, which are of course very interesting. For Husserl's treatment of the animal question, see for example Sara Heinamäa. "Transcendental Intersubjectivity and Normality: Constitution by Mortals", in Rasmus Thybo Jensen and Dermot Moran (eds.). *The Phenomenology of Embodied Subjectivity*, Springer, Heidelberg-New York-Dordrecht-London; 2013, pp. 83-103, particularly p. 91.

<sup>19</sup> Dermot Moran and Joseph Cohen. *The Husserl Dictionary*, Continuum, London-New York; 2012, pp. 39-40.

<sup>20</sup> There is also a temporal dimension. However, the question of time is one of the most difficult ones in phenomenology and I think that for my purpose here it may be enough to concentrate on the realms from the point of view of spatiality.

<sup>21</sup> Cf. Edmund Husserl. *Ideas Pertaining to a Pure Phenomenology and to a Phenomenological Philosophy. First Book: General Introduction to a Pure Phenomenology*. Translated by F.Kersten. Martinus Nijhoff Publisher, The Hague-Boston-Lancaster; 1983, pp. 51-52.

<sup>22</sup> *Ibidem*, p.52.

<sup>23</sup> *Ibidem*, p. 52. I change the translation of *Wirklichkeit*. The translator chooses "actuality" but I prefer here "reality".

<sup>24</sup> At least among many animal species. Among them we count those with whom we interact more, like the most typical domestic animals (cats and dogs), farm animals (cows, horses, etc.), along with many animal denizens (rats, squirrels, etc.), and wild animals (eagles, lions, etc.). Thorough research would have to consider the different interactions and realms with different animals, but in this contribution I have restricted myself to the group of animals with whom a closer interaction seems possible.

<sup>25</sup> Mary Midgley. *Beast and Man*. Routledge, London and New York; 1995 (original edition: 1978).