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INTRODUCTION

The Vassar College Journal of Philosophy aims to provide a platform for undergraduate thought and engagement with compelling themes of philosophical interest. It annually invites essay submissions from undergraduates around the world, and it strives to include voices from diverse philosophical disciplines. Now in its second year, the *Journal* has substantially increased both the number and geographical spread of its submissions, receiving papers from undergraduates on four different continents.

This year's theme, "Nonhumans," engages with exciting recent work in a variety of philosophical traditions. The notion of "nonhumans" sits at the intersection of debates in ethics, the philosophy of mind, and social and political philosophy in both the Analytic and Continental approaches. The three essays in this issue represent this diversity of thought, as well as high-quality philosophical argumentation. The Editors hope that the *Journal* will provoke thought, discussion, and further exploration of the questions raised by the essays, book reviews, and interview.

RATIONALITY REVISITED: A CRITIQUE OF KYMLICKA AND DONALDSON'S ANIMAL LEGAL SUBJECTIVITY

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Abstract

This essay argues that Kymlicka and Donaldson's critique of the traditional conception of legal subjectivity as grounded in reason is unsound. They argue that this traditional conception is inadequate because it does not cover the entire range of human diversity. An adequate conception of legal subjectivity would then also allow for it to be attributed to domesticated animals. However, as I demonstrate, the traditional conception does cover the entire range of human diversity, as it is not grounded in the *factual exercise* of reason but the *essential capacity* to reflect reasonably.

Introduction

In their 2011 book *Zoopolis* Sue Donaldson and Will Kymlicka present their political theory of animal rights. In a recent essay, "Animals and the Frontiers of Citizenship," the authors respond to the main criticisms of that theory.[1] They argue that when we think about animal protection, we do so from a presupposed relationship between humans and animals: for example, how we can improve animal welfare within the meat industry. When animals take part in our society, however, the authors say we should recognise them as members of that society and think about how we can enter into a relationship with animals that is mutually beneficial. They believe achieving this new relationship is possible by granting domesticated animals citizenship, including the corresponding civil rights that citizenship entails. Their main argument supporting this thesis is that domesticated animals are fully dependent on humans

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[1] Sue Donaldson & Will Kymlicka, *Zoopolis: A Political Theory of Animal Rights* (Oxford: Oxford UP, 2011); Sue Donaldson & Will Kymlicka, "Animals and the Frontiers of Citizenship", *Oxford Journal of Legal Studies* 34 (2014): 201-219.

in their everyday life, and therefore share a society with them. On these grounds they deserve to be fully recognised as integral members of that society, and consequently they deserve civil rights: "Through domestication, humans have brought [domesticated animals] into our society and incorporated them into our schemes of social co-operation, and so we owe them rights of membership, which we can illuminate through theories of citizenship."[2]

However noble I think the authors' project is, here I criticise one of their presuppositions: that animals are *subjects of law*, or the mere idea that it is possible for them to possess rights, since, as the authors indicate, *citizenship* is a collection of *civil rights*. I first explain what *legal subjectivity* is and how Kymlicka and Donalsdon argue implicitly that domesticated animals are subjects of law. Subsequently, I demonstrate how a recent ruling of a New York court denies this.[3] Finally, I present a possible argument the authors might bring against this ruling and explain why this argument is conceptually problematic.

1. Kymlicka and Donaldson's Animal Legal Subjectivity
1.1. Objects and Subjects of Law

We should distinguish *objects* and *subjects* of law. Subjects of law possess *legal subjectivity*, in order words, they can be the bearers of rights and duties. They can enforce their rights through a judicial body, and that same body can sanction the legal subject when its behaviour is not in accordance with its duties. Objects of law, on the other hand, do not possess legal subjectivity but are the *objects* of legal applications. One can for example exercise property rights over the legal object that is the house.

Traditionally, animals are considered to be objects of law: they cannot possess any rights or duties. One could think of this doctrine as the legal articulation of Descartes' philosophy, in which

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[2] Donaldson and Kymlicka, *Animals and the Frontiers of Citizenship*, 208.

[3] THE PEOPLE OF THE STATE OF NEW YORK ex rel. NONHUMAN RIGHTS INC. v. PATRICK C. LEVERY [State of New York, Supreme Court, Appellate Division (Third Judicial Department): 04/12/2014 (case nr. 518336)].

the animal belongs completely to the *res extensa* as a soulless automaton.[4] Animals therefore cannot be considered *citizens* because they lack the capacity to be the bearers of civil rights.[5] Since they are legal objects, their legal protection takes the form of prohibiting certain actions from humans, as subjects of law, and not that of attributing rights to animals that they can enforce autonomously. Humans have, for example, a legal *duty* not to torture animals, but animals do not, unlike humans, have a *right* not to be tortured which other legal subjects have a duty to respect. Kymlicka and Donaldson's objection against this kind of protection is that it presupposes a certain functional relationship between humans and animals. They argue for the recognition of animals as autonomous members of society, as citizens, and thus, implicitly, as subjects of law as they would possess certain *rights* and *duties*.

1.2. The Domesticated Animal's Rights

Kymlicka and Donaldson observe that we have extracted animals from the wild and domesticated them to serve as pets. Because of this extraction they have become completely dependent on humans in their everyday lives. Moreover, humans control animals' entire lives, but do not take their interests into account when it comes to the organisation of society. The authors compare this hierarchical relationship with the relationship between masters and their slaves. Animals are, just like slaves, a *dominated caste* that nonetheless is part of society. Such a caste, whether composed of slaves or animals, ought to be recognised as a part of that society out of motives of justice. The hierarchical relationship ought to be replaced by one of equality. This is made possible by granting animals or slaves citizenship, including the corresponding civil rights.

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[4] Rita Gielen, *Dier en recht: Mensenrechten ook voor dieren?* (Antwerpen: Maklu, 2000), 22.
[5] Pamela D. Frash, Katherine M. Hessler, Sarah M. Kutil & Sonia S. Waisman, *Animal Law in a Nutshell* (St. Paul: West, 2011), 228-229.

According to the authors, however, this reasoning only applies to *domesticated animals* since it is only domesticated animals that are members of our society, that take part in a cooperative structure together with and alongside humans. They give the example of the oxen Bill and Lou: Bill and Lou contributed labour to a sustainable farming project of a local college. They thus depended for their basic needs on the college, but also contributed to one of its projects. Because they take part in this cooperative structure they do not, according to the authors, deserve protection against certain actions from humans, but civil rights that can be enforced autonomously.

1.3. The Domesticated Animal's Duties

As previously mentioned, being a subject of law means not merely being the bearer of rights, but also of *duties*. The capability of domesticated animals to be the bearers of rights is deduced by the authors from moral intuitions: based on the cooperative structure in which both animals and humans take part, humans ought to recognise certain rights of animals.

The animal on its part is obliged to comply with certain *duties*. The authors first consider these duties in terms of self-control to guarantee efficient cooperation: "Any scheme of social co-operation requires that members learn to regulate their behaviour to avoid imposing undue burdens or inconvenience on others, so that all members can flourish together."[6] According to the authors, domesticated animals already comply with this duty: "[Domesticated animals] are reliable participants in norm-governed social practices. [They] may not reflect on the norms they follow, or on the reasons for trusting and co-operating with us, but they are not unruly or brutish (...)."[7] A second duty animals should comply with is the duty to cooperate itself. While today, as in the case of Bill and Lou, this cooperation happens most often through force, animals

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[6] Donaldson and Kymlicka, *Animals and the Frontiers of Citizenship*, 206.
[7] Donaldson and Kymlicka, *Animals and the Frontiers of Citizenship*, 215.

ideally should be free to choose how they contribute to society.

Kymlicka and Donaldson do not explicitly draw this conclusion, but they are of the opinion that domesticated animals are the subjects of law, since they have demonstrated that there are distinct rights and duties associated with domesticated animals. According to the authors, we ought to recognise them as such and conceptualise their rights and duties to be those which accompany citizenship.

2. The Impossibility of Animal Legal Subjectivity According to the New York Supreme Court
2.1. An Echo of Kymlicka and Donaldson in the Indictment

On 4 December 2014 the Appellate Division of the Supreme Court of the State of New York ruled definitively in THE PEOPLE OF THE STATE OF NEW YORK ex rel. NONHUMAN RIGHTS INC. v. PATRICK C. LEVERY on a case concerning the term *legal subject* and how animals might qualify as such.

Patrick Levery, owner of a chimpanzee named Tommy who worked as an entertainer, was indicted by the public prosecutor's office on the request of the Nonhuman Rights Association. Levery was accused of holding Tommy captive in an unlawful manner and thus, if Tommy were a subject of law, of having violated his basic human rights.[8] The prosecutor argued that it is the scientific consensus that chimpanzees display sufficient qualities to be considered *legal subjects* for the purpose of the application of human rights protecting against unlawful detention. Levery was not accused of violating any existing laws concerning animal welfare. The prosecutor's argument is therefore similar to that of Kymlicka and Donaldson: the way in which we protect animals is insufficient because it takes for granted a functional relationship between humans and animals. Correspondingly, domesticated animals that

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[8] Specifically it would be a violation of one of the most basic human rights which is found in many countries as the expression of the principle of law known as *habeas corpus*: the protection against unlawful detention as codified for the State of New York in Article 70 of the Civil Practice Law and Rules.

cooperate with humans, in this case as an entertainer, possess certain rights and duties and are therefore subjects of law.

2.2. A Deficient Duty

The Supreme Court saw reason to rule on the matter of animal legal subjectivity: whether or not animals can be the bearers of rights and duties. The Court observed, as I did earlier, that traditionally this is not the case: "animals have never been considered persons [subjects of law] (...), nor have they ever been considered as persons or entities capable of asserting rights for the purpose of state or federal law."[9] Subsequently, the Court agreed with Kymlicka and Donaldson's thesis that legal subjectivity encompasses certain rights and duties that are the result of a shared participation in a cooperative or societal structure and employed the term *social contract*:

> [T]he ascription of rights has historically been connected with the imposition of societal obligation and duties. Reciprocity between rights and responsibilities stems from principles of social contract, which inspired the ideals of freedom and democracy at the core of our government. (...) Under this view, society extends rights in exchange for an express or implied agreement from its members to submit to social responsibilities.[10]

So far, the Court and the authors seem to agree. Opinions diverge however when the Court specifies what it means to be the bearer of duties: "rights [are] connected to moral agency and the ability to accept societal responsibility in exchange for [those] rights."[11] Although Kymlicka and Donaldson hold that domesticated animals are able to adapt to societal norms, they admit that they might not be capable to *reflect* upon those norms: "Many complexities remain

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[9] THE PEOPLE OF THE STATE OF NEW YORK ex rel. NONHUMAN RIGHTS INC. v. PATRICK C. LEVERY, 3.
[10] THE PEOPLE OF THE STATE OF NEW YORK ex rel. NONHUMAN RIGHTS INC. v. PATRICK C. LEVERY, 4.
[11] Ibidem.

in defining the terms of [domesticated animal] co-citizenship [legal subjectivity], particularly in relation to (...) responsibilities of civility and contribution, given that [domesticated animals] may lack the mental attributes required for moral or legal culpability."[12] It is exactly those mental attributes that facilitate reflection, which the Court deemed necessary for accountability and morality, and it is only then that there can be such a thing as a *duty*. Put differently, according to the Court animals do not know what they are doing or why they are doing it, and therefore they cannot act in accordance with, or in violation of, any duty. No duties rest on any animal and therefore no animal can be a subject of law. It was on these grounds that Levery was acquitted.

3. Legal Subjectivity Grounded in an Exclusively Human Property?

The Court appears to indicate that the capacity to reflect, and therefore legal subjectivity, is an exclusively human property. Kymlicka and Donaldson contest this claim forcefully. According to them, accountability and morality are not grounded in reflection but in habituated behaviour which we share with domesticated animals:

> A shared civic life is possible because, on most issues, we do not rely on people's deliberations to ensure that they do not enslave us or experiment on us, but rather we rely on the fact that 'we are the kind of people who would never think of doing that'. This is a civic life that we share with [domesticated animals].[13]

According to the authors, such a conception of legal subjectivity, and more specifically *citizenship*, as grounded in reflection is inadequate because it does not correspond to everyday practice. The most obvious exclusively human property is *reason*, yet according to Kymlicka and Donaldson, there are plenty of people who are

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[12] Donaldson and Kymlicka, *Animals and the Frontiers of Citizenship*, 207.
[13] Donaldson and Kymlicka, *Animals and the Frontiers of Citizenship*, 216.

incapable of rational reflection who are not denied legal subjectivity or citizenship.

> [W]e must not treat the possession or exercise of the capacities for rational reflection as a precondition or threshold of being a citizen [legal subject]. If we say that to qualify as a citizen, it is not enough to participate in social life and be responsive to social norms, but one must also be able to rationally reflect and evaluate on propositions regarding these norms, then we are quickly sliding into a very exclusionary conception of citizenship [legal subjectivity].[14]

According to them, such a conception of legal subjectivity would not qualify *children* or *persons with disabilities* as legal subjects. Yet, in practice, we do consider members of these groups to be citizens or subjects of law:

> [I]t is assumed that children (even very young children) and those with disabilities (even severe cognitive disabilities) are not just vulnerable individuals who have needs for protection and provision, but are also members of society, involved in dense webs of trust, communication and co-operation with others, and as such have both rights to help shape social norms as well as responsibilities to comply with those social norms.

Kymlicka and Donaldson thus agree with the Supreme Court that rights are derived from a shared participation in a cooperative structure that also creates duties for its participants. But they disagree with the Court when it maintains that one of the conditions of the possibility to comply with or act in violation of a certain duty is the capacity to reflect rationally, which animals would not possess. According to the authors, such a view of duty results in an inadequate conception of legal subjectivity, which would exclude children and persons with disabilities. I believe, however, that this criticism is unsound because it neglects the distinction between *the ability to exercise rights* and the *capacity to possess rights*.

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[14] Donaldson and Kymlicka, *Animals and the Frontiers of Citizenship*, 216-217.

3.1. A Rectification Concerning Contingent and Absolute Properties
3.1.1. Conceptual Confusion

Generally, the legal subject has two attributes: the capacity to possess rights and the ability to exercise and enforce them autonomously. The legal subject who cannot exercise its rights autonomously does not lose those rights, but is in need of a representative to exercise them. "Being underage and mental disability," remarks Rita Gielen, "can result in the inability to exercise one's rights, but not in the incapacity to possess rights. They remain after all as an individual bearer of rights and duties, which comprises their legal subjectivity."[15] A limitation of the ability to reflect rationally therefore does not have any impact on legal subjectivity.

Kymlicka and Donaldson would think of this distinction as confirming their claim that rational reflection cannot be a condition of possibility for legal subjectivity. However, in that case they would be neglecting the distinction between the capacity to possess rights and the ability to exercise them. This distinction shows that it is not necessary for one to be able to do something in a specific context in order to possess the essential capacity. The latter is absolute, just like the capacity to possess certain rights; the former is contingent, just like the concrete ability to exercise those rights. There is a fundamental difference between domesticated animals and children or persons with disabilities, which the authors fail to recognise: people, are in principle and because of their nature, capable of rational reflection, and limitations of the factual exercise of this capacity (because of being underage or disability) are contingent.[16] Being underage is of a passing nature and a person's

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[15]Gielen, Rita, *Dier en recht: Mensenrechten ook voor dieren?* (Antwerpen: Maklu, 2000), 42. (My own translation.)

[16] Note that this distinction between absolute and contingent properties is of legal relevance because it forms the basis of an individual's legal existence. To ground legal subjectivity, therefore, we need to find a property which is shared by all those whom we in practice already consider to be subjects of law. In the words of

disability is not an essential property of that person: he or she can be born without it or can recover from it. The Supreme Court therefore does not ground legal subjectivity in the factual rational reflection on duty, but in the essential capacity to do so, which seems to be an exclusively human property.

3.1.2. Persons with Disabilities and Minors

It may seem odd that I would dismiss being underage or having a disability as mere *contingent properties*: disabilities such as Down's Syndrome without a doubt affect a person's entire life. I will shed light on this oddity and my critique of Kymlicka and Donaldson, by showing how the above-presented conceptual confusion plays a role in the examples the authors give.

Where it concerns persons with disabilities, I will do this through a reflection on the ideas behind the *United Nations' Convention on the Rights of Persons with Disabilities*, which the authors reference as well. This rather recent human rights convention also regards disability as a *contingent* property.[17] An indication of this can be found in the preamble to the convention where parties recognise that disability is a contextual impairment: "The States Parties to the present Convention, (...) (e) *recognizing* that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder

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the authors: a criterion is needed which "covers the entire range of human diversity". In order to cover that entire range it needs to be an *essentially* human property, but it need not be an *exclusive* one: a property which is shared by all humans regardless of their age or (dis)ability. It is only then, after having established such a criterion, that we can see whether or not it covers *more* than the entire range of human diversity. According to the authors, for example, it would also cover domesticated animals.

[17] Caroline Harnacke & Sigrid Graumann, "Core Principles of the UN Convention on the Rights of Persons with Disabilities: An Overview" in *Disability and Universal Human Rights: Legal, Ethical and Conceptual Implications of the Convention on the Rights of Persons with Disabilities,* ed. by Joel Anderson & Jos Philips (Utrecht: The Netherlands Institute for Human Rights, 2012): 31-48, 33.

their full and effective participation in society on an equal basis with others, (...) have agreed as follows [.]"[18] A certain disability only exists because certain environmental factors do and therefore it is a social construct.[19] Bad eyesight is a serious disability in a country where one lacks access to an optometrist and optician, but it is by no means a disability in a developed country. Down's Syndrome would today be a serious disability in any context, however that does not diminish the fact that it is a contingent property, which does not coincide with the person suffering from Down's Syndrome. This is why the Convention speaks of *persons with disabilities* and not *disabled people*: the Convention itself emphasises the contingent character of disability. A person with a disability never coincides with his or her disability because a disability is always contextual.[20] If a person with a disability is unable to reflect rationally, in spite of his essential capacity to do so, this inability is due to contingent environmental factors. The Convention's aim therefore is to change environments in order to neutralise disabilities. It seems difficult however to think of an environment or context where a domesticated animal would be capable of rational reflection. An animal seems to essentially lack the capacity to reflect rationally. The fact that humans do possess this capacity is grounds for their legal subjectivity.[21] Representation in case of the inability of factual

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[18] *UN Convention on the Rights of Persons with Disabilities*, preamble (e), 13/12/2006.

[19] One should bear in mind that a dis*ability* is not merely a deviation from what is (considered to be) essentially human. This is why not just anatomical disfiguration qualifies as a disability because it might not have any impact on your *ability*, it might not *disable* you. Disability is always a matter of effective participation in society and not physiology.

[20] Rannveig Traustadóttir, "Disability Studies, the Social Model and Legal Developments" in *The UN Convetion on the Rights of Persons with Disabilities*: *European and Scandinavian Perspectives*, ed. by Gerard Quinn & Mjöll Arnardóttir, International Studies in Human Rights (Leiden: Martinus Nijhoff Publishers, 2009): 3-16, 7-11.

[21] Joel Anderson, "Intellectual Disability and the Humand Right to Vote: Evolving Conceptions of the Universality of Suffrage" in *Disability and Universal Human Rights: Legal, Ethical and Conceptual Implications of the*

rational reflection and the resulting inability to exercise one's rights is an imperfect solution, but it is the only means of doing justice to the essential capacity to reflect rationally of every human.

The same exercise can be undertaken regarding minors. The imperfect factual execution of the capacity to reflect rationally of the child does not take away from the child's legal subjectivity precisely because the child does not coincide with the legal subject.[22] Being underage is a contingent property that hinders the factual exercise of the essential capacity to reflect rationally. The legal subject must so to speak be protected against its being underage, its contingently imperfect exercise of its essential capacity to reflect rationally. When a minor would, for example, come into an inheritance, it would not be implausible for him to spend it recklessly due to a lack of rational reflection, to his own dismay when he has come of legal age and able to use his capacity to reflect rationally unhindered. Limiting the ability to exercise rights is in this case recognising the essential capacity to reflect rationally of every human who should therefore be protected against any contingent impediments to the factual exercise of that capacity. An animal, on the contrary, does not seem to be capable of rational reflection at any stage of its life.

Conclusion

Will Kymlicka and Sue Donaldson advocate granting citizenship and civil rights, and therefore legal subjectivity, to domesticated animals that cooperate and share a society with humans. They recognise that legal subjectivity consists of bearing certain rights and duties, and they are of the opinion that we can identify distinct rights and duties that rest upon domesticated animals. The Supreme Court of the State of New York insists,

Convention on the Rights of Persons with Disabilities, ed. by Joel Anderson & Jos Philips (Utrecht: The Netherlands Institute for Human Rights, 2012): 99-122, 102-104.

[22] Pieter de Tavernier, *De buitencontractuele aansprakelijkheid voor schade veroorzaakt door minderjarigen* (Antwerpen: Intersentia, 2006), 64-76.

however, that animals cannot be subjects of law because bearing certain duties means being able to reflect rationally upon those duties, which animals are not able to do. Kymlicka and Donaldson argue that such a conception of duty, and *a fortiori* legal subjectivity and citizenship, is inadequate because it would not include minors and persons with disabilities. Rather than grounding legal subjectivity in rational reflection, we should ground it in the display of socially habituated and norm-sensitive behaviour in order to give the concept an adequate range, which would then also include animals:

> [I]n relation to both young children and people with severe cognitive disabilities, implementing these rights and responsibilities requires developing new ways of engaging the subjectivity of these co-citizens, focusing less on the ability to articulate or understand propositions, and more on attending to their 'varied modes of doing, saying and being.' So we are already committed as a society to building new models and relations of citizenship that are inclusive of the full range of human diversity, and there is no conceptual obstacle to extending this commitment to our animal co-citizens as well.[23]

However, the authors are incorrect when they claim that the traditional conception of legal subjectivity or citizenship would not cover the full range of human diversity. Legal subjectivity is not grounded in factual and concrete rational reflection, but rather the essential capacity thereto. Every human being possesses this capacity. Minors and persons with disabilities are simply hindered in the factual exercise of this capacity by contingent factors. On these grounds the traditional conception of legal subjectivity and citizenship withstands Kymlicka and Donaldson's challenge. There is therefore, at this point, no reason to extend it to include animals.

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[23] Donalson and Kymlicka, *Animals and the Frontiers of Citizenship*, 207-208.

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UN Convention on the Rights of Persons with Disabilities, preamble (e), 13/12/2006.

DO ANDROIDS DEEM US ELECTRIC SHEEP?

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Abstract

If personhood is understood as a legal, social, and political category that depends upon higher-level consciousness, then whether or not AIs can become "persons" depends upon whether or not an AI construct could achieve higher-level consciousness. Yet our humanist notions of hard consciousness suggest that "people" are categorically distinct from lesser conscious/non-conscious beings, in that they are believed to possess a non-material form of consciousness. If these notions are true, it remains unclear how a machine solely composed of material objects could develop consciousness through a quantitative development of its software and hardware alone. Hence the potential inclusion of AI into the category "person" threatens the feasibility of our humanist ideal of personhood, and its status as a privileged title which qualitatively distinguishes humanity from so-called "lesser forms" of sentient life.

Certain philosophers and theorists argue the mind is fundamentally a computing machine.[1] If this theory is true, it seems a necessary consequence that technological development will eventually lead to the emergence of conscious AI, a new class of intelligence warranting the designation "person."[2] Yet as categorically understood, "personhood" refers to more than just a certain level of intelligence: it is a term of sociopolitical import, invested with humanist notions like "free will", "dignity", and "basic rights." All of these associations arguably follow from the root humanist ideal that human beings possess *hard* or *higher-level* consciousness (as opposed to the kind associated with, for example,

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[1] This outlook is generally known as 'Computationalism' within Philosophy of Mind. Gualtiero Piccinini defines Computationalism, in his article "Computationalism in the Philosophy of Mind", as "the view that intelligent behavior is causally explained by computations performed by the agent's cognitive system (or brain)" (1).

[2] E.g. the soon-to-pass advent of quantum computing.

dogs or gnats).[3] According to that ideal, people possess minds qualitatively superior to most beings. The idea that a system of circuits and wires could feel emotions goes against all colloquial humanist ideals regarding the mind. Clearly, Computationalism conflicts with many of the principles and ideals of Humanism.

The theoretical point from which machine-based AI systems become "people" is called the "Singularity"; it is at this point, some, like Ray Kurzweil, have speculated that our very notions of personhood will become enriched by a momentous shift in human society.[4]Yet few have considered the ways in which such a theoretical "point of no return," and its concurrent proof of Computationalism, could harshly diminish the legitimacy of our humanist values. The reason for this concern is straightforward: if machine-based intelligence can truly replicate or simulate consciousness indistinguishably from the "real thing," this fact would serve as strong evidence that human brains are essentially computational processors passively controlled by their underlying physical makeup or "programming." Otherwise it remains completely unclear how machines and people could ever reach a point of Singularity, if they were in fact qualitatively, rather than quantitatively, distinct.

Alan Turing famously framed a thought experiment around the realization that a thin line separates "artificial" from "authentic" or analogue intelligence, relative to external expression.[5] According to Turing, once an AI reaches sufficient complexity, said AI must by definition be counted among the company of conscious thinkers.[6]

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[3] I use the term Humanist in this paper to refer generally to the ideology of human exceptionalism in terms of intelligence and consciousness.

[4] Kurzweil defines the Singularity in *The Singularity is Near*as the point when "information-based technologies...encompass all human knowledge and proficiency, ultimately including the pattern-recognition powers, problem-solving skills, and emotional and moral intelligence of the human brain itself" (4).

[5] See "Computing Machinery and Intelligence". A.M. Turing, *Mind*, 59, pg. 433-460.

[6] Specifically Turing devised the Turing Test, which is a 20-questions-like game whereby the goal is for the AI to withstand all types of questions without giving

This definitional requirement occurs because once an AI successfully meets the functional stipulations for being a conscious agent capable of conversation, that AI will have achieved so much intellectual sophistication as to leave its own hard consciousness an open question.[7] Turing holds that at the point where the AI successfully passes through human questioning undetected, its level of consciousness is no more or less doubtable than your average human. After all, none of us has definite proof of consciousness among other humans beyond similarly external signs; we barely have "proof" of our own interior consciousness, since the subjective experience of a phenomenon inaccessible to third parties barely counts as "evidence."[8] Yet rather than be reduced into solipsistic skepticism we assume out of a cocktail of politeness and inductive reasoning that each of us feels, thinks, and wills relatively similarly. Why, Turing concludes, does this politeness end with members of our own species?[9]

The problems with consciousness Turing identifies prefigure my own argument heavily: if it is the case that hard consciousness is producible from purely mechanical processes then not only could any advanced machine "become" a person, but also every person is now in conceptual danger of having been an unthinking, unfeeling "machine" all along.[10] Due to the threat the Singularity poses for humanist ideology, our everyday concepts of the mind are drawn into question insofar as they rely on the idea that one's subjectivity

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away its "artificiality". The interrogator cannot see the subjects of the test, and can only communicate through written text on a computer screen.

[7] Evinced in the AI's ability to pass the 'Turing Test'.

[8] It should be noted that I am not a Behaviorist, but merely a Physicalist.

[9] A.M. Turing, "Computing Machinery and Intelligence" pg.7: "A is liable to believe 'A thinks but B does not' whilst B believes 'B thinks but A does not.' instead of arguing continually over this point it is usual to have the polite convention that everyone thinks." see section 4 in "Computing…" for further reading.

[10] This idea was first articulated in Putnam's 1960 article "Minds and Machines": "every philosophic argument that has ever been employed in connection with the mind-body problem...has its exact counterpart in the case of the 'problem' of logical states and structural states in Turing machines"(8).

operates differently from the kind of rote, non-conscious processes associated with computers.

If the Singularity is possible, Turing was right to question whether the distinction between "machine" and "mind" is an arbitrary one. If it's true that I possess no qualitatively higher form of consciousness than what is capable by a machine, it seems most of how I subjectively interpret my own reality is rooted in error. It is a basic precept of subjectivity itself that I feel in possession of a "character" or "personality," which exists apart from the various processes at work in my brain. If a piano should fall on my foot, I do not emotionlessly decry the firing of C-fibers taking place in my brain.[11] I scream out loud, and experience the event as happening to *me*, not to my C-fibers. Yet the very linguistic construction of the previous sentence is untenable, should Computationalism be true. There is no real distinction to be made, apart from convenience and convention, between "I" and the various processes at work underneath the hood. "I" am nothing beyond the sum total of these various processes within my brain.[12] If the Singularity is possible, this general model applies to all forms of cognition, as it discredits the idea of hard consciousness as a property qualitatively distinct from brain states.[13]

Turing's notion that consciousness is most pragmatically assessed by its outward symptoms might be classified within the paradigm known as "Functionalism."[14]

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[11] C-fibers are a type of sensory-carrying nerve active the Central & Peripheral nervous systems.

[12] This is a form of Functionalism known as *machine-state functionalism*, and is associated closely with early period Putnam - see "Mind and Machines"(1960) and 'Psychological Predicates' (1967). It deserves noting that Putnam has actually recanted some of his earlier theories - see *Representation and Reality* (1991) for his revisions. For a broad definition of Functionalism, see footnote 14.

[13] The idea that mental states are nothing more than brain states is sometimes called *Eliminativism in the Philosophy of Mind.*

[14] Functionalism is the broad view that objects are defined not by intrinsic properties, but rather by their role in a given system. E.g. for a Functionalist, a heart is not necessarily red, cardioid shaped, or located in the upper abdomen,

Functionalism commits us to the idea that external signs of consciousness are the only relevant property in judging a being's level of sentience. A potential problem with this view is articulated by David Chalmers in his larger critique of physicalism, which is called the problem of zombies.[15] Jones and her zombie counterpart are identical in physical makeup and behavior, but the former has consciousness while the latter does not. If physicalism is true, we should see no possible difference between Jones and her double, since they are physically identical. But it is conceivable to imagine a "zombie" version of Jones that is the same in all respects except for consciousness. Hence Chalmers argues there must be more to consciousness than physical processes alone.

A convincing forgery is not the same as its authentic counterpart, this argument runs. Though zombie Jones is behaviorally identical to Jones and gives all outward appearance of her feelings and thoughts, it is not the same as Jones. It lacks that fundamental quality of an interior awareness, which Chalmers contends is crucial to any fair definition of consciousness. Chalmers claims the sheer possibility of zombies demonstrates (more than having the right material or physical parts, or providing adequate responses to the Turing test) that consciousness consists of the ability to experience qualia.

Analogously, a machine that has been programmed to undergo facial expressions, vocal indicators of emotion and so on, is pantomiming actual feelings. It is not, according to Chalmers, really alive or even conscious in the same way as a human being. Constructing a functioning lens with the same representational capacity as the human eye is not the same as replicating an eye that

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rather a heart for the Functionalist is merely that which pumps blood, and serves all other functions of the traditional heart organ.

[15] The use of "zombies" in this way was first used by Chalmers in *The Conscious Mind: In Search of a Fundamental Theory* (1996, Oxford Press). "My zombie twin...is physically identical to me…(yet) none of this functioning will be accompanied by any real conscious experience. There will be no phenomenal feel. There is nothing it is like to be a zombie" (Chalmers, *The Conscious Mind* 2:3, 95).

transmits feelings, emotions, and other sensations and qualities to the "conscious mind." Subsequently for Chalmers, if a particular AI were to pass the Turing test, this fact alone does not provide sufficient evidence that said AI possesses the full range of higher-level consciousness.

Though this is an excellent objection offered by Chalmers, one has difficulties conceptualizing a being who, as Jones's zombie must, outwardly says it has dreams and emotions but internally does not. Though the zombie can verbalize thoughts of all types, including ones regarding its own cognition, it cannot actually have an opinion on its own consciousness since it cannot have thoughts at all. It cannot really dream, though it can describe its dreams for you in vivid detail. The zombie isn't lying about any of this, but it isn't telling the truth either. Such a being seems hard enough to picture as to be contradictory. Perhaps the point is that the very possibility of zombies (however slight) presents problems for a Functionalist/Physicalist account of the mind-as-machine, since it does suggest there is necessarily more to consciousness than physical processes. Otherwise imagining a being which has all the right physical parts but somehow lacks a mind should be impossible.

In any case, all we have to identify Jones's zombie from Jones herself is an assurance from Chalmers that the latter is mindless; otherwise they are, physically, a perfect match. Outside the omniscient vantage point of a thought experiment, how could one independently ascertain which was which? What separates Jones and her zombie for Chalmers is the non-physical capacity for subjective experiences. But unless we are Jones, how do we find out if Jones possesses that capacity? We would have to be Jones in order to really know whether or not she, say, felt anything when the piano hit her foot. Otherwise we only have Jones's oral testimony or outward manifestations of behavior, which a zombie could just as easily produce. The barriers of language and the eminently personal nature of subjectivity alike block our path toward any direct or unmediated experiences outside our own minds. Hence externally expressed symptoms are the best, if not only, indicators of higher-

level consciousness – even if these indicators are not necessarily absolute proof of one's sentience.

The theoretical machine passing the Turing Test can provide adequate external expressions of higher-level consciousness. It does so not out of a qualitative change of essence. Rather it occurs out of quantitative development of the unthinking, unfeeling programming that itself exists only due to a particular structuring together of silicon alloys and circuitry rather than non-material parts. The only way a Singularity is possible is if human intelligence itself is likewise comprised by material rather than spiritual or non-material components. Space in the model for "free will", the "spirit" or even "hard consciousness" (as understood according to Humanism) is all but collapsed, since these phenomena become reducible into non-conscious material processes. Chalmers might say that outward signs of consciousness should not convince us that a machine is sentient, because the machine could be a zombie lacking in internal states. Yet the same argument could be made for any individual outside ourselves, and not just machines. Since all sentient-seeming beings other than ourselves could be zombies, Turing's call for pragmatism on this front seems most apt. I grant Chalmers that outward expressions of consciousness should not be taken as absolute proof of consciousness, but this must apply to humans and machines alike, if it is to be applied at all.

Recall Turing's claim it is better to accept the demonstration of sentience as such, rather than to live in constant doubt over who is and is not really conscious. Chalmers tells us that Jones herself isn't a zombie – but outside his assurances, what proof do we have? What proof can even be provided? Outside the omniscience of thought experiments or the precepts of a dogma, we need a pragmatic if not scientific method of telling apart conscious from non-conscious beings. The only substantial evidence of consciousness is its outward expression. Hence the capacity for this outward expression is our only criterion for sentience.

If a machine, however complex, manages to express consciousness, we must face the strong likelihood that beneath our

own consciousness, nothing is at work beyond mindless material processes. Thus, the Singularity, if it ever occurs, is more likely to degrade or render obsolete our common-sense notions of how the mind operates, rather than enriching or expanding them. Instead of machines being included in *our* category, the Singularity will likely result in humanity being conceptually reduced into *their* category as beings comprised of nothing outside wholly physical mechanisms.

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DOUBLE MOURNING: CIVILITY, MAN, AND ANIMAL

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Abstract

Civility occupies an important place in the public imaginary of our time. Drawing heavily from the deconstructive approach propounded by French philosopher Jacques Derrida, this essay exposes an aporia that haunts the logic of civility: it is a demand that results from a concern for the other, but one that, at the same time, effaces the otherness of the other. By exploring civility both as a civic virtue and as etiquette, I will show that this concept rests on a negative dialectic between humans and animals that hardly escapes denying both as agents worthy of mutual respect. I will also ask whether a non-exclusionary civility is at all possible: it will be revealed that a double mourning accompanies its unconditionality.

Outraged by Israel's bombing of Gaza and the killing of civilians in late July 2013, Steven Salaita, a scholar of indigenous studies, took to his Twitter account and posted messages that were critical of Israel's actions. In one tweet, he ironically wrote, "Israel: transforming 'anti-semitism' from something horrible to something honorable since 1948." In another, he wondered if Benjamin Netanyahu, the Israeli Prime Minister, "appeared on TV with a necklace made from the teeth of Palestinian children." A few weeks after he posted these tweets, he was notified that his job offer at the University of Illinois at Urbana-Champaign was revoked. Among other counts, he was charged with "incivility" with regard to his tweets. In his public rebuttals, Salaita condemned the university's revocation as exemplary of tactics "increasingly being used to silence faculty and students on campuses across the country for speaking in support of Palestinian human rights."[1]

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[1] Salaita, Steven. "Steven Salaita: U. of I. Destroyed My Career." *Chicago Tribune*, September 29, 2014.
http://www.chicagotribune.com/news/opinion/commentary/ct-steven-salaita-tenure-jews-twitter-tweets-unive-20140929-story.html.

In another corner of the planet, in September 2013, Hong Kong protestors in an Occupy movement that has come to be called the Umbrella Revolution were portrayed and praised by Western media as "civil," "polite," and "well-mannered." In the first few weeks of the movement, circulated all over online social networks including Facebook and Twitter were news articles about how the protestors cleaned up after themselves, set up recycling stations, orderly distributed food and drinks, and even apologized to the police for damaging a police vehicle.[2] Civility was embraced and celebrated, and many Hongkongers, while proud over their newfound image of civility, were also using it as a means to garner public support around the world. Some left-leaning members of the movement, however, thought that the focus on the preservation of so-called "civility" had hindered the movement and distorted its focus in fighting against the oppressive politico-economic structures. In particular, some of them called for more progressive and potentially violent acts of resistance, such as breaking into the government complex instead of occupying the streets.

These two episodes speak to the fact that the notion of civility appears to occupy an important place in the public imaginary. In particular, civility concerns a certain code of conduct, which equates the respect of the other with a demand for politeness in speech and behavior. In this essay, I will explore the aporia that seems to haunt the logic of civility: that a concern for the other at the same time effaces the otherness of the other. Following Meyer's

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[2] Dearden, Lizzie. "Hong Kong Protests: Demonstrators Clean up and Recycle after Night of Clashes with Police." *The Independent*, September 29, 2014.
http://www.independent.co.uk/news/world/asia/hong-kong-protests-demonstrators-clean-up-and-recycle-after-night-of-clashes-with-police-9761598.html.
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http://webs-of-significance.blogspot.com/2014/10/order-and-civility-in-anarchic-area-and.html.

distinction between "liberal civility" and "civility of etiquette,"[3] I will explicate the two closely related but not wholly overlapping senses of the concept of civility, and show the ways in which civility is the result of a negative dialectic between humans and animals that hardly escapes denying both as agents worthy of mutual respect. I will also ask whether a non-exclusionary civility is at all possible: it will be revealed that a double mourning accompanies its unconditionality.

Civility as a Civic Virtue: Animals as the Other

In one sense, civility is intricately associated with the notion of citizenship. It is founded on the belief in a common good and concerns our conduct of living with others in the public sphere. Specifically, civility can be seen as "a constitutive component of the practice of reasonable public discourse."[4] Civility is a civic virtue to be practiced alongside tolerance, non-discrimination, public reasonableness (such as the willingness to entertain opinions which are not one's own), and a general respect for otherness.[5] Therefore, civility entails a mode of conduct that purports to make possible the fair negotiation of differences in a pluralistic civil society, and thus can be said to be born out of a regard for the other: to preserve and respect the otherness of the other.

This definition of civil society is in contrast with the Hobbesian picture of the state of nature, in which individuals are described as self-interested, that is, invested in the preservation of their own lives. In this respect, civil society not only represents but requires a certain image of the human: an agent who is moral and rational in so far as it is contrasted with the bestial picture of animals, captured in a wilderness that is equated with a morally abject state: the state of nature. In such a state, animals are often

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[3] See, Meyer, Michael J. "Liberal Civility and the Civility of Etiquette." *Social Theory and Practice* 26, no. 1 (2000): 69–84.

[4] Meyer, "Liberal Civility and the Civility of Etiquette," 72.

[5] White, Melanie. "An Ambivalent Civility." *Canadian Journal of Sociology* 31, no. 4 (2006): 446.

thought to follow their survival "instincts," which make them unable to act as rational or moral agents. The essence of the civilized human is thus established on the basis of a hierarchically defined binary opposition between human and animal, in which the animal is the subordinate in the pair. In other words, if civility operates upon, and indeed requires, this notion of the human, then it is made possible through the exclusion of the animal other.

In *The Animal That Therefore I Am (More to Follow)*,[6] Jacques Derrida exposes that the originary violence we commit towards animals starts from the way in which we speak about them. By grouping all nonhuman animals into a singular category, "the Animal," we efface the difference that defines the irreducible singularity of each animal, both understood in terms of species and individually. As Derrida puts it:

> Confined within this catch-all concept… in this general singular, within the strict enclosure of this definite article ("the Animal" and not "animals")… are *all the living things* that man does not recognize as his fellows, his neighbors, or his brothers. And this is so in spite of the infinite space that separates the lizard from the dog, the protozoon from the dolphin, the shark from the lamb, the parrot from the chimpanzee, the camel from the eagle, the squirrel from the tiger or the elephant from the cat, the ant from the silkworm or the hedgehog from the echidna.[7]

The generic and singular designation of Animal denies, in a single stroke of violence, the plurality of nonhuman animals. The Animal in the singular is something to be looked at but is presumed unable to reciprocate our gaze. Whereas humans exercise reason, the Animal follows solely its "instincts" in an utterly irrational manner. The Animal so conceived emerges as an absolute alterity with respect to the human. The Animal, according to Derrida, is what institutes Man (also in the singular and historically in the masculine) as authority over all other forms of life. Humanity conceives itself at the expense of a singularized nonhuman Animal.

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[6] Derrida, Jacques. "The Animal That Therefore I Am (More to Follow)." Translated by David Wills. *Critical Inquiry* 28, no. 2 (2002): 369–418.
[7] Ibid., 402.

In particular, Derrida calls attention to one property that, since the Ancient Testament, is supposed to distinguish Man from Animal: the distinction between being clad and being naked. But Derrida also notices that an impossibility haunts this Biblical injunction: whereas Man can be naked, the Animal cannot be naked because it is always already naked.[8] Just as modesty and immodesty, morality and immorality, rationality and irrationality, subject and object, essence and appearance, mind and body, private and public — all these metaphysically charged oppositional pairs — the sense of nakedness would be completely foreign to the Animal. Being clad has thus nothing to do with the condition of being an animal, but rather with a deep seated fear of dehumanization, that is, bestialization. The singular noun "Animal" names this very fear of becoming a beastly other.

The human stakes of civility emerge, in this light, as not exclusively human. For the true concern of civility is really the effacement of the Animal other. Here we encounter our first aporia: civility tolerates and respects on a foundation of intolerance and disrespect. The Animal, who is forever outside the realm of the civic, represents the first violence of civility.

Civility as Etiquette: Humans as the Other

In another sense of the word, civility is closely related to the notion of civilization and it concerns the respect for persons, including the "required modes of public and personal address as well as displays of concern or deference to elders, superiors, and strangers."[9] For instance, in certain societies it is expected that one holds a door open for someone laden with packages, which is an example of the display of respect and kindness. Although civility as etiquette is closely related to civility as a civic virtue — after all, the social norms governing appropriate etiquette are usually linked to certain degrees of regard for living with other persons — the focus

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[8] Ibid., 373.
[9] Meyer, 72.

is now placed on customary codes of polite behavior rather than the political engagement with others in public life. In addition, the emphasis of civility as etiquette is on individual behaviors.

Each culture and each civilization has its own etiquette, its own code of civility. What remains obscured in this pluralistic respect for civility as etiquette is that the codes of civility are imposed within each culture and civilization by the hegemonic forces of society that maintain disparities of access based on class, race, gender, and ability. Looking at the civility of etiquette through a pluralistic lens obscures another aspect of its hegemonic function: the discourse of civility presumes it as a universal need, indispensable for any human community to exist. Yet, who is this Man, who needs civility in order to affirm a viable political and moral agency?

In *The Ends of Man*,[10] Derrida points out that the unity of mankind — Man — has not been sufficiently called into question. He writes, "everything takes place as though the sign 'man' had no origin, no historical, cultural, linguistic limit, not even a metaphysical limit."[11] The point Derrida is making here is that the question "what is the humanity of man?" is already framed by a set of Enlightenment ideals developed in 18th Century Europe. This conception of the human, which is integral to the need for civility on both political and moral grounds, is now being universalized, that is, made absolute, and this is how its normativity is rendered invisible. The question of the humanity of man cannot be asked without presuming that it concerns an agent of civility which, as I showed, entails a metaphysical logic that excludes both the Animal and those humans who, through it, are bestialized: that is, potentially excluded from recognition by other humans.

The requirement of civility to respect the otherness of others paradoxically effaces some forms of otherness. The demands to exercise self-restraint, be "polite," and have "good manners," for example, are always a threat to the otherness of the other. In Steven

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[10] Derrida, Jacques, "The Ends of Man." Translated by Alan Bass. *Philosophy and Phenomenological Research* 30, no. 1 (1969): 31–57.
[11] Ibid., 35

Salaita's case, for example, he was expected to be "civil" and by implication to have a respect for the sensibilities of potential pro-Israeli readers of his blog. However, his own uneasiness, indeed indignation, at the action of the Israeli government in Gaza was considered inappropriate. Here is where the charge of incivility starts to function as a device for silencing dissent.

In *The Beast and the Sovereign*,[12] Derrida explores how we dehumanize humans through the notion of bestiality, by animalizing and thus othering them by relegating them to the "animal realm." The wolf, in particular, comes closest to that of the Hobbesian animal, whose association with predation, hunting, and war makes it into a *tropos* of feral ruthlessness. The image of the wolf haunts anyone who fails to follow the established etiquette of civility: anyone who risks turning into the Hobbesian beast himself. In the protest in Hong Kong, for example, where civility was so highly prized, when some protestors used metal barricades to smash the glass doors of the legislature in an attempt to break into the building, they were scorned not only by the police but by other protestors as well, who felt that the act had tarnished the hard-earned image of peace and civility of the Umbrella Movement.[13] Therefore, in the civility of etiquette, the threat of animality also serves to exclude persons who do not conform to the norms that underlie dominant definitions of humanity. The norms of appropriate etiquette are the expression of the hegemonic forces of society, including class, race, gender, and ability. Seen in this light, civility of etiquette is deeply exclusionary and truly violent, especially as it systematically animalizes other humans. Again we encounter the aporia: civility tolerates and respects by not tolerating and not respecting.

Whether civility is assumed as a civic virtue or a matter of etiquette, it mandates a "common ground" that sets certain codes of

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[12] Derrida, Jacques, *The Beast and the Sovereign*, Volume II. Translated by Geoffrey Bennington. Chicago: University of Chicago Press, 2011.
[13] Associated Press. "Hong Kong Activists Try to Storm Legislature." *Mail Online*, November 19, 2014.
http://www.dailymail.co.uk/wires/ap/article-2840517/Hong-Kong-activists-try-storm-legislature.html.

conduct as cooperative and appropriate, and others as disruptive and inappropriate. In this sense, civility is a self-deconstructing notion: its conditions of possibility are at once its conditions of impossibility. As I evidenced, the logic governing the concept of civility entails a double exclusion that posits humanity as a condition always already threatened by the possibility of dehumanization, or bestialization. In other words, the othering of humans is accomplished by the positing of the singularity of the Animal, which is in turn the product of the othering of nonhuman animals through the positing of the singularity of Man.

A Non-Exclusionary Civility?

The aporetic nature of civility renders it simultaneously a profoundly political concept and a deeply de-politicizing one. The political valence of civility resides in its concern for living with others. Its de-politicizing factor lies in its focus on etiquette, which is a normalizing requirement. In this sense, civility operates as a way of policing the boundaries of social class,[14] as well as a justification for colonial and imperial interventions. And yet, although so fraught, we do desire civility. We expect it from political and social others. Is a non-exclusionary, "unconditional" notion of civility even thinkable?

I propose that, for civility to be viable, it is necessary to rid it of its conflation with etiquette. If assumed as etiquette, civility becomes oppressive and repressive because it seals into the definition of humanity specific sets of dominant social norms that in and of themselves have nothing moral about them. Therefore, ridding civility of etiquette forces us to question the positive definition(s) of what constitutes a civilization, and what it means to "be civilized." This move hopes to dissolve the essentialism attached to the definition of the Human, and its systematic othering of other humans through the category of the Animal. As a civic virtue alone, civility is more inclusive and truer to its concern for the

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[14] Meyer, 71

other. Yet, to show a regard for the other is to instill certain restrictions, which in turn efface the absolute alterity of the other. Therefore, in a way, the possibility of an "unconditional" civility can only be mourned, addressed as the presence of an absence. In my view, we are always already mourning its impossibility whenever we speak of civility as such.

This sort of civility still operates within the restrictive borders of the civic realm — the Animal still haunts us. Therefore, we must further question the civic realm itself: What are and what should be the boundaries of a city, a polis, or a state? Are there meaningful differences between the "state of nature" and the polis? To this end, the move one hopes for is a critical reassessment, or perhaps a deconstruction, of the image of the citizen as the only agent of politics, which would necessarily make us rethink the Animal, and thus the opposition between Man and Animal. We can no longer speak of the Animal but rather recognize that the lives of individual snakes, birds, hedgehogs, lizards, cats, and dolphins, just like humans are all singular and irreducible. In order to pursue unconditional civility and to affirm an unconditional respect for the singularity of the other, without effacing its otherness, what needs to be debunked is the opposition between Man and the Animal. While civility remains constrained by the boundaries of citizenship, unconditional civility demands the loosening up of the exclusionary borders of human-only communities, and possibly even cities or states. Unconditional civility can barely be imagined in the world as we know it. For now, it may only be mourned. A critique of civility conceived as mourning of unconditional civility is a form of militancy in defense of animal rights, more powerful and deeper than mainstream liberal articulations of "animal liberation."[15]

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[15] Singer, Peter. *Animal Liberation: A New Ethics for Our Treatment of Animals.* New York: New York Review: 1975.

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A REVIEW OF BRIAN CHRISTIAN,
THE MOST HUMAN HUMAN: WHAT ARTIFICIAL INTELLIGENCE TEACHES US ABOUT BEING ALIVE

Sophie Koeller
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When IBM's Deep Blue beat chess grandmaster and world champion Garry Kasparov in May 1997, Kasparov made a surprising declaration. While he conceded to having lost, he did not accept that Deep Blue won. And it wasn't bitterness: it was match analysis. In chess, it turns out, it is possible for the game to end before it actually begins. This is because the game – at the grandmaster level – doesn't begin when the players start moving their pieces, but when they start moving them *freely*, which occurs after the script of the so-called "openings" has played itself out.

Players at the grandmaster level have both their own opening sequences and their opponent's responses memorized: these sequences are called "the Book". Many players believe in what one could call a Metaphysics of the Book: Player A is white and starts with a move, player B, his opponent, is black and quickly responds. When the players make their second, third or however many moves, they do not look at the board or spend time calculating the best sequence of moves. They simply recall *the move one makes* in their position.

These chess openings are not very different from the openings we use in conversation. In his book, *The Most Human Human: What Artificial Intelligence Teaches Us About Being Alive*, Brian Christian uses the following example to illustrate this point. Someone may initiate a conversation by saying "hi" or "hey". In response, it makes little sense, at face, to reply "banana" or "dysfunction." Humans have a set of conditioned utterances for the beginnings and the ends of their conversations, so that the 'real conversation' does not start until it passes all the pleasantries. Similarly, professional chess games don't start until the players get out of their learned sequences, until they "get out of book". In their

final and deciding match – which became a symbol for the antagonism between humans and machines – Kasparov and Deep Blue never got out of book: they never truly played.

The Most Human Human is a book about getting out of books, about the space of free expression in between the usual openings and closings of things. Christian's chronicle of how he won the award that gives the book its name, "The Most Human Human," is framed by the fact that the competition for the most human human is held in parallel to another prize, awarded to the "Most Human Computer." The winners of both awards are determined by means of a Turing Test, in which a panel of judges holds individual conversations with the members of four human 'confederate'/chatbot[1] pairs. The purpose of these exchanges is for the judge to distinguish, based on these conversations, which is the human and which is the computer. For both members of the pairs, these conversations take place via instant messaging – the medium in which the programs communicate – so that the judge is limited to the contents of their conversation as the basis of their ruling. Intended as a possible means of determining whether machines can 'think', this test, for Christian, is an opportunity to defend humanity against the machines, as well as, and perhaps more interestingly, to re-conceptualize humanity *through* its relationship to computers.

Christian's journey begins in conversation with Philip Jackson, Professor at the University of Surrey, who organized the 2009 edition of the contest. During this conversation, Christian secured one of the four human 'confederate' spots during the Turing Test, where he was tested for his ability to act more like a human than like a computer. Upon asking Jackson whether he had any advice for him as he was playing that role, Christian was told simply to "be himself." He didn't have anything to prove: after all, wasn't he human? As Christian reveals in the book, Jackson's recommendation left him in the dark. What did it mean to '*be himself*' when 'himself' was not Brian as opposed to any other person but rather was a human as opposed to a machine

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[1] Also called a chatterbot; a computer program made to conduct conversations.

impersonating a human? How does one really go about *being human*?

The struggle for power and dominance between humans and machines has been central to the American cultural consciousness for many years now. From films like *Blade Runner* and *The Matrix* series to *2001: A Space Odyssey*, it seems that we are all anxiously preparing for those most ubiquitous tools of the modern age to turn against us.

It is a virtue of this book that Christian considers the value of our humanity not only in the ability to make errors, a way of identifying humanity heavily indebted to the teleological conception of sin, but also in our anxious sense of being haunted by an opponent of our own creation, which might one day outstrip our capacity for achievement.

THE MOST HUMAN HUMAN
What Artificial Intelligence Teaches Us about Being Alive
By Brian Christian
320pp. Anchor Books. $15.

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A REVIEW OF MICHAEL MARDER,
THE PHILOSOPHER'S PLANT: AN INTELLECTUAL HERBARIUM

Samuel Allen
Vassar College

In 2012, Michael Marder wrote an op-ed for the *New York Times* titled "If Peas Can Talk, Should We Eat Them?" In a later op-ed written for Al Jazeera, titled "Do plants have their own form of consciousness?" Marder confessed his initial surprise at the controversy the piece spurred, generating vociferous hostility from such disparate groups as fundamentalist Christians, vegans, and neuroscientists. Marder interprets the immediate and impassioned response as a harbinger of the plant liberation to come.

In "If Peas Can Talk" and the follow-up "Is Plant Liberation on the Menu?" Marder positions himself at the forefront of environmental philosophy, applied ethics, bioethics, and contemporary political theory. He draws on a recent study by a team of scientists at Ben-Gurion University, which found that pea plants can communicate environmental stress with other plants nearby. Marder argues that this study, like others in the emergent field of plant intelligence, complicates ethics hitherto conceived. Marder encourages us to encounter the "who-ness" of plants, which is to say plants in their capacity as plants. In so doing, Marder wants to dispel the pervasive way in which we conceive of plants, namely as machines. He warns against the "total instrumentalization" of plants and argues for an ethics of difference, one not founded in empathy or likeness but instead one that respects plants' specific potentialities. Only time will tell if the plant liberation is realized, but Marder has certainly established himself as a thinker whose work is virtually without peers.

The Philosopher's Plant by Michael Marder is his second book-length contribution to the budding field of plant philosophy. A totally unprecedented work in scope and mission, *The Philosopher's Plant* is nothing less than a history of plants in Western philosophy.

It would, however, be misleading to characterize Marder's work strictly as a contribution to the history of philosophy. More precisely, Marder presents a deconstructive history of vegetal life in the Western philosophical tradition. Marder considers the two central prongs of this project, history and deconstruction, to be coterminous and essentially inextricable from one another. Vegetal life, he argues, for nearly the whole of Western philosophy was considered antithetical, even repellent to philosophizing. To author a history of plants in philosophy, one must look to philosophy's margins, wherein vegetal life has been relegated. Readers familiar with the work of Jacques Derrida will immediately recognize this methodology as a deconstructive reading *par excellence*. Marder tells the history of philosophy *through* plants, moving vegetal life from the margin to the center of thought.

Marder orients the book by supposing that philosophy's apparent "conceptual allergy" to vegetal life is wedded to its commitment to logical, ontological, and metaphysical permanence. Plants, which are dependent on their environment and in a constant state of nutritive and regenerative flux, are diametrically opposed to the immutable philosophical ideal. In what little engagement with plants the tradition does offer, Marder shows that they are often slotted into inferior and marginal positions in speculative systems.

There are a number of theoretical tropes that Marder uncovers throughout his history. The most salient is the almost proto-evolutionary conflation of plants with bodily drives. Plants form the bottom of a hierarchy over which the loftier faculties of the human soul, like reason, preside. "Aristotle's Wheat" is a particularly important chapter and exemplarily argues this. In *De Anima*, Aristotle posits *tō threptikon*—the vegetal soul. This soul is not specific to plants, but instead is the reproductive capacity in life generally. Plants, animals, and humans all share this elemental drive. However, while this reproductive capacity characterizes the *telos* of the plant, it is only the backdrop of *theoria*—the human *telos*. Aristotle even claims that the human who does not think "sinks to the state of a vegetable" (30). In this way, Aristotle's human is rooted in the plant and impossible to conceive without

vegetal life. Vegetal life, for Marder, is theoretically constitutive of the metaphysical subject.

The Philosopher's Plant is organized into twelve chapters, each pairing one thinker in the Western tradition and one plant: such as "Plato's Plane Tree," and "Avicenna's Celery." The chapters are arranged chronologically and grouped into ancient, medieval, modern, and postmodern epochs. Each chapter begins with an illustration by Mathilde Roussel, a contemporary French artist, that relates to the central ideas of the corresponding chapter. The chapters are divided into four sections, each with a different purpose. The first section gives a biographical background for each philosopher's plant. The second part, and sometimes the third, explicates theories of vegetable existence and its relationship to the work of the philosopher. The third section deals with the implications of human interaction with plants. The concluding section is a critical assessment of the philosopher's thought. The book's subtitle, *An Intellectual Herbarium*, suggests the influence of taxonomy on this structure. As in a herbarium, various specimens are cut from the ground or originary plant, compiled, dried, and taxonomically archived.

Throughout the book, one gets the impression that perhaps Marder's taxonomy wasn't imposed rigorously enough. In his introduction, Marder promises *both* taxonomical precision *and* "reveries": detours concerning scientific research on plant intelligence, for example, or the impact of plants on contemporary political theory, and plant ethics, to name a few. Though Marder considers these various commitments to be relevant to his project, they do not always translate as such. In maintaining so many threads concurrently, the text sometimes stretches itself thin and occasionally becomes unfocused, gesturing towards an idea that it is not equipped to take up in full. For example, in the third section of "Kant's Tulip," Marder briefly uses Judith Butler's *Precarious Lives* to suggest fragility as a relevant ethical concern. He then critiques Butler for arguing that plant and animal life is even more precarious than human life. Marder's critique is contained in only one paragraph. While Marder's promises are delivered to an extent,

they are too often incomplete or done at the expense of other textual commitments.

THE PHILOSOPHER'S PLANT
An Intellectual Herbarium
By Michael Marder
288pp. Columbia University Press. $24.95.

THE FLESH OF THE VISUAL:
AN INTERVIEW WITH MAURO CARBONE

Sophie Koeller & Louis Cheng
Vassar College

Mauro Carbone is Professor of Philosophy at Jean Moulin University-Lyon 3 where he directs the Master Program in Aesthetics and Visual Cultures. Since 2012, Professor Carbone has been a Senior Member of the Institut Universaire de France, an honor he shares with only 2% of French academics.

Professor Carbone holds a PhD from the University of Louvain, Belgium. Before moving to Lyon, from 1993 to 2009 he taught at the Università Statale di Milano, in Italy, where in 1999 he founded the journal *Chiasmi International. Trilingual Studies Concerning Merleau-Ponty's Thought*. From 1998 to 2000, Carbone was a member of the board of directors of the International Symposium on Phenomenology. With Miguel de Beistegui (University of Warwick, UK), Arnold Davidson (University of Chicago), and Frédéric Worms (École Normale Supérieure, France), in 2008 he founded the European Network in Contemporary French Philosophy, which he co-directed until 2010. Professor Carbone's international exposure is very impressive. In the past ten years, he has been a visiting professor at universities in Mexico, the New School in New York, the Beida Peking University in Beijing, and the Chinese University of Hong Kong. In 2005, Professor Carbone was awarded the "Viaggio a Siracusa Prize" for the best Italian philosophical essay published in 2004, and in 2009 he received the "Maurizio Grande International Prize" for his work on cinema.

Among Professor Carbone's published works in English are, *The Thinking of the Sensible. Merleau-Ponty's A-Philosophy* (Northwestern University Press, 2004); *An Unprecedented Deformation: Marcel Proust and the Sensible Ideas* (SUNY Press, 2011); and the forthcoming *The Flesh of Images: Merleau-Ponty Between Painting and Cinema* (SUNY Press). Among Professor Carbone's many books in French, we want to recall *Être Morts*

Ensemble: l'Evenement du 11 Septembre 2011 (Éditions Métis Presses, 2013), which is dedicated to the writings on the walls in New York City in the aftermath of the attacks of September 11, 2001 and mentioned in this interview. Among his books in Italian, *La Carne e la Voce. In Dialogo tra Estetica ed Etica* (Mimesis, 2003) and *Sullo Schermo dell'Estetica. La Pittura, il Cinema e la Filosofia da Fare* (Mimesis, 2008).

On April 1, 2015 Professor Carbone visited Vassar College and gave a lecture titled "The Flesh and the Thinking of the Visual Today." The event was part of *Philosopher's Holiday,* a series of talks that has been bringing both distinguished philosophers and young scholars to Vassar for more than fifty years. The topic of Professor Carbone's lecture was an interpretation of one of the key concepts of Merleau-Ponty's late work, the flesh, which Professor Carbone thinks affords us a privileged lens through which to understand the status of the image in contemporary culture.

In this interview, we continued to discuss the lecture's main argument about the flesh as a key to understanding the status of the visual in contemporary culture, which has crucial political, ethical, and sociological implications. Suffice to think of the worldwide response to provocative cartoons in Paris and at the outskirts of Dallas, or the mobilizing power produced by the circulation of photographs of human rights abuses, in Tunisia or in Ferguson, to see the high stakes of the question Professor Carbone is tackling.

In Carbone's reading, the mainstream philosophical tradition has conceived of images in the broadly defined Platonist perspective, which interprets them as copies of a model. Our conversation led to an interrogation of this dominant Western metaphysical conception that posits rigid demarcations between categories like subject and object, seer and seen, and of course human and nonhuman. In problematizing these oppositions Carbone presents an alternate conception of identity, heavily indebted to Merleau-Ponty's late work: identity is for him something constantly becoming and endlessly re-defined by the new relations into which it enters.

Carbone's visit took place at a delicate time on campus, as the mission of the College feels to many at odds with itself: facing the challenge of reconciling its place as a progressive institution of higher learning with disparities of access to opportunities, and, right at a time when we have a more diverse student body, a rising tendency toward the securitization of campus life.

The pitch of this delicate transition was the subject of a photography exhibition, entitled *Haunting Legacies. Photography and the Invisible,* curated by Professor Borradori along with the students in her class, "Philosophy of Art and Aesthetics," which we, the interviewers, both took this semester. In curating this exhibition, students were able to use the very rich photography collection of Vassar's Frances Lehman Loeb Art Center to examine the role of photography in the creation, and fabrication, of cultural memory. Through the combination of photography and text, the exhibition also sought to interrogate the photograph as political agent. During Professor Carbone's visit, we took him to see the exhibition, which became another topic of our conversation.

Sophie Koeller and Louis Cheng: We will start with the theme of our journal this year: Nonhumans. One of the first questions we would like to ask is whether you think there is a meaningful distinction to be made between humans and nonhumans?

Mauro Carbone: Traditional Western thought is based on the idea that identities are something stable, something fixed, and the relationship is conceived of in terms of two identities — two already established identities — meeting one another. According to this way of thinking, identities are first and relationships are second. If we think Merleau-Ponty's notion of flesh as a texture of differences, we are pushed to reverse this picture: differences, as a kind of relationships, are first, and the encounter between differences simultaneously establishes identities. Therefore, these identities are never fixed identities but keep becoming on the basis of the always-possible encounters with other identities. The differences between human and nonhuman are the poles of a relationship establishing

mutual identities. In my view, there is no radical distinction between humans and nonhumans. We should not separate or oppose these terms, but rather think of them relationally. You perhaps remember the movie *Her*: it tells the story of a man who is deeply in love with the operating system of his computer. The difference between humans and nonhumans, between man and his or her virtual partner, is not a radical distinction, an ontological opposition, but rather a difference, which establishes their mutual identities. Many in French philosophy misunderstand Merleau-Ponty's notion of flesh as denying difference and the possibility of conflict. In my opinion, it is just the reverse. To speak about the flesh is to focus solely on the differences themselves.

LC: In your new book, *The Flesh of Images,* you talk about the notion of visibility in relation to the flesh. Is your notion of visibility related to what you have just talked about, the co-constitution of these oppositional pairs?
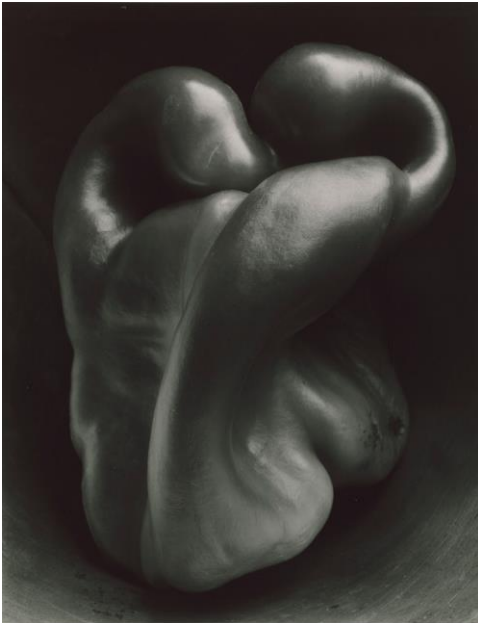

Joaquin Phoenix in *Her,* 2013

MC: Yes. I propose to think of the flesh as visibility. Merleau-Ponty speaks about the flesh as visibility himself in a page of *The*

Visible and the Invisible. He suggests that visibility is the texture of differences. I am fascinated by this term, visibility, because it avoids the reference to who sees and who is seen. Visibility avoids both the sharp separation and the opposition between subject and object, seer and seen.

SK: In the introduction of your book, you talk about how photographs and images take us back in time — their presentation of what is absent always brings back an experience of death. But you also say that the image is not a copy but a creation of its own, and thus also an experience of birth. Could one understand the relationship of birth and death that you talk about in relation to images as something akin to the relation of reversibility between the visible and the invisible?

MC: This is a very important point. Today I visited the exhibition that you helped curate, *Haunting Legacies. Photography and the Invisible*. In it, you quoted Roland Barthes, who still thinks about photography as having an irreducible tie with death. And implicitly too, the exhibition seems to suggest that an image is a presentation of something absent. If we think that an image is a presentation of something absent, we are thinking that the absent was prior to the image. That is to say, the absent, which we can call reality, is first and the image is second. If it is so, we are once again thinking in a Platonistic way: of the image as a copy of a model. This is what is implicit in the idea that images have something to do with death — the death of what is now absent. What I tried to suggest in my book, through Merleau-Ponty and other French thinkers, is the idea that actually the images do not refer to something prior to themselves but present something that didn't exist as such before. In my view, I see images more as creations than acts of memory, celebrating something dead. In this sense, images are more linked to life than to death.

SK: When we were working on the exhibition, we also talked about Derrida and his interpretation of photography's relation to death, which is different from Barthes'. For Derrida, photography relates to death not only because it refers back to something that is no more, but also because the photograph itself is a disruption in the temporal flow: in pulling this one moment out of a flow of becoming, it ruptures a sense of the continuity of time. In one sense, it is certainly true that the disruption of the temporal flow has something to do with death, but in pulling that moment out of the flow the photographer also makes it into something that it wasn't before. That moment is thus a new life. This is what I mean by birth: the coming into life of something that never truly was as it is presented. One of the photographs from the exhibit portrays a bell pepper. The true bell pepper has rotted away. But that picture of the bell pepper constitutes a new sort of life for it.

Edward Weston, *Pepper No. 30*, 1930

MC: This is a great example of what I meant. If I can add something to what you said, I would mention that Merleau-Ponty writes that one does not see where a painting is but sees according to it or with it. It is a way of underlining precisely the passivity of our activity. The image gives an orientation to one's way of meeting the world. In particular, Merleau-Ponty uses a word which is helpful to think differently about the relationship between images and what he calls *the actual*. This word is "precession." He uses it just once in his published texts — precisely in the last text published before he died, *The Eye and*

the Mind. In it, he writes that vision is the precession of what we see with respect to the actual. Precession means thus a kind of anticipation. Vision would then consist in a double anticipation: the anticipation of the image with respect to reality and the anticipation of reality with respect to the image. Seeing is this double and mutual anticipation. We cannot really establish what is first and what is second. On this basis we should say that images do not refer to something outside of themselves and thus are not second. This idea of precession is interesting because it suggests that what we see before us is not only mediated through previous images but also can change those images. This is precisely what you said. When I see the photograph of the pepper that you mention, I think that it is a naked woman. When I discover that it is a pepper there is a retrospective revision of the image I had before.

In our relationship with images there are many different temporalities at work simultaneously. The traditional idea, let us call it Platonistic, that first comes reality and then comes the image suggests that there is just one kind of temporality at work in our relationship with images. On the contrary, what we discovered on

Konrad Cramer, Female Nude, 1939. Edward Weston, *Pepper No. 30*,

the basis of our example is that what is second is the discovery of the pepper —retroaction on what was first, so the second irreducibly influences the first.

LC: How, if at all, do our temporal relationships with images change when the image itself has a duration? When it is a film instead of a photograph, for example?

MC: I think that film makes more evident this idea of a temporal reversibility that I see already present in our experience of photography. One of the texts in your exhibition mentions that, when I am photographed, there is at once something like a projection into the future, an experience of the present, and a reference to the past. We cannot think of these three dimensions as separate from one another because the experience we are speaking of is one in which these three temporal dimensions cohabit. Film does not only offer the possibility of re-watching the "same" film, but has an intrinsic flesh or texture of images. What I am saying is well illustrated by the Kuleshov effect. Alfred Hitchcock worked on this very phenomenon to show that the face of an actor takes on different meanings depending on the image that precedes it, so he made a montage of the same face with three different preceding images. Each time the expression of the face of the actor acquired a different expression.

SK: What kinds of movies do you like to watch?

MC: Any kind.

SK: Do you have a favorite director?

MC: No, I don't have this kind of preference.

LC: How did you get interested in cinema? Is that related to your interest in Merleau-Ponty? Is there a philosophical story behind it?

Alfred Hitchcock, *The Kuleshov Effect*

MC: This is the first time I am asked about my relationship with cinema. I think that my interest in film is related to the feeling of a peculiar sort of peace, which I first experienced when I was 16 or 17. You are sitting down in a dark theatre and you can live things, feelings, emotions, space, time, as someone else has decided to present them to you. It's peaceful condition in the sense that you do not have to decide anything or make any choices — you just have to abandon yourself. I found a way of linking this question to Merleau-Ponty. He is a thinker who tried to think what he called the passivity of our activity, a condition or an experience that is most fully articulated in his later work. In one of the working notes of *The Visible and the Invisible*, Merleau-Ponty writes that we have to think not about passivity, but about the passivity of our activity. And this is another way of rejecting the idea of an opposition, or even a separation between activity and passivity, subject and object. If we think of visibility as a mutual blossoming of the seer and the seen, we have to think of them as belonging to the same fabric. The seer and the seen belong to the same ontological texture, the same texture of visibility, which is why they can reverse their roles. So the visible can become seer and the seer can become visible, and this is the

notion of reversibility, which is central to Merleau-Ponty's later philosophy. In my opinion, reversibility is very important to be able to understand the role of images today. Images are not just *surfaces* but have a *face*. This is how W. J. T. Mitchell captures the so called pictorial turn. Being seen by images makes for a very uncanny condition. Maybe this uncanny condition is one of the reasons for the return of an iconoclastic violence, which is an important feature of our time as made evident by the attacks against the newspaper *Charlie Hebdo* in Paris. Images do not just represent something absent. Images are perceived as dangerous because they create something new. What is perceived as dangerous was not there before.

SK: I am struck by this relationship between seer and seen — the possibility of a reversal between the two roles in modern culture. For example, certain social media rely heavily on photographs. On Facebook and Instagram, people frequently take pictures of themselves and people can choose an image that allows them to present themselves in the way they desire. How do you see the possibility of reversing relationships in the context of these social media?

MC: Let us take selfies as examples. Are they a way of "recording" oneself? I think selfies are a way of presenting, constructing, creating an image of ourselves that is new, an image according to which we want other people to see us. We give people an image of us that is not necessarily linked to who we actually are.

SK: But then you are invoking the possibility that who we actually are is something stable, as if I could say, "This is Sophie."

MC: This is a good objection. To be more precise, I think that images on social networks become a way of giving proof of our existence. I put a selfie or a picture on my page, and, if I get a like, this is proof of my existence. So in this sense there is not a real, actual way in which I am, namely a real and stable identity. But there

is rather a wish to have confirmation of the identity I would like to have, on the basis of a relationship with the image that I put online in order to provoke another's reaction.

LC: On these social networks there are also texts, and these texts accompany the images. In a similar way, in our exhibition there were numerous texts accompanying pairs of photographs. How do you see the relationship between images and texts?

MC: Well, images add a different logic to texts. We can try to explain images through language but images entail an excess with regard to our language that escapes our possibility of defining them.

LC: Professor Borradori told me that you were especially interested in the pair of photographs in the exhibition entitled Justice. One of the photographs represents a scrap of paper on which someone warns people not to take photographs of what came to be known as Ground Zero. Can you tell us why you are interested in that pair?

MC: Yes, I wrote a book about September 11 in dialogue with the one that Giovanna Borradori wrote herself. The last chapter of my book is devoted to the pictures of jumpers, because, in my opinion, September 11 and in particular these pictures contributed in a decisive way to change our epoch: our relationship with the media and therefore our relationship with images. When I claim, with Mitchell, that images have a face, I am thinking of the images of those jumpers, which are images asking for a witness. This is, in my opinion, the ethical and political implication that this kind of image has. We are called to give a response to what these images ask and this *response* is one and the same with our *responsibility*. We can choose to give a response, or we can choose not to give a response. This is one of the crucial ethical and political freedoms of our time.

There was an article in the issue of *Le Monde* dedicated to the 10th anniversary of the September 11, 2001 attacks. The article evoked the writings on the walls that plastered downtown Manhattan in the

Mauro Carbone at *Haunting Legacies. Photography and the Invisible,* at Francis Lehman Loeb Art Center, Vassar College. March 2015. Photograph by Jonah Bleckner

aftermath of the attacks and in which relatives and friends were denouncing the loss of their loved ones. I was very taken by those posts; it was these encounters with the missing people that formed my experience of that tragedy. It was in New York one week after the attacks, and I was coming from the airport. I arrived at Pennsylvania Station to take a train, and I was met by hundreds and hundreds of missing people's signs. That experience was central to my writing about finding a philosophical answer to those pleas: a way to speak about the emotion, the encounter with those images, the way in which they called out for a response, and a witness.

LC: You mentioned witnessing, and you also mentioned seeing and being seen. The witness is obviously seeing, but is he or she also being seen?

SK: Can you have one without the other? Seen and being seen? Or are they co-emerging?

MC: I believe you are both right. They are co-emerging.

LC: What you say is then that ethics consists in giving a response. Is that what ethics is for Merleau-Ponty as well?

MC: *The Visible and the Invisible,* which is the last text Merleau-Ponty worked on, remains unfinished. So the ethical dimension of the flesh is not developed. Nevertheless, Merleau-Ponty wrote: "What am I proposing about the relationship between identity and difference? This one — that identity is the difference of difference, and I am the Other of the Other." For example, when we arrived in New York a few days ago, our taxi driver was Bulgarian. If we had met a Bulgarian in Europe, we would be Italians and he would be Bulgarian. This difference would establish our mutual identities as Italian and as Bulgarian. But we met that man here in New York, so our relationship was totally different because we are all Europeans, projected against the background of New York and the United States. We perceived ourselves as Europeans. In this sense, the differences are constantly in flux. The difference between Italians and Bulgarians in another place becomes something different.

SK: In our class earlier on today, Professor Borradori talked about Merleau-Ponty as a philosopher of ambiguity. It seems like he is blurring the sharp borders between identities. This is similar to the blurring of the distinction between seeing and being seen, and between subject and object.

MC: The idea according to which the seer and the seen are taken from the same ontological fabric allows us to describe them as

reversible, a feature that seems central in our epoch. The word "reversibility" is the word Merleau-Ponty uses in the last phase of his thought rather than ambiguity. However, in "ambiguity" there is the prefix "ambi" — both. It is this mutual referring which reversibility brings out. That said, Merleau-Ponty speaks of reversibility as always immanent and never realized in fact. We don't need a sculpture with opening and blinking eyes in order to feel being watched by it.

SK: Are you familiar with the concept of the Uncanny Valley? As a robot gets closer and closer to looking like a human, our feeling of compassion towards it increases. But when it gets to look like a very well-made automaton, when it looks almost perfect, we stop feeling compassion towards it. In fact, we begin feeling absolutely repelled by it and we recoil from it, in horror and disgust. What do you make of the nonhuman that gets too close to being human?

MC: This is a very interesting example of the mutual differentiation between the human and nonhuman. In *Blade Runner,* there is a detective, in the sense of someone who has something to detect. He has to understand which bodies are human and which are nonhuman. He has thus to detect the uncanny factor: how the nonhuman is somehow unlike the human. This colony of nonhuman persons want to live more than the pre-established number of years that humans have decided for them, so they come back to earth from the planet in which they are working to organize a rebellion. What the detective has to detect is who is whom. In order to do so, he performs the Turing test. In some of my writings I have explored the idea that these people are like Platonic simulacra and of Socrates as a sort of blade runner, a detective who is supposed to be able to discriminate between the real philosopher and a copy of the philosopher, that is to say, the sophist. Of course, this discrimination turns out to be impossible to fix.

Harrison Ford in *Blade Runner,* 1982

LC: Do you think there is a flesh of language? Do you think different languages have a different flesh?

MC: I think that there is a flesh of language. I think that every language has a peculiar flesh, and I think that since flesh is a texture of differences, the different ways of being flesh of different languages can have mutual relationships. So that we cannot think about a language as an isolated piece of flesh.

SK: I noticed that you make references to many different texts in many different languages in your book. The languages you use are mostly French, Italian, German, ancient Greek. When working with these texts, how relevant is it to you that they are written in different languages? How much do those textures of differences influence the way you work with those texts?

MC: Once again, let's go back to the idea of the passivity of our activity. In working with different languages I hope to allow each one of them to produce echoes and allow words in different languages to form new links. And this is certainly a problem for my translator!

LC: What is the experience of translating and traversing between these textures of differences?

MC: When I started reading Merleau-Ponty for my PhD, I had already read all of it in Italian, and then I re-read him in French. Only then did I get the impression of understanding deeply Merleau-Ponty's way of thinking. The language is the flesh. If a certain word works, it is because of this flesh. In another language, you have to try to find another flesh, a flesh whose relationship is similar to the relationship that the original word had with other words in the original flesh. There is a scene from the movie *A Fish Called Wanda* that I really love, where John Cleese starts speaking these different languages, which turns on the lady. What I think fascinates the lady is that he becomes someone different with each language he starts to pronounce. The multiplicity of identities is in the language and in the different people that we become when we speak different languages.

LC: Do you ever notice a difference in yourself when you are working in Italian rather than in French or in English?

MC: It is very difficult to accept how we sound when speaking in another language. I have a question for you. What is your mother tongue?

LC: Chinese. I'm from Hong Kong.

MC: What is your feeling about your relationship with the different languages that you speak?

LC: I only came here when I started college. Whenever I think intellectually, English is my preferred medium. The philosophical vocabulary does not seem very compatible with the Chinese that I know. But perhaps this is because I learned everything about philosophy in English. On the contrary, when hanging out with friends, I cannot express what I want to say in English. It just feels like the categories that English offers are not fine-grained enough to capture what I want to say, and in an interesting way I am forced to morph myself a bit to adapt to those categories. So, there seems to be a divide — an "intellectual" self that is in English, and a more colloquial, casual self — I do not know whether it is more "original" — in Chinese. To go further in this reflection, I learned English from British teachers when I was young. Then I came here and I started to communicate in American English. That confused me a bit at first. I still spell words in British English. It is really quite fascinating: this distinction between British English and American English only becomes salient when I am here. Previously, I would have simply said that I spoke English. As you said, identity is the difference of difference.

MC: I taught for a month in Hong Kong in 2010. I taught at the Chinese University of Hong Kong.

LC: Oh, what did you teach there?
MC: Phenomenology. I had PhD students coming from Hong Kong, mainland China, Taiwan, Japan, and Korea, and they seem to hold the Western metaphysical categories much more tightly than myself! I was very surprised because, they often seem to go back to the very Western categories that I was teaching them to deconstruct. I told myself that if teaching phenomenology produces this kind of effect, we have to avoid to doing it.

Mauro Carbone, Louis Cheng, Sophie Koeller in conversation at the Alumni House, Vassar College. March 2015. Photograph by Marta Nijhuis.

The Vassar College Journal of Philosophy is a student-run publication supported by the Vassar College Philosophy Department and the Vassar Student Association. Dedicated to both quality and accessibility, the Journal seeks to give undergraduate students from all disciplines a platform to express and discuss philosophical ideas.

All those interested in submitting a paper to the Spring 2016 issue of the journal are invited to review the submission guidelines listed below. Every issue of the journal has an overall theme, but submissions ranging across a variety of topics are welcome as long as they can be related to that theme.

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Submission Guidelines

Format: 12 point Times New Roman font, 4000 word maximum for the paper, 100 word maximum for the abstract. There is no minimum word count, provided that the topic of the paper is suitably addressed. Papers should not include your name or other identifying information. Please provide your paper title, name, email, and major in a *separate attachment*.

Citation Format: Chicago Citation Style.

Topic: The theme for our upcoming issue will be posted in September 2015 on philosophy.vassar.edu.

Submission: All materials must be submitted via email to philosophyjournal@vassar.edu.
The deadline for submission is 12 February 2016.

Originality: Only original, previously unpublished work will be accepted. If you plan on submitting your paper to publications other than *The Vassar College Journal of Philosophy*, please keep the Board informed about its publication status.

Submissions that fail to meet these guidelines will not be accepted.