"Animal Accusers and the Rhetoric of Suffering: Troubling the Human/Animal Divide" (*Animals, Law, and Religion* Harvard Law School, May 2016) Richard McGregor – Vanderbilt University

My research is located at the intersection of Islamic studies and religious studies, focusing on how critical theory of religion can be put into a productive dialogue with Islamic traditions. The medieval Middle East is my primary site, but earlier and modern periods are often also at play in my work. Academic discourses around the study of religion are always somewhere behind my historical research. The best work in religious studies over the last few decades has used discussion around the formation of the category of religion to illuminate and explore central human concerns. Formations of the self and other, gender critique, phenomenology of embodiment, critique of power and empire, poetics and aesthetics, are some of the major humanistic debates to which critical and comparative religion can contribute. Leveraging perspectives, insights, and worldviews, from the medieval Islamic world has allowed my work to make unique contributions to these debates.

Within Islamic studies, the topic of animals in the premodern period has begun to receive attention recently. The work of Alan Mikhail on Ottoman Egypt has used animals a lens for considering economic and environmental changes. Devin DeWeese has explored animal themes and characters in Sufi hagiographical literature of central Asia, and Mohammed Benkheira with Sublet and Mayeur-Jaouen have contributed a wide survey of the animal in Arabic literature of the central Islamic lands. By far the most important contribution for the formative period of Islam are the textual studies by Sarra Tlili. I look forward to conversations with her at this meeting. For the medieval period, the Sufi philosopher Ibn Arabi has been the subject of several descriptive studies that reconstruct the animal figure within his mystical world view. For example, one study by William Chittick identifies the relation of animals to humans in two ways: the first emphasizes the existential matrix within which all creation circulates. In their narrow anthropocentric perspective, humans are blind to the bonds that connect and animate animals as well as the environment to God. According to Ibn Arabi this neoplatonic universe is filled with the singing praises all things rehearse to their creator. In a second register, Ibn Arabi sets out to trouble the common anthropocentric claim to superiority over animals. He recalls the myriad ways in which humans are engaged with, and dependent upon, animals, noting that in their labors to feed, shelter, clean and protect many animals, humans are performing their innate and divinely determined need for animals.

One question I hope the field will address more fully is that of the animal figure as the discursive or conceptual opening for Islamic religious thought. That is, how in the apparently anthropocentric world view that is Islam do animals become an opening for new perspectives on ethics, the self, and the universal? At present my own work is moving in this direction though an exploration of philosophical, Sufi, and ethical literature. Part of this exploration takes me through an Iraqi fable written in the early medieval period, which engages deeply with the animal figure and ultimately – I shall argue – constitutes an Islamic critique of exclusion and violence.

At the crossroads of Asia and the Middle East, in southern Iraq, Basra, an anonymous group of scholars gathered to record the summation of sciences – both human and natural – of their day. This was at the end of the tenth century, a period in which

Islamic theology and law were still forming, and philosophy was as strong as it would ever be. The authors, collectively known as the Brethren of Purity (*al-Ikhwan al-Safa*) produced a fifty-two-volume encyclopedia, which became known simply as their *Epistles*. The range of the work was truly comprehensive. It was divided into four parts: the mathematical sciences, the sciences of nature, the psychological and rational sciences, and theology.

Abbas Hamdani has recently described the "eclectic sweep" of the encyclopedia, drawing upon "Pythagorean and Nichomachian arithmetic, numerology and music, Hermetic and Indo-Persian magic and astrology, Aristotelian logic and physics, Gnostic esotericism, neo-Platonic cosmology, theory of emanations and metaphysics, Biblical and Qur'anic prophetology, Platonic concepts of law and leadership, and Buddhist, Zoroastrian and Manichean wisdom and allegory." The authors tell us that their aim is not only to be exhaustive, but also to present the material in an accessible form, with the intention to facilitate the widest possible dissemination of knowledge. The tone of the work is remarkably cosmopolitan.

The central argument of *The Case of the Animals versus Man Before the King of the Jinn* is not that animals are superior to humans – we will return to the nature of this relationship below – but rather that there is a moral lesson to be drawn from the relations between animals and humanity. The Brethren make clear their intention to, "consider the merits and distinctions of the animals, their admirable traits, pleasing natures, and wholesome qualities, and to touch on man's overreaching, oppression, and injustice against the creatures that serve him – the beasts and cattle – and his heedless, impious thanklessness for the blessings for which he should be grateful." The affective impact of

the fable is an important dimension of the communication, and thus the authors explain, "We've put these themes into the mouths of animals, to make the case clearer and more compelling – more striking in the telling, wittier, livelier, more useful to the listener, and more poignant and thought-provoking in its moral."

The story takes place on the island of the king of the jinn, where a group of humans, of a racial and religious mixture representing the range of humanity, have shipwrecked. Upon seeing the peaceful and flourishing animals on the island, the humans begin to trap, harness, and force them into service. Endowed with speech, the animals complain to the king of the jinn, who summons the humans and representatives of all the animals to his court to resolve matter. These kingdoms include: the predators, who are represented by the jackal; the birds, who send the nightingale; the swarming creatures, represented by the bee; the birds of prey, who send the parrot; the aquatic animals, who send the frog; and the crawling animals, who are represented by the cricket. The kingdoms and species of the animals are many, and the *Epistle* offers an all-encompassing typology. In parallel to this system are the divisions among humans. Here geography and environment are important identifiers, as is religion.

This tension between humans and animals however is not simply one of difference. The humans present several arguments for their superiority in the fable, drawing on concepts such as stewardship, divine election, culture and civilization, and industry. The delegate of the carnivores however begins to trouble the human-animal binary at work behind these claims:

'Had you humans considered the lives of predators and studied their behavior, you would realize and admit that we're purer and better than you.' 'Is that so?' said the human. 'Can you prove it?

'Of course! Aren't the best of you your ascetics and holy men – monks, rabbis, mendicants?' 'Yes.'

'And when one of you reaches the peak of probity and piety doesn't he remove himself from your midst and flee your society? Doesn't he shelter in the hills and mountains, or the bosoms of the valleys, by the seashore, or in the forest - the haunts of the wild beasts? He mingles with us the beasts of prev in our own realms and shelters at our side, unharmed by any of us?'

'Yes, just as you say.'

'Well, if beasts of prey are not your betters, why do the best of you lodge with us, and the most saintly of you live with us? The best consort with the best, not the worst, so they flee from you; and you shun them in turn.'

Here the jackal is claiming that at its most developed and perfected, humanity can bridge the divide, and resonate deeply with animal sensibilities.

The last chapter of the epistle presents a dramatic denouement in the courtroom. It begins with an Arab Hijazi pointing to the fact that prophets, imams, sages, poets, ascetics and saints, are only to be found among humans, as evidence of humanity's superiority. Upon hearing this, the animals drop their case, and declare that this indeed is something special. Along with the jinn, the animals then ask for more information on these saintly persons. The last person to speak is a composite of the best qualities of all humans: He is, "Persian by breeding, Arabian by faith, Iraqi in culture, Hebrew in lore, Christian in manner, Damascene in devotion, Greek in science, Indian in discernment, Sufi in intimations..." Perhaps surprisingly, his final clinching argument is quite brief. He tells the court that although many have sought to recount the attributes and noble deeds of the saints, none has managed to do more than scratch the surface. With this abrupt ending we are left wondering about this elusive attribute that apparently represents what is uniquely human about humanity. From the context of the fable, this attribute is clearly "sanctity" (*walaya*), an Islamic concept we might describe as a widened capacity for inspiration, esoteric knowledge, and wisdom. This concept of enlarged sanctity was not coined by the Brethren – it was key in Shi'ism and Sufism earlier – but its use here in an encyclopedic treatment of human attributes, psychology, and ethics, is likely unprecedented.

The resolution of the court case seems to confirm the humans in their superiority to the animals. Due to its capacity to produce inspired saintly figures – if only on rare occasions – humanity can lay claim to a unique spiritual potential. The animals recognize that this is not possible for them. Yet it does not follow that animals are to suffer forever as slaves of the humans; and certainly there is no license here for cruelty or abuse. In short, the fable's conclusion is that humanity has a superior capacity, which it should struggle to realize. The court's judgment is not that the animals are mistaken, that their claims are erroneous, or that their beliefs and practices are false. On the contrary, the conclusion points to the overlap and shared sensibilities of animals and humans. The clinching evidence in the case, the final exhibit, was after all a saintly figure whose description defies words: "Many have cited their virtues, and preachers in public assemblies have devoted their lives down through the ages to sermons dilating on their merits and their godly ways, without ever reaching the pith of the matter." The significance of this discursive limit should not be overlooked. Humans cannot even describe the deeds, knowledge, and character of their saints. Neither can the animals. Indeed they would like to know more: "...tell us, O humans, of the qualities and lives of these persons, inform us of their insights and ways, their virtues and godly doings, if you know aught of these... The whole court fell silent, pondering the question. But no one had an answer."<sup>1</sup>

In the *Case of the Animals versus Man*, however, where language has failed both animals and humans, a paradigm has shifted. We have moved from an exclusionary contest to one of different yet mutually intelligible capacities. Humans know these great saints, but fall short of their rank and achievement. Animals recognize these same holy persons, live with them in the wilds of nature, and yet remain categorically removed from them. The moral of the fable is that humanity's superiority is not what we think it is. Our precedence is only in potential, and when it does manifest, it immediately becomes distant and mysterious. Like the animals, who, thanks to their formidable capacities, can peer across the abyss that divides them from the saintly realm, humans too recognize a likeness of themselves in those distant saints.

My current research seeks to build on this dynamic of interspecies communication, with particular reference to silence and the limits of the descriptive speech in the *Epistle*. As we just noted, at the concluding section of the court case the boundary of language is evoked in order to indicate a super-capacity within humanity. This same binding of language however also occurs in key passages of the fable in what I will argue constitutes an Islamic critique of exclusion and violence. In these passages scenes of violence toward animals are described in detail, all the while framed by the silence of those animals. By 'silence' here I do not mean an inability to cry out in response to pain, but rather a powerlessness to advocate, petition, or protest. While the communicative power of these passages is predicated on these silences, the visual emotive that is generated exceeds the discursive boundaries of the narrative.

<sup>&</sup>lt;sup>1</sup> Epistles of the Brethren of Purity p.313.

Chapter five of the *Epistle* opens at the court, with the humans arguing for their mastery over the animals by pointing to the paternalistic care they extend to them: feeding, sheltering, raising, training, and treating their illnesses. This kindness would only be extended by a master to his servant, or an owner to his property – the humans claim. What Ibn Arabi would take some three centuries later as evidence of humanity's need for animals, the humans here see as paternalistic ownership. The spokesperson for the beasts counters that nothing about precedence or priority can be deduced from slavery, since all races of humans try to enslave each other. Greeks, Persians, Nubians, Abyssinians, Arabs, Turks – they all claim to be masters of each other when they can take the other as a slave.

The story then turns to a series of animal spokespersons, each of whom condemns the violent reality of slavery, even when that bondage takes itself to be a practice of compassion, and guided by mercy. The first to indict is the ass (*himâr*) saying to the king of the jinn, "Your Majesty, had you seen us as prisoners of the sons of Adam, our backs laden with rocks, bricks, earth, wood, iron, and other heavy loads, struggling and straining to go forward, while they stood over us, stick in hand to beat us brutally about the face and back in anger, you would have pitied us and shed tears of sorrow for us, merciful King. Where then are their mercy and compassion?"

The ox (*thawr*) then said, "Had you seen us, your Majesty, as prisoners in the hands of the Adamites, yoked or bound to a water wheel or mill, with muzzles to our face and blinders on our eyes, as they beat us with sticks and clubs around the face and flanks, you would have pitied us and shed tears."

The ram (*kabsh*) added, "You would have pitied us, your Majesty, had you seen us as their prisoners, when they seized our smallest kids and lambs and tore them from their dams to seal our milk. They took our young and bound them hand and foot to be slaughtered and skinned, hungry and thirsty, bleating for mercy but unpitied, screaming for help with none to help them. We saw them slaughtered, flayed, dismembered, disemboweled, their heads, brains and livers on butchers' blocks, to be cut up with great knives and boiled in cauldrons or roasted in an oven, while **we kept silent, not weeping or complaining**. For even if we had wept they would not have pitied us. Where then is their mercy?"

The camel (*jamal*) added, "Also, had you seen us, your Majesty, as prisoners of the Adamites' hand, our **muzzles bound with rope**, our halters gripped by drivers who forced us to carry heavy loads in the dead of night, while all others slept, making our way through dark defiles and arid plains over a rocky track, bumping into boulders and stumbling with our tender pads over rocks and rough, broken ground, hungry and thirsty, our sides and backs bruised and sore from the rubbing of our saddles, you would have pitied us and wept for us. Where then is their mercy?"

The elephant (*fil*) said, "Had you seen us... with chains on our feet and cables about our necks while they held iron goads in their hands to beat us about the head and drive us left or right, powerless to defend ourselves, despite our great bulk, our mighty frames, long tusks, and immense strength, you would have pitied us and wept for us."

Then the horse (*faras*) spoke, "Your Majesty, had you seen us as their prisoners on the field of battle, bits in our mouths, saddles on our backs, plunging unprotected through clouds of dust, hungry and thirsty, awash in blood, you would have had pity on us, O King."

The last to speak was the mule (*baghl*): "Had you seen us your Majesty, as their captives, with hobbles on our feet, bridles at our throats, bits in our mouths, and locks at our crotches to curb us from satisfying our natural desires, loaded down with pack saddles, while those base, foul-mouthed men who rode atop them, our keepers and drivers berated us with the vilest words at their command, whipping us about the face and hindquarters in such a fury that that often they were carried away and reviled themselves..."

Much of the critique of violence developed throughout the *Epistles* hinges on the ethical underpinnings of divine election. In other words, the dominion over creation that God has entrusted to humans – at least according to the humans! – already carries within it limits and controls on violence. But I would like to follow what I think is a more compelling critique, one that transcends simultaneously the bounds of discursive language and the human/animal divide. These passages from chapter five are a visual rhetoric that indicts the perpetrators of violence in ways more powerful than any denunciation or reasoned argument could. The authors of the *Epistle* were clearly deploying such detailed violent imagery in order to communicate beyond the controlled language of the court and its disputants. As we saw earlier, the move beyond language was also at play in the resolution of the case; the mystery of the saints, as reflected in the limits of language, was compelling in a way that no reasoning or debate could ever be. Likewise the rhetoric of chapter five moved beyond language into visceral imagery, resolving itself as a silent critique of violence.