

THE ECOTHEO REVIEW

Re-Imagining Personhood

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Abstract

This paper presents a detailed narrational argument for considering animals as persons that is grounded in the use of the language of “persons” to describe trinitarian relationally and the communicative success that can occur between bodies apart from language. A positive argument that animals are persons is made based on the personality that animals have. I examine both remarkable and mundane stories of human animal interaction and the formation of genuine interspecies communities. These include the remarkable sea otter Toola, famous internet cat Maru, and Oscar, Homer and Dewey, three cats who have had books written about them. Personality grounds “personhood” especially when we think of the ways that persons form and are formed by communities. As a counter, the logic of corporate personhood is found wanting exactly because it is not rooted in the potential for inclusive relational community in the way that animal personhood is.



The most popular cat on the internet is Maru. Perhaps you have seen him before. Maru's Youtube channel has garnered 188 million views. If we assume, in extreme conservatism, that people watch a Maru video for an average of 2.1 minutes (many are up to 5 minutes long) then we humans have spent 400 million minutes, or 760 years watching Maru run at boxes. This is roughly how long it would take every undergraduate at the University of Michigan to read Karl Barth's Church Dogmatics in its entirety. This comparison is probably less helpful than it is fun.

Anyway, even though I have no problem trying to be funny even in a serious academic paper I am nervous about choosing to start this way. It is obvious to me that Maru is a cat that has huge personality. Maru has personality and therefore I believe that we should consider Maru a person. Our ways of relating to Maru should usually include boxes. Moreover, I do not think that language has just gone on holiday. Instead, I think that calling Maru a person is a more natural use of the word person than using the word exclusively for humans. I have become convinced that everything important about being a person is manifestly present in animals in general and Maru in particular. It is nothing other than a failure of human imagination that allows us to use the word "person" without always intending at the minimum all creatures that have the potential for meaningful relationship. In fact, it's clear to me that we already do this in significant ways, but do not, or are not willing to recognize it. I am confident that some readers do not think that this idea is crazy on the face of it. However, I doubt that this would have been the case 20 years ago, and I am sure that some of you are dubious. In order to convince you, I shouldn't start with an animal that is famous for running at boxes on YouTube. Watching Maru for about as long as Judah was a kingdom is exactly the kind of inappropriate attention that humans give to cute animals. But, to be perfectly clear, I believe that animals are persons and I don't think you need more than Maru's personality to be convinced of this. My argument is that Maru, and not just the exemplary cats and other animals that I'm going to discuss moving forward, is a person.

I am going to tell the stories of a series exemplary animals because I am a narrative ethicist. I believe that we learn how to pursue the good life by inquiring after what it means to be a certain kind of person rather than thinking about what the right thing to do is. Ethics arise out of the stories of good people. I'm also going to tell you these stories because I like them and I don't get bored telling them or listening to them. For me they are emblems of a time in which creation, in the words of Romans 8, "itself will be set free from its bondage to decay and will obtain the freedom of the glory of the children of God." A few things that are not forthcoming then are foundations that would work well as a normative account of animal ethics, animal rights or animal care. There is not an argument for vegetarianism, against animal experimentation, or a discussion against zoos or pets. I think that the account of the personhood of animals has something to say about these things, but it is a comment rather than an underlying framework. If you are into social location, as I am, then imagine me huddled in a ball on the floor of my house two years ago holding my cat Tiamat. I'm bawling. Kathy the vet is nearby, waiting for me to stop shaking so she can administer a lethal dose of some drug that will end Tiamat's life. There is also no normative account of euthanasia forthcoming. Still, much of our lives are brought into focus by the death of those persons close to us. My structure will be to move through the highly particular stories of a number of exemplary persons that are also animals, consider the relevance of the term person as it is used to denote the trinity for this project, and then end with an argument against the social utility of corporate personhood in the absence of the recognition of non-human natural persons. We will begin with the story of Toola the Sea Otter.

Toola, the Sea Otter

Toola was discovered on Pismo Beach in California on July 21, 2001. A mature adult of at least 5 years, she was suffering from a variety of neurological disorders, likely caused by the parasite *Toxoplasma gondii* (*T. gondii*). Amongst her problems was a seizure disorder that

was brought under control with twice-daily doses of Phenobarbital. Toola's life was saved, but she could never return successfully to the wild. She would live the rest of her life at the Monterey Bay Aquarium, which has saved close to 600 sea otters since 1984. A little bit about *Enhydra lutris*, the species of sea otter that lives close to Santa Barbara. They were almost extinct a century ago due to overhunting in the fur trade. They are now protected and might have bounced back but are continually threatened by an increase in the shark population, pollution, climate change, fishing entanglements and Toola's disease toxoplasmosis. A population that has historically supported 17,000 otters is not able to exceed 3,000 right now. The interventions of the Monterey Bay Aquarium through its Sea Otter Research and Conservation Program are important supports for this population. After a month or so at the aquarium, Toola gave birth to a stillborn pup. At around the same time a stranded pup was brought to the aquarium. The humans that make decisions about where the otters live decided to put the new pup in with Toola. And this is when Toola did the thing that has made her such a remarkable person. In the strange locale of an aquarium she nursed and taught the orphaned pup as if he were her own teaching him how to find and catch food safely. The orphan's training was therefore much more complete than if a human had attempted it. He was released back to the wild and is now the king of a pack at Elkhorn Slough. In showing humans that this could be done Toola pioneered a new way of raising sea otter pups in captivity. Several other foster mothers are now active at Monterey Bay. Toola herself fostered twelve more pups over the next ten years including 501 who we know by her designation as the 501st otter to enter the Sea Otter program at Monterey Bay. The Aquarium does not name animals that they will return to the wild or transfer to other facilities. They give names to the animals that will stay at Monterey Bay. 501 is the star of *Otter 501*, a movie about her life which debuted at the Santa Barbara film festival last February. Toola's female foster pups have given birth to 7 pups, 5 of which have weaned successfully. Male pups like the king of Elkhorn Slough will have fathered many pups. Toola inspired Will Jones, the son of state representative Dave Jones to pressure his father to write legislation to protect sea otters. The legislation created a sea otter do-

nation box on tax forms that has yielded more than a million dollars. It increased funding for sea otter research and protection. It put warnings on cat litter bags encouraging people to safely dispose of their cat litter. The cat litter warnings are necessary because cat feces are a primary vector for toxoplasmosis. The parasite of *T. gondii* has an interesting life cycle. It lives in the gut of cats, which are its primary host. It then releases oocytes, which are supposed to find their way into small rodents and birds. This happens when the feces are consumed or when soil or water is contaminated and then consumed. It develops in this intermediate host and then, when the intermediate host is successfully preyed upon and caught by the primary host, *T. gondii* is able to finish out its life cycle. It would be an incredibly inefficient process had not *T. gondii* developed the ability to control, in important ways, the brains of its intermediate host. An infected rat loses his fear of cats, and this is very unhelpful for the rat, but very helpful for *T. gondii*. Unfortunately, *T. gondii* does a fine job infecting a whole variety of other placental animals that will never serve as an intermediary host. Toxoplasmosis badly damaged Toola's brain. She would have died from its effects had humans not intervened with our phenobarbital. The personality shift brought about by *T. gondii* has been studied in a variety of mammals. It increases dopamine levels and therefore may increase the incidence of schizophrenia. It may also have beneficial effects on depression, ADD/ADHD and Alzheimer's Disease. Its effects may be strong enough, especially in populations where infections are endemic, to change human cultures. I'll have some more to say about *T. gondii* soon.

When Toola died, her death was broadly covered in the media. Here are some of the things that were said.

"No mother is ordinary, but Toola brought the delicate art of child-rearing to a level that benefited her entire whiskery, fun-loving species."

"Toola went along with the program as long as Toola wanted to go along with the program. There was never a doubt as to

who was in charge. She was a nonconformist in the best possible way."¹

"Toola was a consummate ambassador, from the sea otter world to the human one."²

"Toola was without question the most important animal in the history of our program. She showed us that captive otters could successfully raise orphaned pups for return to the wild. She inspired a critical piece of legislation that is helping protect sea otters. And she inspired millions of visitors to care more about sea otters. We will miss her."

"I will argue that there is no other single sea otter that had a greater impact upon the sea otter species, the sea otter programs worldwide, and upon the interface between the sea otters' scientific community and the public."³

I want to draw out some aspects of these quotes and of Toola's life for our consideration. It is clear that Toola had an individual, distinctive, idiosyncratic personality. We see this in a variety of ways. She was innovative and showed a high degree of openness to the pups she fostered. She showed leadership and exercised authority. She showed remarkable creativity both in mothering, teaching and in social non-conformity. She clearly built important relationships with other sea otters. These attributes show that her keepers believed themselves to be in relationship with her; a relationship that they were not in control of. I suppose that the response is that these descriptions are typical of all sea otters, and that while sea otters may seem like good mothers, able to foster pups in captivity, and may seem like they have distinctive or idiosyncratic personalities, they are, in the end inscrutable to human perception.

¹ 'Otter Who Raised Orphaned Pups, Inspired Law Dies,' SFGate, accessed 18 Nov. 2013, <http://goo.gl/Tp2B3T>

² "Toola: The Death of an Epic Otter Ambassador," Daily Kos, accessed 18 Nov. 2013, <http://goo.gl/xDxmbH>

³ "Monterey Bay Aquarium, Toola, the "Most Important Animal" in the History...", Monterey Bay Aquarium, accessed 18 Nov. 2013, <http://goo.gl/iaJ7LT>.

Anthropomorphism and the Personhood of Animals

For a long time science has sought to secure this difference by warning about the dangers of anthropomorphism. These warnings are expressed in a variety of ways, but the main point is not to attribute human characteristics to non-human animals, either by assuming that human behavior provides the interpretive key to understanding animal life or that animal traits or actions are like human ones. However, increasingly scientists are becoming more and more comfortable with recognizing the connection rather than difficulties between humans and other animals. I do believe that sea otterly care has direct analogies to human care. I do believe that animals play and that that play is like human play. Karl Mayer talked about Toola's favorite game, which involved her pretending she was swimming at a net, and then scooting way for a game of chase. "She'd foil us every time, and I've caught thousands of animals," We are fellow animals, fellow creatures, with more in common than virtually all of our DNA. However, questions of anthropomorphism when asked this way are about the connections between humans as humans and animals as animals. Personhood is a human construction, 'person' a word in our language. Concerns about anthropomorphism are also linguistic following Wittgenstein's famous aphorism about lions. "If a lion could talk, we could not understand him." Toola, regardless of whether or not she is speaking to us in a human language, is only capable of sea otterly ways of being, and humans cannot understand those ways. The personality that I am attributing to Toola is pure anthropomorphic projection. Kay Milton refutes this concern this way:

Stroking a cat, taking a dog for a walk, even stalking a prey animal, can all generate an experience of mutual understanding. Whether or not the non-human animals 'really share that understanding is not relevant; it is enough that they appear to do so, reinforcing our sense both of our own personhood and theirs. ... I am suggesting that our understanding of non-human animals as persons - that is, as beings with emotions, purposes and personalities - is based on

our perceptions of them as 'like me', as distinct from 'like us'
or human-like.⁴

Milton states that thinking about the connection between non-human animals and human animals in terms of personhood happens more in terms of perceived particular connections between individuals. This is the difference between 'Toola has a playful nature like I do' and 'sea otter mother care is like human mother care.' Personhood is a purely human category. Humans make decisions about what constitutes personhood because ideas of personality and personhood are human constructions. Personhood is always going to be something that humans foist on others. I am not trying to show that sea otters and humans have something in common, or that there is an essential equality between us. I am only trying to show that the word "person" does not make sense unless it includes in its meaning all creatures capable of relationship - 'that is, beings with emotions, purposes and personalities.' I am also interested in showing that since personhood is a human concept, it is a lesson about ourselves that we will learn when we apply it to animals, or to God. We do not reveal or learn something about animals when we recognize or imagine them as persons. We recognize, at root, our own best humanity. This brings me to what I find most interesting about how the people that related to Toola talked about her at her death. She was not just any sea otter. She showed excellence acting as a role model and an ambassador. She created a legacy that included significant changes to human society; including new laws and areas of scientific study. Person after person talked about how Toola inspired the legislation sponsored by Representative Jones. However, in what I have been able to find, Toola's particular individual instrumental importance was highlighted only after her death. The Monterey Bay Aquarium news release about the law when it passed makes no mention of her, only of the Sea Otter exhibit of which she was a part. The people close to Toola were willing to say things about her in death that they for whatever reason chose not to say earlier in her life. Her individuality was more obvious, her exemplary and emblematic

⁴ Rhoda Wilkie and David Inglis, *Animals and Society* (Abingdon: Routledge, 2007), 285.

nature more identifiable. And, of course, this is what happens to significant persons all the time. MLK and JFK both grew rather than shrunk in our appraisal at their death.

Feline Protagonists

Let me briefly tell you the story of two or three other significant persons. These are all cats, and each has been important in convincing me that when I think that an animal is something essentially other than me, rather than essentially similar, that my imagination has failed me. They are Oscar, Homer and Dewey. Each has had a book written about them by someone whose life they have saved, in one way or another. The covers of the three books are similar. They each feature a picture of the cat they are about. The first, in order of their effect on my imagination is Oscar.⁵ Oscar is a cat that lives in a Alzheimer's hospice in Rhode Island. Oscar sits vigil with patients once their death is imminent. At the time of his fame on television he had accurately predicted 25 consecutive deaths. The main lesson that I take from Oscar is that cats are not simply other than humans. They are, in modes of life that we highly value, much better than us. Oscar can diagnose death better than any human can. Once, a doctor predicted that a patient would die within a couple hours. The doctor had noticed some symptoms often associated with death and notified the family. Oscar visited the room, and the doctor assumed that he would not leave until the patient had died. However, Oscar left right away causing the doctor to believe that Oscar's streak was over. Sure enough, the patient lived for several more hours and well in advance of the patient's death Oscar showed up to begin his vigil with the dying patient. It is, in point of fact, very important to Oscar that he be allowed to offer companionship to people as they die. Oscar is not always the friendliest cat, but if, as sometimes happens, he is removed from a patient's room at the families request, he will pace and meow, agitated, outside the patients room until they have died. When I learned the story of Oscar, it made me

⁵ David Dosa, *Making Rounds with Oscar: The Extraordinary Gift of an Ordinary Cat* (New York: Hyperion, 2010).

pay a very different kind of attention to my cat Tiamat. Tiamat never had the same kind of opportunity as Oscar had to predict death. But nonetheless when I started to expect that her attention was useful, rather than frivolous, my imagination about what was happening in my world changed. I now believe that I am surrounded by a world that is bigger than the one that I perceive. This belief is no longer simply animated by my faith, it is also animated by Tiamat's movement, calm, cool and in total sovereignty over all, and then suddenly bound into action, attentive and engaged, driven to decisively chase angels wherever they appear. When cats negotiate their world everything is of one piece. There is no difference for a cat between an expensive toy and a paper bag, nor between the sun's rays and God's surrounding presence. The visible and invisible are the same thing to the cat. Although he articulates it very differently than me, David Dosa has undergone a similar transformation due to his attention to Oscar. He reports that Oscar has changed how he practices medicine, how he relates to the nurses that he works with, and increasingly under, and how he relates to his own family. We learn a different lesson from Dewey.⁶ Dewey was unceremoniously dumped into a library book return in Spenser, Iowa. Vicki Myron was a librarian in Spenser. She was a woman who had seen better days and was in several ways struggling to put her life back together. The town of Spenser had also seen better days. People were depressed and the town, once a proud civic center, felt abandoned by the businesses that had made it what it was. Dewey became a symbol of rebirth. He was being reborn after a long dark night in a freezing cold metal book return. Over time, Vicki also discovered ways to find rebirth. In her book she notes that in the midst of a difficult relationship with her daughter, Dewey was a key to helping them move forward. Finally, Dewey became a rallying point for the entire town. People looking for jobs would be helped in using computers by Dewey's watchful gaze. The library was able to expand in a time of fiscal constraint thanks to Dewey's work in aiding fundraising efforts. Dewey is not unique in his work in the way Oscar is. There are many

⁶ Vicki Myron and Bret Witter, *Dewey: A Small-town Library Cat Who Touched the World* (New York: Grand Central Pub., 2008).

library cats serving their institutions across the country and indeed the world. But Dewey is probably the most popular. You've noted during my discussion of Dewey that people around the world are interested in Dewey's story. The book tells of Dewey's popularity in Japan in particular.

Gwen Cooper was living in Miami. She was in similar ways to Vicki also having a rough go of life. She took in Homer, a three week old blind kitten.⁷ Homer became an incredible cat who lived through 9/11 in New York City and helped Gwen turn her life around. One night an armed invader entered Gwen's home. Homer, the blind cat, grew increasingly agitated as the home invader entered Gwen's bedroom. Finally, the home invader made a sound and Homer lunged at the invader just barely missing his face. The invader retreated with Homer hot on his heels. There is a very significant relationship between Gwen Cooper and Homer, like between David Dosa and Oscar, and Vicki Myron and Dewey. This relationship saved both of their lives. Even if the home invasion was not a potential rape or murder, it's clear that Homer saved Gwen's life by transforming her life situation into a more joyful flourishing one. Each of these cats had this kind of effect on their companions. But I wonder if the relationship between Homer and the home invader is not more interesting. Accept, for a moment, the premise that one day Mr. Home Invader walks by a newsstand and sees a copy of the book, and recognizes Homer. What part of that recognition is not personal? What does he think? That's that expletive deleted cat. That is the one. But that recognition can't travel in only one direction. Mr. Home Invader has to also think that that cat knows who I am. This may take the form of wondering only if the woman remembers enough of what he looks like to identify him. But that is a recognition that is brought about by the cat. More importantly, that is a recognition that is brought about by the personal attention that is paid to Homer in telling his story in the way in which we are telling it here; in the book, videos on the internet, and in this article. When we

⁷ Gwen Cooper, *Homer's Odyssey: A Fearless Feline Tale, or How I Learned about Love and Life with a Blind Wonder Cat* (New York: Delacorte, 2009).

acknowledge Homer's personhood, we acknowledge something that is already there, but our attention to it is still transformative; if not for Homer, then definitely for us. I feel my own personhood most deeply when I am listening to a radio program like *This American Life*, or the *Moth Radio Hour* and I hear a story about the connection between two people who shouldn't be able to relate but are suddenly able to. They find a way. My favorite example of this is the stand up comedian who finds himself doing a Christmas Day gig with two other comics at a racially charged prison. The comedians are given a long list of rules that they are not to violate especially around racially charged jokes. The first two comedians go on and last about five minutes each until they are comically dead and have to leave the stage. Our hero enters the stage and starts with his best material which dies, badly. So he starts telling racist jokes. He baits the audience to engage in violence. He suggests they violate rules that would have them shot at by snipers. He picks out individuals in the audience and starts making fun of them. He moves back and forth balancing his vitriol with dark and bright humor leaving the audience shocked, in stitches, and delighted. It is a communicative success story of the highest order. The remarkable night of stand up comedy that Tig Notaro performed days after having been diagnosed with breast cancer in which she, rather than tell her 'best' jokes, was communicatively honest with her audience about what she'd been going through is another good example of this. The moment in her sketch in which she jokes about how God does not give us more than we can handle is amazing.⁸ In my interpretation these are stories of the thriving of humanity in a site in which people are typically dehumanized, in which their personhood is routinely taken away. And of course, this is why I've been telling you stories about animals this afternoon. Because these are also stories of the thriving of hope between creatures, between creatures that merit the title of person. If these are not personal connections, what are they?

⁸ Tig Notaro and Ira Glass. "What Doesn't Kill You," *This American Life*, WBEZ, (Chicago, IL: 5 Oct. 2012).

Vicki Hearn, in *Adam's Task*, offers an account of the personal connections between humans and animals in terms of language. She is particularly focused on dogs and horses. For Hearn, a trained animal becomes more noble in the pursuit of the shared knowledge offered by the trainer. Good training for Hearn is the mutual learning of a language by both trainer and dog or horse. She also considers the differences between domestic and wild animals; she thinks about sign language learning apes; and trained wolves. I find her account compelling, if at points disturbing, because it is focused on communicative success between dogs and horses and humans. Hearn carefully points out that both the humans and the animals need to be open to each other. This mutual openness allows a language to grow and the meaning of words to become deep. She speaks of interacting with her dog Salty, who in the process of learning the meanings of the word 'Sit':

gets my attention by sitting spontaneously in just the unmistakably symmetrical, clean-edged way of formal work. If I'm on the ball, if I respect her personhood at this point, I'll respond. Her sitting may have a number of meanings. "Please stop daydreaming and feed me!" (Perhaps she sits next to the Eukanuba or her food dish.) Or it may mean, "Look, I can explain about the garbage can, it isn't the way it looks." In any case, if I respond, the flow of intention is now two-way, and the meaning of "Sit" has changed yet again. This time it is Salty who has enlarged the context, the arena of its use, by means of what we might as well go ahead and call the trope of projection. Salty and I are, for the moment at least, obedient to each other and to language.⁹

Hearn is focused on language as the metaphor for communicative success as it happens between animals and humans. The turn to language in so much of recent thinking suggests its place as the dominant metaphor for all meaning making. However we can account for the presence of communicative success in both it's moral and interpretive sense without recourse to language. Edith Wyschogrod turns to Levinas and Merleau-Ponty in thinking about this possibility. She says:

⁹ Vicki Hearne, *Adam's Task: Calling Animals by Name* (New York: Knopf, 1986), 59.

[While] Merleau-Ponty has grasped the significance of pre-discursive corporeality for the emergence of generality he has suppressed the condition of difference that makes moral relations possible ... For [Levinas] authentic generality depends not on shared properties but on other persons who open up the possibility for generality.¹⁰

It is not simply, then, that bodies rather than language do not need, "to make use of [a] 'symbolic' or 'objectifying function,'"¹¹ but that the:

body acts as a signifier, as a carnal general that condenses and channels meaning, a signifier that expresses extremes of love, compassion and generosity. In their disclosure of what is morally possible, saintly bodies "fill" the discursive plane of ethics.¹²

Bodies fill the discursive (and non-discursive) planes of ethics because prediscursive corporeality signifies without the need to make use of a symbolic function. Put another way, the prediscursive corporeality which is constitutive of both the lived-body and generality has no need of language in order to signify ethical meaning. A body can show what is morally right to another body without recourse to language. This account of the work of the body might follow Donn Wellton in thinking about the body phenomenologically as that which see, feels, acts and is habitually disposed towards the world with perceptive, pathetic, powerful and particular engagement.¹³ An advantage of following these thinkers towards a bodily account of interpretation and morality is that these realms no longer become the exclusive domain of language users. Hearne, and others, are happy to attribute language to non-humans. This may not be necessary to show communicative success between persons. Each of the stories I've shared are stories of communicative success in spaces in which we might not expect it to appear. At minimum Toola created a language of sea otter fostering

¹⁰ Edith Wyschogrod, *Saints and Postmodernism: Revisioning Moral Philosophy* (Chicago: University of Chicago, 1990), 52.

¹¹ Maurice Merleau-Ponty, *Phenomenology of Perception* (London: Routledge, 2002), 140-141.

¹² Wyschogrod, *Saints and Postmodernism*, 52.

¹³ Donn Welton, *Body and Flesh: A Philosophical Reader* (Malden, MA: Blackwell, 1998). See especially his article "Biblical Bodies"

that her trainers were able to learn and cooperate with to the end of improving the quality of human intervention in sea otter preservation. At minimum Oscar created a language of death that the caregivers at his hospice were able to learn and understand so that care of Alzheimer's patients was increased. At minimum Dewey became an emblem for a language which increased the civic pride of Spenser, Iowa. At minimum Homer serves as a symbol for hope and moral indictment and recognition in the lives of Gwen Cooper and Mr. Home Invader. Person is a word for each of these languages which best describes the potentiality of relationship between these animals and these humans. And this use of this word is not novel.

Personhood and the Trinity

In the trinitarian and Christological controversies of the third and fourth century, the word person, which up until then had meant mostly mask, was pressed into service to understand the differences in the trinity. The thinking about what the trinitarian persons were as persons gave the word person significant added depth. The meanings of the word continued to grow and change to give it the sense that we have for it today. The task of trinitarian thinking is excruciatingly difficult for us and of course I cannot review it in detail here. But a small amount of attention to this word in the context of its early development reveals it to be a most useful term for the kinds of relationships and meaning that I am trying to suggest humans and animals share. This is because the word person, as it came to be used in trinitarian theology was not an term devoted just to essence or being but, in Mark McIntosh's words, "a vision of existence or being which is constituted by being with another ... being Persons everlastingly to and from and for the other is the divine essence without remainder."¹⁴ Being in relationship is what it means to be God. Having differences in that relationship is what makes for personhood inside the trinity. God, in three persons, can be said to have three personalities, if we understand per-

¹⁴ Mark Allen McIntosh, *Divine Teaching: An Introduction to Christian Theology*, (Malden, MA: Blackwell Pub., 2008), 128.

sonality primarily as a mode of relationship. This stretches the meaning of the word personality, but it is a useful stretch if it encourages us to engage the different ways that we relate to different animals. The language of the creeds uses words like procession and generation to talk about these relationships in the trinity. I do not process from my cat. I am not generated by Toola the sea otter. But the relationships that I would have with these two animals are not going to be the same. They will be different in ways that are shaped by both the difference in our species and the ways in which we are different from other representatives of our respective species. Trinitarian relationship, in this way, is normative not just for relationships amongst member of one species but can also be normative for relationships across species.¹⁵ This elimination of subordination within personal relationships is emphasized by thinkers like Catherine Mowry LaCugna when she says, "Divine unity and divine life [are] located in the communion among equal though unique persons, not in the primacy of one person over another."¹⁶ The persons of the trinity emphasize relationship and also I think communication. The trinity is a paradigmatic example of communicative success. These are three persons who despite very different personalities communicate perfectly. Perfection is of course always a tricky concept and nowhere more so than on the cross. So, part of what I need to say is that Christ's "My God, why have you forsaken me!" is an instance of communicative success. It is so only in a context in which it is heard and acted upon and I think that this is what we should understand the resurrection to be. It is God's communicative response to Christ's anguish. In a site in which people are typically dehumanized, in which their personhood is routinely taken away, Christ is exalted by the personal interaction that he shares with the Father and the Spirit.

I have been focused on animals like Toola because the particularities of their experience are front and center. However, in considering the crucifixion I need to pause momentarily and consider the increase in

¹⁵ David Clough, *On Animals* (London: T & T Clark, 2012), 24.

¹⁶ Catherine Mowry LaCugna, *Freeing Theology: The Essentials of Theology in Feminist Perspective* (San Francisco: Harper San Francisco, 1993), 88.

suffering on factory farms; if suffering and the capacity for it is in any way constitutive of their personhood, does this mean that animals in factory farms are in fact better candidates for personhood than our pets? Furthermore, could it be the case that Toola simply that much more important than other animals? Can the argument about personhood survive ordinary animals, especially when it is an argument that is based, as I am doing, on the individual personality of those animals? Maru has her celebrity, Toola her fame, but what about my new cat Neko? Indeed, what about the millions of animals who die-without ever living-trapped in cages smaller than a piece of paper?

Re-Imagining Personhood

It would be useful for me to invoke a rights framework at this point. Rights can be very useful thanks to their extensibility. When we recognize the inevitability of Toola's personhood we can extend it to the chickens in the cages. However, rights tend to guarantee an atomized personhood that secures the lowest common denominator of flourishing. Rights work well for persons who can pay for them.

And here, of course is where the problem of corporate persons enters. In law we distinguish between natural persons, which we typically define as human beings, and legal persons. Legal persons constitute a fundamental legal fiction allowing humans to come together corporately and do business. It allows corporations to sue and be sued, and with the advent of Citizens United it allows those corporations to exercise speech freedom through the mostly unrestrained use of corporate money. Not all of the rights and responsibilities extend from natural persons to legal persons and these protections are not absolute, but legal persons are well ensconced in both contemporary law and general imagination. The beachhead against corporate personhood, occupied most publicly by Stephen Colbert, is in many ways just that. Our imagination of what personhood means fairly easily extends to corporate bodies. There are certainly ways in which I would be eager to defend forms of corporate personhood. I think that corporations should be legally responsible especially when their identity takes on particular traits and ideologies. Corporations do have personality. British Petro-

leum, AIG, Ford, Ben and Jerry's Ice Cream, Method, Starbucks and Whole Foods are unique and different corporations. Perhaps the most theologically defensible and oldest instance of corporate personhood is instantiated in the church. And, it has to be the case that at points this corporate personhood has beneficial effects for human community. However, I would like to push the question of personality as it connects to corporations hard at this point. I may push it to the point of breaking. Is it indeed the case that corporations have personality like the one a natural person does? Or, instead, do corporations have effects, sometimes very predictable ones, on individual natural persons so that our actions are consistently disposed in similar ways. Perhaps corporations are more like a bacterium like *T. gondii*. Because as far into the animal kingdom as I might like to extend notions of personhood, and with the discovery of spiders in Peru that make life like representation of their selves who knows ... I'm pretty sure that it does not make sense to extend personhood to bacteria. They have a beautifully bizarre life cycle and significant effects on the personality of many different persons, but we do not have any indication that they themselves should be thought of as persons. Instead they are a threat to the coming together of different persons in a broad community. Are corporations as significant a threat? Because they are wholly artificial I would like to say that they are not. However, when corporations become more important than natural persons as they did financially in the 2012 election they are a threat to human community. When the legal status of corporations gives them access to copyright and patent law that puts their property ahead of natural species as has happens with genetically modified plants they are a threat to human community. Finally, I am convinced that the flourishing of human community is not fostered in the same kinds of direct ways by corporate persons as it is by animal persons. The personal connections that we have with animal persons enrich our lives, because animals are in and of themselves capable of relationship. Corporations are capable of effecting relationships.

Thinking of Toola as a person does not entail these threats. The attribution of personhood is non-competitive. One person's personhood is not dismissed when another's is recognized. Toola, or my trinity of

famous cats, do enhance human community. Just as the extension of human personhood and human rights have not ended slavery or gender discrimination, I don't believe that enlarging our imagination to include animals as persons will end factory farming or dog-fighting. What animal personhood does is allow us to be most honest with ourselves about what it means to be a person, and in that, about what the shape of our humanity truly is. When we insist that the word person apply to animals we find the world opens before us and we are able to attend to the lives of animals differently. When my cat Tiamat died, my wife and I realized that our marriage had a new challenge. What did it mean for us to be married, to share the same space, now that would not have Tiamat to mediate that space or that relationship to us. Eugene Rogers argues that celibate priests participate by direct analogy to the Holy Spirit mediating the gifts of love between married people, just as the spirit mediates the gifts of love between the father and the son. Tiamat was a good priest.¹⁷

¹⁷ Eugene F. Rogers, *Sexuality and the Christian Body: Their Way into the Triune God* (Oxford: Blackwell, 1999).