Future generations will judge us harshly for our treatment of domesticated animals. Animals are legally considered property which can be bought and sold. Animals are slaughtered for food, raised for entertainment, and used in research. The sheer numbers are overwhelming; annually over 49 billion animals are killed for food in the United States alone. It is difficult to find the conceptual and legal space to recognise the lives of animals. Animal theorists and activists resist the cultural conceptions of animals as resources and seek new language by considering animals as kin, fellow travellers, and neighbours. In *Animals as Legal Beings: Contesting Anthropocentric Legal Orders* Maneesha Deckha rejects the legal liberal tradition of framing animals as property and argues that animals should be recognised as embodied and vulnerable beings. Deckha uses the word *animals* as a convenient short-cut for non-human animals while recognising that this term obscures the vast differences among animals and the fact that humans are also animals. Deckha proposes a new legal category of beingness as an alternative to legal conceptions of animals as property or persons. The category of beingness would protect animals against harm and eliminate industries which exploit animals.

Deckha’s book is comprehensive, extensively researched and interdisciplinary. She draws from law, animal care theory, feminism, anti-racism theories, anti-colonialism theories and disability studies in order to challenge the anthropocentrism and human exceptionalism at the heart of humanist legal institutions. Since Deckha is working within the framework of a liberal legal theory, it is often hard to imagine that the system will be flexible enough to acknowledge and protect animals. The current liberal legal systems in Canada and the USA classify animals as property or, in some rare cases, as persons. In a wealth of examples from Canadian legislation and case law, Deckha shows that the category of property fails to protect animals against cruelty and harm except in some exceptional circumstances such as the torture of domestic pets. Significantly, there is little protection for billions of animals raised and slaughtered in agriculture. In fact, current legislation in the USA and Canada supports and protects the animal industries since animals are considered property which can be used instrumentally for people.

In an original argument, Deckha also rejects the legal concept of personhood. Many animal activists hope to expand protection to animals through the category of personhood: for example, the Nonhuman Rights Project seeks to extend personhood to autonomous and self-aware nonhuman animals. However, Deckha convincingly argues that the category of personhood as a legal category for animals fails both theoretically and practically. Drawing
deeply from the feminist, anti-racist, anti-colonial and disabilities literature she shows that the concept of personhood is tied to ideas of a disembodied, rational and independent individual. This raced and gendered conception not only fails to protect all people, but will also fail to protect animals. In addition, she points out that judges and legislators will be psychologically resistant to classify animals – including dogs, cows, pigs, and fish – as persons. Finally, Deckha shows the category of personhood may protect gorillas, bonobos and orangutans, but will not protect the majority of animals, including those used in animal agriculture.

At the heart of her book, Deckha advocates for a transformational category of beingness to represent and protect animals. Beingness recognises animals as embodied, vulnerable and relational. Beingness does not attempt to extend human characteristics to animals, like the extension of personhood, nor does it attempt to rely on categories of capacity such as sentience or rationality. She argues that beingness ‘is a status that is meant to provide, at a minimum, the legal recognition that personhood is meant to afford, but it would be a legal subjectivity that caters to the ontologies of breathing, embodied creatures’ (p. 122). Beingness is respectful of differences among animals and of alterity. This legal category of beingness will protect animals categorically and abolish exploitive industries such as animal agriculture.

The philosophical and legal justification of beingness is inspiring; however this is not a how-to guide for implementing a new legal category of beingness. Deckha does offer broad principles for developing legislation including ‘(1) a prohibition on human or corporate trade in animals or animal products, (2) a reflection of anthropocentrism and human exceptionalism, and (3) a desire to listen to and respond to the needs of vulnerable others’ (p. 168). However, do not expect any practical steps that citizens, attorneys, and activists can use to negotiate stronger legislation to protect animals. The first chapter dims hope in the possibility of implementing beingness as a legal category. In chapter 1, Deckha explains the animal industry’s successful resistance to changes in anti-cruelty laws in Canada. Certainly, there would be greater resistance to beingness as a legal category since it would be used to abolish animal agriculture. By the concluding chapter, Deckha jumps into the ways in which animals who are released from industrial agriculture should be treated. This leap over the practical implementation of a legal category of beingness to the consequences of the legislation seems to recast the whole argument into a wishful-thinking-but-never-will-happen fantasy.

Nevertheless, Deckha’s book is conceptually and theoretically valuable. I recommend using this book in both upper division undergraduate and graduate courses in philosophy, property law, animal law, animal studies and feminism. Her book can serve as nourishment for future attorneys, philosophers, activists and scholars. It provides both the framework and the language for considering better legal protection for non-human animals. First, her analysis shows
that the majority of domesticated animals are not protected by the current liberal legal systems, despite pleasant sounding humane/anti-cruelty legislation. Second, her analysis shows the need for new ways to speak about animals and new legal categories to protect animals. We may not yet have a paradigm shift, but Deckha’s work is part of a larger movement to recognise and respect the lives of animals. When future generations read Deckha’s book, they will acknowledge that, at least, some people got it right.

LISA GERBER
University of New Mexico, USA