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Zoo Animals as Specimens, Zoo Animals as Friends: The Life and Death of Marius the Giraffe

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Abstract: The international protest surrounding the Copenhagen Zoo's recent decision to kill a healthy giraffe in the name of population management reveals a deep moral tension between contemporary zoological display practices—which induce zoo-goers to view certain animals as individuals, quasi-persons, or friends—and the traditional objectives of zoos, which ask us only to view animals as specimens. I argue that these zoo-logical display practices give rise to moral obligations on the part of zoos to their visitors, and thus ground indirect duties on behalf of zoos to their animals. I conclude that zoos might take on interspecies friendship as a new zoological objective.

1. INTRODUCTION

On February 9th, 2014, Marius, a healthy two-year-old reticulated giraffe, was killed¹ by a shot to the head by his handlers at the Copenhagen Zoo, then publicly autopsied, skinned, and fed to the zoo's lions. Despite international protest and offers from other zoos to adopt Marius, the zoo officials, acting in accordance with the European Association of Zoos and Aquaria (EAZA)'s breeding program policy, chose to kill him because he was "surplus." Having reached mating age, and because his genes were too similar to those of the other giraffes in the EAZA's breeding program, it was deemed undesirable for him to mate, and inhumane for him to be sterilized—which is the practice

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in North American zoos in analogous situations—because it would cruelly frustrate his natural mating behavior.

The zoo officials justified the posthumous public exhibitions as scientific and educational: the autopsy would provide educational, scientific, information about giraffe anatomy and physiology, and, since giraffes would be eaten by carnivorous predators in the wild, public viewing of the feeding would provide a unique educational opportunity as well. The justifications for Marius's fate thus referenced three of the four main objectives of modern zoos: education, science, and conservation.² Not in need of conservation (reticulated giraffes are not endangered in the wild, and the zoo population was at what the officials deemed to be "capacity") he ought to be killed; his corpse, publicly autopsied and used as meat, would then satisfy the scientific and educational objectives of the zoo.

The international outrage and extensive media coverage surrounding these events—including some 27,000 signatures on an online petition to spare Marius from death,³ and more than 155,000 signatures on a still active petition to the Prime Minister of Denmark to close the zoo after Marius's death had taken place⁴—suggest that not only were the zoo's proffered justifications for Marius's fate insufficient, but that there was something *especially* morally wrong with this case, over and above the insufficiency of the zoo's justifications. After all, there are many instances where zoos are vulnerable to critique about meeting their stated objectives, or about whether their stated objectives are indeed worth meeting, and yet these instances and their moral import are rarely debated, let alone emphatically objected to, by the public at large or by mainstream media outlets. But was there in fact something especially morally wrong with what happened to Marius? And if there was, what, exactly, was it? I will attempt to answer these questions in what follows.

The suspicion that there was something especially wrong with this case is further heightened by the fact that though some three to five thousand animals are killed for these same reasons every year in European zoos—including approximately two hundred large animals⁵—we do not normally see any

^{2.} These three objectives—and the fourth, recreation—are ubiquitous in zoo mission statements, as well as in the missions of umbrella zoo accrediting associations, such as World Association of Zoos and Aquariums.

^{3.} The Guardian. "Marius the Giraffe Killed at Copenhagen Zoo Despite Worldwide Protests." Accessed October 19, 2014. http://www.theguardian.com/world/2014/feb/09/marius-giraffe-killed-copenhagen-zoo-protests

^{4.} The Petition Site. "Close Zoos That Slaughter Healthy Animals." Accessed October 19, 2014. http://www.thepetitionsite.com/923/331/674/marius-the-giraffe-slaughtered-boycott-close-down-copenhagen-zoo/

^{5.} The BBC. Accessed October 19, 2014. http://www.bbc.com/news/maga-zine-26356099

kind of public protest of these animals' deaths, let alone protest on this scale. Though I believe that all of these killings are at least *prima facie* moral wrongs, I will not attempt to defend that view here. Here I want to argue that Marius's case presented a moral wrong over and above the moral wrong of killing a healthy captive animal, and that even if the killing of healthy captive animals is not morally problematic per se, there is nevertheless a moral problem with this particular case.

I will argue that when we enquire more deeply into the reasons some of us objected to Marius's case, we find that perhaps the protests were caused by our having come to view Marius as in some way 'special'—which in what follows, I will use this term as an umbrella concept to capture either his being viewed as a unique individual, as a quasi-person, or, for some of us, even as a friend. For some viewers, Marius and other special animals might be seen as all three, or as some combination of them, though I believe that any one of them is sufficient to ground specialness. These viewing postures were adopted at the zoo's urging, through its broadly anthropomorphic display practices which conveyed messages of specialness in the first two years of Marius's life. In other words, the zoo had assured the zoo-going public, by means of its display practices, that it would treat Marius as special, whereas the manner and justification for his killing reneged on that assurance and, in an about-face, instead referenced three of the four zoological objectives, which treated him quite otherwise, as a mere specimen; that is, as a part typical of a class.

While the discrepancy and dissonance between treatment as special, and treatment as a mere specimen, is *psychologically* unnerving, to be sure, it does not obviously generate a significant moral wrong. I will argue that the zoo generates moral obligations owed to the viewing public through the assurances made in its display practices, and those obligations, I will argue, are neither negated nor outweighed by the merits of fulfilling the zoo's objectives. Thus, the protests grasped, on some level, this moral wrong, and were not based on mere sentimentality. I will show that Marius's case reveals a tension between modern zoological display practices and modern zoological objectives, and argue that this tension morally ought to be resolved in favor of the display practices, rather than in favor of the zoological objectives. Thus while Marius's killing in one way represents a unique moral wrong, many of my concerns are more broadly applicable to the treatment of special animals in zoos worldwide, to the anthropomorphizing zoological display practices that enact these animals as special, and to the moral obligations these practices entail to viewers generally.

The particular moral wrong committed in Marius's case arises from his characterization as special by virtue of the zoo's display practices. These practices and that characterization in turn constitute an implicit assurance to continue to treat Marius as special. This, notably, is a wrong as against us, the zoo-going public, rather than a wrong against Marius himself: Marius did not know that he had been treated as special by the zoo's display practices, and thus had no reason to believe he would receive special treatment. In other words, the zoo did not make an implicit promise *to Marius* to treat him as special; they made that promise to *us*. Therefore, the particular moral wrong committed by the Copenhagen Zoo was not a wrong against Marius, to whom the promise was not made, but to the zoo going public, to whom it was. The zoo might very well have other obligations to Marius—to meet his basic needs and to protect him from harm, for instance—and their actions may very well have violated those as well. But if zoos have these latter obligations, then they have them for *all* of their animals, including the other three to five thousand killed due to their having been deemed 'surplus,' and my chief concern in this paper is identifying and analyzing what, if anything, is particularly morally wrong with *this* particularly disturbing case.

Before moving on, I want to quickly discuss two objections to my argument. The first is whether the bare fact that Marius was being put to death is what made him special, rather than the zoological display practices that he was subjected to throughout his life. No doubt his killing, and the public anticipation of it, had an impact, and a significant one at that, on the depth and breadth of the concern about him. However, my argument holds that zoogoers are already predisposed to care about certain animals, those held out as special because of broadly anthropomorphizing display practices. On my view, special zoo animals enter our moral sphere because of those practices, and then when a particular instance of cruelty, such as killing or mistreatment, comes to light, we are justifiably outraged. Thus, the display practices of zoos per se initiate the entry of special animals into our moral sphere and, by virtue of being in it, elicit a baseline level of concern. Following upon that, when conditions arise which then violate their status as subjects of our moral concern, we justifiably raise our baseline level of concern to whatever degree the morally problematic conditions warrant, much as we would any other being in our moral sphere, human or non-human.

A second objection to my view arises from the idea that Marius's death and the posthumous displays do not in fact constitute a special moral wrong, given their ubiquity in European zoos. Why, for example, might it be permissible for the zoo to feed the lions a deer carcass or feed snakes live mice, for examples, but not feed the lions Marius? My argument in what follows applies only to *a certain class of animals* in the zoo—those who are displayed as special. Thus the killing and/or the use of non-special animals as food for other animals may or may not be of moral concern generally, but it is not the subject of the particular kind of moral concern with which I am here occupied: the violation of a particular relationship with moral entailments to the the zoo-goer that the zoo inspires by holding particular animals out as special.

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2. WHAT DO ZOOS DO?

Before moving on to defending the above ideas, let me first clarify a few key terms and premises, and respond to some potential challenges which which they may meet. The idea of specialness is a concept which is meant to encapsulate a variety of related ideas, all of which are inspired, or perhaps, more strongly, induced, by contemporary zoological display practices: first, an animal may be special by virtue of being displayed as an individual, by which I mean having a unique back story of how it got to the zoo, a unique personality, set of dispositions, or unusual physical markings, which may or may not be put in anthropomorphic terms by the zoo. However, display as an individual need not be anthropomorphic per se to generate a sense in the viewer that she is not viewing a zebra, say, but rather this one. We will find that this idea of the *singularity* of special animals runs throughout the concept of specialness, in all its presentations, and, indeed, it is at the core of what I take to be the morally problematic disjunction between the animal as singular by virtue of the display practices that hold it out as such, and the animal as a *specimen*, the very opposite of singularity, that satisfies zoological objectives.

An animal may also be held out as special by virtue of being displayed as a 'quasi-person,' which I will argue results from the zoo's having anthropomorphized certain charismatic animals by naming them, especially by giving them proper names and celebrating their birthdays—again, establishing the animal as *singular*—as I discuss more fully in the next section. The zoo-goer is thus induced to form certain expectations by virtue of this anthropomorphizing, as follows: if an anthropomorphized animal is, by definition, thought of as like a human person,⁶ and human persons are thought of as being owed at least prima facie respectful treatment, it follows that the zoo-goers are justified in their expectations that the zoo animals that the zoo holds out as 'quasi-persons' are likewise, by analogy, owed prima facie respectful treatment. Chief among the expectations such respectful treatment in turn gives rise to is the expectation not to be killed. Whether or not Marius or other charismatic animals are in fact persons, rather than 'quasi-persons' is a question about which I intend here to remain neutral; for my purposes, I need only make the more modest claim that the animals the zoo holds out as quasi-persons, a status they have achieved by virtue of the zoo's having anthropomorphized them,

^{6.} This definition is more general, but in no way in conflict with, the definitions of anthropomorphism offered by such authors as Serpell (2003), de Waal (1999), and Horowitz and Bekoff (2007). These authors enumerate specific human qualities attributed to animals such as beliefs and emotions, but my definition emphasizes the idea that anthropomorphizing is, at its most basic level, an activity of analogizing between human and non-human animals.

constitutes an assurance to the viewer—by virtue of the analogy created by anthropomorphizing—that the zoo will continue to treat them as such.

Thus, even if Marius is not in fact a person, not having met some philosophical criteria for personhood (let alone some legal criteria) and thus is not directly owed respectful treatment by the zoo on those grounds, zoo-goers, having been assured that Marius was special (individual, quasi-person, friend) and thus deserving of respectful treatment on those grounds, are nevertheless entitled to have this assurance kept. My construal of 'quasi-personhood' as established in the anthropomorphizing practices of zoos is, notably, less stringent than the dominant philosophical accounts of personhood proper.⁷ The fact that my argument relies on acceptance of the premise that zoo-goers tend to view some zoo animals as quasi-persons, rather than any claim that they are persons, makes it preferable to arguments which attempt to ground the moral status of animals in their actual possession of personhood. This is not only because the standard accounts of personhood in the philosophical literature (of possessing a level of self-consciousness sufficient to value one's own life) or in the legal literature (requiring a legal person to bear both rights and corollary duties) is likely too high for most animals to meet, but also because even if we attempted to apply a less rigorous definition of personhood to zoo animals directly, we remain vexed with thorny and perennial empirical and epistemological questions regarding how to establish whether, and in virtue of what evidence, a particular animal may be said to have passed a particular bar sufficient to establish personhood.

My account can sidestep all of these issues through its claim that intentionally generating quasi-personhood status by virtue of the analogical thinking that anthropomorphic display practices entails is sufficient to ground moral obligations, admittedly not to the animal herself, but rather to zoogoers. This is important because if my argument is sound, it provides a way to ground moral obligations owed by zoos to their attendees, and thus may provide a route toward indirect duties to animals regardless of their status as persons—through the obligations owed by the zoo to its patrons—that the animals may not otherwise have had directly.

Finally, a third way for an animal to be 'special' is to be regarded as a friend or, even a quasi-family member, by zoo-goers. The kind of friendship or family member I am envisioning here is akin to the sense in which companion animals are seen as friends or family members by their human companions. Of course, the parallels are inexact: there is a level of reciprocity in a human-companion animal relationship that is not achieved in the zoo-goer–zoo-animal relationship, in that while the zoo-goer might very much feel as if she is participating in the zoo animal's life, it is doubtful that a zoo animal

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^{7.} See, for instance, Tooley 2011.

feels a part of the zoo-goer's life. But in any case, much as children may be led to think of a dog as a member of the family, so zoo-goers may be led to think of certain zoo animals as members of the 'zoo family' or 'zoo community.' It is wrong to intentionally encourage such expectations, even if dogs are not members of the family and giraffes are not members of the zoo family, just as it would be wrong to encourage someone to think of you as a friend and then abruptly begin to treat them like a stranger.

Philosophical accounts of friendship differ, of course, but a key feature of friendship, again, is its *singularity*, the very notion that unites the umbrella concept of specialness. Lisa Guenther, in discussing a Levinasian take on friendship and animals, offers a general definition of friendship that is apposite here:

a friend is someone whose company I enjoy, someone with whom I like to spend time. . . . I like my friend not because she possesses this or that specific quality, but rather because she is she and I am I. We like each other in our singularity, and we would not want to replace one friend with another simply because they share similar characteristics. (Guenther 2007, 219)

And indeed we *cannot* replace one friend with another, human or non-human. Certainly anyone who has lost either a human or an animal friend and makes a new one later knows that in no sense is the new one 'replacing' the old one. Such an idea is indeed offensive, and that offensiveness goes to what I am here speaking about in the case of Marius. As an individual, as a quasi-person, as a friend, he was singular and irreplaceable. His death and the manner of it treated him as the very opposite: as a specimen, and thus, by definition, replaceable.

I maintain that the zoo, through its display practices, encourages certain animals to be seen as special, and encourages human-animal relationships to be formed on the basis of that specialness, and in so doing generates moral obligations. There may very well be differing degrees of obligation depending on what kind or degree of specialness the zoo encourages. I suspect that these three components of specialness—as individual, quasi-person, or friend—may form a continuum of ascending degrees of obligation, but I will not articulate that in any detail here. All that I maintain here is that intentionally causing zoo-goers to take up an animal on any point along the continuum is sufficient to generate obligations on behalf of zoos to zoo-goers.

It may be objected that my argument makes too much of zoo-goers' experience when they view zoo animals. Some zoo-goers might not form an opinion on an animal's specialness, others might form the explicit view that zoo animals are not special, still others—perhaps the majority of others—might have very vague, semi-conscious, or otherwise not well formulated beliefs about the animals they are seeing. Certainly, very few people will form a *friendship* with the animal. Thus, the objection may run, my argument trades on what is in fact problematic vagueness in people's beliefs about zoo animals' statuses. But while it is doubtless true that some zoo-goers have no such beliefs, contrary beliefs, or only vague beliefs, this does not present a problem, for my argument only requires that *some* zoo-goers—and, indeed, there is evidence by the outrage in Marius's case, as well as other evidence I present in Section 4, that *many* zoo-goers—believe that some zoo animals are individuals, quasipersons, or friends.

A second objection might run as follows: the claim that modern zoos display animals as special and thereby induce viewers to view them as such is at odds with an influential reading of the role of zoos historically as well as in the present. Famously, the precursor to zoos has been the royal menagerie, wherein a monarch kept a private display of animals that demonstrated his conquests abroad to his constituents at home. The more species, the better, in a royal menagerie, as evidence of the scope of a monarch's dominion. The animals stood then as trophies of imperial force in distant lands.

Contemporary commentators, such as Malamud (1998), argue that zoos continue to serve this function into the present day, reasserting our colonial past, exemplifying our removal from nature, and expressing our feelings of dominance over, and separation from, animals by keeping them in captivity. My claim that zoos today in large part attract their audiences by displaying animals as special would stand at odds with this reading of the meaning and function of zoos; one whom you have conquered, dominated, or see as a trophy, you do not see as an individual, quasi-person, or friend. I believe that this reading of zoos as imperial projects in the present day is unpersuasive and that modern zoos are importantly disanalogous to their menagerie predecessors. This disanalogy can be seen in both contemporary display practices and objectives, and the evidence for both display practices and objecctives that I discuss in what follows makes clear that zoos are not today the colonial projects they once were.

In fact, zoos have not been colonial projects for some time, and the history of their evolution is important background for my central claim about contemporary display practices and objectives. Beginning with Louis XIV's infamous private menagerie that became the celebrated public collection in Paris's *Jardin des Plantes* after the French Revolution, zoos evolved from caged menageries to zoological parks, and cages were replaced by enclosed dioramas. Their objectives correspondingly changed from taxonomical to ecological, focusing not on the number of species but rather on educating about the animal's natural habitat. Then, beginning with Carl Hagenbeck's renowned Animal Park in the suburbs of Hamburg, Germany in 1907, but not adopted

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widely until the early 1980s, zoos transformed into their current iteration as centers of environmental conservation.

Display practices morphed from dioramas into the paradigm of "immersion exhibits," designed elaborately to mimic the ecosystem of a set of animals. Immersive display practices are the state of the art in zoos in North America and Europe, and reflect the change in zoo objectives from taxonomical, to ecological, to today's idea of inculcating concern for environmental conservation amongst zoo-goers. Immersion exhibits offer a 360 degree experience of a habitat, usually featuring a 'flagship' animal in need of conservation as a centerpiece. These exhibits are often quite extravagant; the Bronx Zoo's "Congo Gorilla Forest"—a paradigmatic example of the immersive display form—is 6.5 acres, contains representatives of 75 animal species, including 22 gorillas, 15,000 plants of more than 400 species and ten miles of fabricated trees, made of epoxy, steel, and urethane.⁸ A *New York Times* article about immersion exhibits in contemporary zoos reports that:

[A]nimal experts say, a landscape immersion exhibit can be a transforming experience. When visitors form an emotional connection with the animals, they also take home a larger conservation message, said Richard L. Lattis, the senior vice president and general director of living institutions for the Wildlife Conservation Society, which operates the Bronx Zoo. . . . 'Immersion exhibits are about people,' he said. 'We're trying to get them to make that link not just to the animal but to where that animal lives and what we're going to do to save that animal.'"⁹

So, immersion exhibits are designed to elicit an emotional response (a sense of connection to the animal) from the viewer, for the purpose of inducing a belief (that such animals' habitats should be conserved). It is precisely the intentionality of these practices, or so I will argue in Section 5, that generate obligations on the part of zoos to zoo-goers.

Thus, zoos have changed their display practices in order to elicit concern on the part of zoo-goers for animal conservation. The conservation objective is furthered, zoos believe, when zoo-goers form a psychological bond with the animal. This belief is furthered in no small part by the emerging field of "conservation psychology," which aims to scientifically study the nature of human relationships with the rest of the natural world, with a particular fo-

^{8.} Rothfels 2002, 199.

^{9.} The New York Times. Accessed October 19, 2014. http://www.nytimes. com/2004/03/31/arts/at-the-zoo-improving-the-environment-for-creatures-of-two-and-four-legs.html

cus on how to encourage conservation of the natural world.¹⁰ Zoo-goers who report a positive emotional response to an animal also report enhanced caring about animals and their conservation (Kellert 1996; Myers and Saunders 2002; Hayward and Rothenberg 2004; Myers, Saunders, and Birjulin 2004). This objective, and the display practices that further it, demonstrate that it would be mistaken to view contemporary zoos as colonial installations. Rather, zoos are inculcating values of quite a different sort, and it is the moral obligations imposed by this inculcation that I am attempting here to elaborate. Immersive display practices support my claim that zoos are places where certain animals are displayed as special. What is problematic is not displaying animals as special, but rather that zoos do not recognize the ethical implications of the display practices themselves, nor do they recognize the fact that honoring these implications may be at odds with fulfilling zoological objectives.

I turn now to further defending the premise that zoological display practices induce viewers into forming beliefs that some zoo animals are special. After that, I will argue that at least some zoo-goers do in fact form such beliefs, and finally to discussing my conclusion: that such inducements ground obligations on behalf of zoos to the zoo-goers. One such obligation is to keep up this presentation of the animal, and this obligation in turn grounds indirect duties to zoo animals that would that prohibit, amongst other things, killing healthy animals to manage populations, public autopsy, and public feeding to other animals. If my argument is sound, it explains not only the particular moral wrong done in Marius's case, in virtue of his status as special, but also makes clear the more general moral obligations owed by zoos to zoo-goers, whatever else might be owed to zoo animals directly. Finally, I will offer some suggestions for resolving one important implication of this discussion-that morally significant tensions exist between the moral obligations generated by zoological display practices and the moral obligations generated by the traditional zoological objectives-and that these tensions ought to be resolved in favor of the display practices.

3. CONTEMPORARY ZOOLOGICAL DISPLAY PRACTICES

My argument relies on the premise that modern zoological display practices including the attempts of immersive displays to inspire emotions which prime us to form the pro-conservation beliefs discussed above—hold out certain animals as special; in effect, certain display practices establish the animals as special in the eyes of the viewer. I will argue in this section that in addition to immersive exhibits, other display practices, such as the practice of naming

^{10.} According to the definition offered by the American Psychological Association. Accessed October 19, 2014. http://www.apadivisions.org/division-34/interests/conservation/

certain zoo animals, together with a variety of interactive practices, including zoos' use of social media, serve further to induce us to view certain animals as special.

First, Marius, like many other zoo animals, was a *named* animal, and the practice of naming conveys quasi-personhood. Indeed, many philosophers claim that the speech act of naming an animal performatively contributes to its actual elevation to the level of quasi-personhood. Cora Diamond's remarks in "Eating Meat and Eating People" are apposite:

[T]here are some actions, like giving people names, that are part of the way we come to understand and indicate our recognition of *what* kind it is with which we are concerned. . . . A pet is not something to eat; it is given a name, is let into our houses, and may be spoken to in ways in which we do not normally speak to cows or squirrels. That is to say, it is given some part of the character of a person.¹¹

Diamond's radical, but I think correct, idea is that it is social practices that define the nature of the relationship in question, rather than the other way around. Analogously, the very social nature of the display practices of zoos—including the practice of naming—cause us to view certain animals as special, just as Diamond shows that certain social practices cause us to view certain animals as pets. Just as Diamond argues with pets, I want to maintain that the social practice of naming charismatic animals, and the social relations invited and organized by zoos, including, often, the social practice of mourning a deceased zoo animal, as I will discuss in Section 4, enacts the kind of meaning that animal has to us, and that meaning has moral import and consequences.

Most people think of their pets as special, and most people name their pets. Conversely, farm animals raised for meat are not typically named, nor are lab animals the experimenter intends to kill—again, I would argue, because in these cases we do not see them as special. Indeed, we often refrain from naming them in these cases *in order that* we do not run the risk of coming to see them as such. Farm animals used for dairy production, or animals whom are the subjects of long-term lab experiments might very well be named, and might very well be viewed as special by the humans close to them.

Leonard Lawlor, following Derrida, discusses the import of naming with respect to singularity:

Like a date, a name is a marker for a singularity. It replaces animals, a name in the place of the animals. But the name must also imply that the animal is singular, even absolutely or purely singular, a singularity for which there can be no substitute. We would compromise with the singularity of the animals . . . if the naming of them, if the names for

^{11.} Diamond 2005, 97.

them were only universal, were only general nouns. We would have only sacrifice and substitution, if we only ever spoke of the animal in general. (Lawlor 2007, 103)

Singularity, conveyed by naming particular animals with particular names, rather than just a name for the species, like 'zebra' or 'giraffe,' implies uniqueness and irreplacability, and that implication, reasonably adopted by zoo-goers, was violated in Marius's case, when his death and the manner of it conveyed his utter replicability. Indeed, qua 'surplus' the Copenhagen zoo was saying, even more strongly, that he was 'over-replicated.'

Lawlor goes even further, to say that "we must name all the animals with proper names, eliding all the definite articles. Unconditionally, we must name properly each and every one of the them" (Lawlor 2007, 103–04). But of course, we do not. Zoos name only certain of them—those who they hold out as special—and that makes the practice even more salient to zoo-goers, and more morally consequential. Indeed, the Derridean idea¹² of at least calling animals by definite articles—'the giraffe,' rather than 'a giraffe' to which Lawlor refers, and about which he insists upon going further, sheds more light on the uniqueness of Marius's case.

Further support for the hypothesis that naming—even more so than the practice of using definite articles to refer to animals—leads to the attribution of specialness comes from the disparity in media coverage, and the disparity in public outrage, when, a mere seven weeks later, on March 25th, 2014, four lions—two adults and their two cubs—were also killed (though, importantly, not publicly autopsied or used as meat) by the Copenhagen Zoo to 'make room' for a new lion who would likely have killed the cubs. The animals were referred to quite simply in the media coverage as "the lions." The disparity in reporting between Marius and 'the lions' is striking: a search of the Factiva database—a compendious international database of print and online journalism—for 'Copenhagen or Denmark' and 'giraffe' from the dates February 9th through 23rd yielded over 950 results from both print and online media sources. A search for the terms 'lions' and 'Copenhagen or Denmark' from the dates March 21st to April 5th yielded 319 results: a 3 to 1 difference in coverage.

I want to suggest that because these lions were not named in the zoo's press releases or in the media reports, they were not understood as special by the public. This is the inverse of Marius's case, whose name was used repeatedly in the media accounts, and who was thus, as a result, seen as special. Because the lions were not named—and were thus less likely deemed special—their treatment as specimens was not seen as violating their special status,

^{12.} Derrida, The Animal That Therefore I Am, 399.

and thus did not generate nearly as much controversy. Though I believe that their killing was morally wrong, I do not think it perpetrates the additional wrong committed in Marius's case—the wrong arising from betraying assurances made to zoo-goers. Thus, I want to conclude that the more a zoo treats an animal as special through its display practices, such as naming, the greater the moral obligation it generates not to violate that animal's status in fulfiling its objectives, be they scientific, conservational, educational, or otherwise.

Naming animals not only contributes to quasi-personhood, but also to friendship, another key aspect of specialness. Lawlor, again following Derrida, lends further support to this idea that proper naming is requisite for friendship bonds to be formed. "This proper nomination is the only way for us to change our relation to them into one of friendship. As Derrida says in The Politics of Friendship, "the question of the proper name is obviously at the heart of the friendship problematic. . . . We have a real problem thinking friendship without the proper name."¹³ (Lawlor 2007, 104). And indeed, as we have seen in cases of other charismatic animals with whom we form friendship bonds, they too have proper names.

In addition to naming, there are a host of other practices that collaborate to do more than establish animals as individuals or quasi-persons: these display practices encourage, if not induce, some zoo-goers to go on to form a friendship with the zoo animal. Other display practices such as celebrating the births and subsequent birthdays of zoo animals, naming them through public naming contests, having 24/7 webcams for popular animals, Facebook pages, twitter feeds, and blogs for and indeed "by" the animals (Knut, the celebrity German polar bear, "authored" a first person blog about his daily life), and zoo merchandise of particular celebrity animals are all commonplace social practices of contemporary zoos which encourage friendships to be formed, by inducing the feeling that zoo-goers are participating in some meaningful way (to the zoo-goer, at least) in the animal's life.

The idea behind all of these varied practices is for zoo-goers to have interactive experiences with certain animals, which, as I noted earlier, has been the goal of immersion exhibits generally. These interactive, unique, experiences are carefully engineered to elicit emotional responses that will in turn elicit pro-conservation beliefs. Short of immersion exhibits, or in concert with them, there are many ways in which an exhibit can be interactive. Children's petting zoos are paradigm examples, instilling these feelings at crucially early ages. The Hamill Family Play Zoo at the Brookfield Zoo in suburban Chicago is a paradigm of the form, and its website says of its host of interactive activi-

^{13.} The quote is from Derrida, The Politics of Friendship, 251.

ties that: "The goal is to foster in kids a connection with nature as they have fun."¹⁴

Many celebrity animals, such as Knut, were well-known in part because of the way they interacted with zoo-goers. Visitors to Knut's enclosure reported that he "played with them" by tossing the ball into his moat and inviting zoo-goers to play catch.¹⁵ One phenomenological account of zoos documents other, similar, interactive experiences recalled by visitors: "I remember when Babe the ox licked me with her big, strong sandpaper tongue,' . . . 'I remember how much I used to love going to Wolf Woods in order to sit and watch the wolves. . . . For some reason I felt like I was a part of their pack.'"¹⁶ Such experiences would no doubt incline viewers to see the animals with whom they interacted as special.

Other display practices that induce emotional responses in the service of inculcating pro-conservation beliefs often take place outside of the zoo, on social media. For example, a quick survey of the Twitter accounts of some major zoos in Europe and the United States in the fall of 2014 yields such results as the Minnesota Zoo's report that: "Breakfast . . . check! Now Tango says it's time to enjoy this beautiful Friday!"¹⁷ Tango is a baby sloth. A photo of Tango eating her breakfast is attached to the post. Though the post is in the third person, the tweet nevertheless puts human sentiments into the mouths of animals, and these sentiments express the animal's unique personality: in this case, Tango is held out to the public as having a laid back, carefree, personality.

The Cleveland Zoo reminds us that time is running out to participate in their giraffe feedings: "Come out and feed Jhasmin, Jada, Grace or Travis today!"¹⁸ Not only are these animals proper named, but involving the public in their feeding contributes to the sense that we know these animals personally, and are active participants in their lives. Of course, the very fact that these zoo Twitter accounts have followers is strong evidence that some fraction of zoo-goers are engaging in these relationships with the animals, though of course it is difficult in a medium like Twitter to discern with what degree of seriousness the public does so.

The San Francisco Zoo posts a caption of two otters close enough so that one appears to be whispering in the other's ear. The caption reads: "Dude, be

18. @clemetzoo, September 28, 2014.

^{14.} The Chicago Zoological Society. Accessed October 19, 2014. http://www.czs.org/ CZS/playzoo

^{15.} David Crossland "Farewell Knut, Thanks for the Memories," *Der Spiegel*, March 21, 2011.

^{16.} Garrett 2014, 86.

^{17. @}mnzoo, September 26, 2014.

cool. I know where they hide the fish."¹⁹ Of course, no one believes that the otters are actually talking, but the idea is certainly to invest them with personality, which is to say, to individuate them. The St. Louis Zoo posts a picture of a sea lion balancing a St. Louis Cardinals embossed baseball on her nose, and states that: "Roby the #sealion lives for #RedOctober. Let's go @Cardinals!!"²⁰ Again, the animal is named and the tweet expresses the animal's individual anthropomorphic dispositions towards baseball. The National Zoo advises that: "Elephant Bozie is fighting an infection, but it takes more than a spoonful of sugar to help the medicine go down" and attaches a YouTube video of her medicine being administered.²¹ Not only is this animal named, but she also has a personal plight of illness, likely to elicit an emotional response. This canvassing of contemporary display practices clearly establishes my first premise: that zoological display practices attempt to induce zoo-goers to view the animal as special. I will now move on to defend my second premise: that such attempts work, at least in many cases.

4. OUR ZOO ANIMAL FRIENDS

If Twitter is a difficult medium through which to discern the depth of public buy-in to the idea that some zoo animals are individuals or persons, and indeed in some cases, friends, we can learn a lot, on the other hand, from comment threads in other online media which allow for more sustained commentary from the public. An excellent example of such a venue was the blog "written" by Knut (2006-2011), the celebrity polar bear at the Berlin zoo. While this blog was not initiated by the Berlin zoo directly, but rather by a local broadcasting company whose sponsorship agreement with the zoo granted it exclusive access to Knut before he began his public life,²² the volume of comments in the blog reveal a great deal about the degree to which zoo-goers came to view Knut as special by engaging with him at all. The blog was extremely popular internationally, attracting nearly fifty thousand hits daily, and generating between two and eight hundred comments per post. When we examine the content of the comments, we see that fans addressed Knut directly, which was apt because the blog was written in the first person, itself a conceit apt to induce the belief in Knut's specialness.

Knut's death met with a great deal of public outpouring of grief. One report observed that:

^{19. @}sfzoo, October 4, 2014.

^{20. @}stlzoo, October 3, 2014.

^{21. @}NationalZoo, October 3, 2014.

^{22.} As noted in Flinterud 2013.

people grieved online as if they had lost a member of their family. It is common practice in zoos that when famous or large animals die that they are often turned over to local museums of natural history to join their taxidermy collections. The thought of this being done to the "beloved" Knut caused outrage and protest. . . . Nearly 10,000 people signed an online protest against Knut's display in the Natural History Museum. (Garrett 2014, 4)

These examples of intense emotions at a beloved zoo animal's death go a long way to establishing that many of us feel personally connected to a particular zoo animal, and feel a sense of personal loss and grief when that animal dies. The point about Knut's remains establishes that even seemingly respectful posthumous displays of a beloved animal are controversial, and thus the reaction to Marius's disposal comes as less of a surprise.

Heidi, the celebrity cross-eyed opossum at the Leipzig Zoo in Germany, has a still-active Facebook page, in spite of her death in 2011. Of course, having crossed eyes was a unique individual feature, demarcating her from a typical opossum specimen. When the zoo announced her death, via the page, the post drew more than 5,000 comments of condolence. The numbers, and the expressions of emotion for Heidi personally, provide strong evidence that the effort by zoos to display certain animals as special are effective: we do indeed come to see these animals as such.

Jalopy, the Galapagos Tortoise at the Staten Island Zoo, was a celebrity even prior to the advent of the Internet. He died in 1983, but his long battle with cancer, followed by his untimely (by tortoise standards) death at approximately 75 years of age, drew an extraordinary amount of sympathy from the public. When Jalopy's movement was impeded by the cancer, he was taped to a makeshift skateboard to get around his enclosure. This endeared him to zoogoers and again served to individuate, personify, and induce zoo-goers to feel he was special. When Jalopy returned to the zoo after cancer treatment in Arizona, his transport from the airport to the zoo was accompanied by a tickertape parade, culminating with over one hundred people waiting for him at his enclosure.²³ "Jalopy was a presence at the Zoo for 46 years,' said Kenneth Mitchell, the zoo's interim executive director. 'People not only grew up with Jalopy—they were able to have a shared experience with their children. Her story was told internationally when she could no longer walk. . . . Her battle with cancer not only brought care and concern, but made Jalopy a hopeful

^{23.} The Observer-Reporter. "Tumorous Turtle Toast of Staten Island Zoo." Accessed October 19, 2014. http://news.google.com/newspapers?nid=2519&dat=19830909&id=kX 1iAAAAIBAJ&sjid=cHcNAAAAIBAJ&pg=2693,1058318

symbol for those faced with adversity.'²⁴ Jalopy's *New York Times* obituary noted that: "William Summerville, the zoo's curator, said news of Jalopy's illness had drawn hundreds of letters from children all over the country. 'He was a very personable sort of fellow,' Mr. Summerville said, 'and people tended to identify with him.'²⁵ These quotes provide strong evidence that zoo-goers, in appreciable numbers, viewed Jalopy as special.

In discussing his own motivations for writing a phenomenological account of zoo-going, Erik A. Garrett discusses his childhood feelings about zoos, which are apposite: "As a shy child it was a place where my 'friends' lived. It was a place where I developed and first understood empathetic thinking, often wondering about the internal life of the animals around me."²⁶ Garrett was one of those zoo-goers who went further than viewing the animals as individuals or persons; he saw some of them as friends. He writes of his childhood zoo experiences: "I remember that my favorite animal was Olga the walrus. I used to love to see her 'show' on the south side of the zoo. Olga would blow kisses to the crowd and spray water at the children at the prompting of the keepers. I distinctly remember the sadness when she died in 1988. ... It was as if a close friend or family member had just passed away."²⁷

Garrett later worked at the Brookfield Zoo, and undertook a phenomenological study of the experiences people have at zoos. He identified seven main motivations for zoo visits, one of which, importantly, was 'caring' about the animals.²⁸ As we have seen, this emotive response is greatly valued by zoos, who are attempting to inculcate just that feeling in their patrons in order to inspire pro-conservation beliefs. This array of evidence, from online commentary by zoo-goers, to outpourings of support for particular animals, to deep grief at their passing, establishes my second premise: that appreciable numbers of zoo-goers do indeed view some zoo animals as special.

5. THE MORAL TENSION BETWEEN DISPLAY PRACTICES AND ZOOLOGICAL OBJECTIVES

We have seen that zoological display practices hold some animals out as special, and that some zoo-goers indeed take them up as such. In contrast, traditional zoological objectives can be satisfied by treating animals as mere

28. Myers 2004.

^{24.} SILIVE.com. Accessed October 19, 2014. http://www.silive.com/northshore/index. ssf/2010/05/bronzed_and_beautiful.html

^{25.} The New York Times. Accessed October 19, 2014. http://www.nytimes. com/1983/12/09/nyregion/new-york-day-by-day-100261.html

^{26.} Garrett 2014, 74.

^{27.} Ibid., 5.

specimens. Thus, once an animal becomes special, that status, as we saw in Marius's case, becomes potentially in tension with the stated objectives of zoos. For instance, as we have seen, the decision to kill Marius was made in the name of conservation, and the disposal of his body was made in the name of science and education—all of which only require understanding him as a specimen, and indeed are incompatible with understanding him as special. The zoo's decisions sparked the outrage they did because Marius had earlier been established by the zoo as special—that is, as the very opposite of a mere specimen—by virtue of the zoo's display practices. The moral wrong causing the unprecedented outrage in this case, then, was based on the zoo's conflation of the two statuses, and the betrayal of what was, in effect, an assurance made to the zoo-going public—that once an animal is held out as special, that animal will continue to be treated as such, and thereby afforded the right to life and respect afforded to any person.

It may be objected that the zoo's assurances did not generate any moral obligations, either because of their implicitness, or because people did not rely on them, or because people *unreasonably* believed that the animal was special, or *unreasonably* believed that specialness at one time implies specialness for the duration of the animal's life. I think that none of these statements are true, and that the zoo's implicit, and misleading, assurances in displaying Marius as special gave rise to moral obligations. It should be noted that on any background moral theory, the act of intentionally misleading, which the zoo clearly did, is taken to be a *prima facie* moral wrong. Accordingly, there are as many ways to ground what is wrong with misleading assurances as there are background moral theories, but, for illustrative purposes, one helpful example is Scanlon's contractualist discussion of the moral obligations arising from creating expectations about one's behavior.

Two of Scanlon's principles might capture very well the zoo's wrongdoing with respect to its assurances. Scanlon's Principle of Due Care states that "One must exercise due care not to lead others to form reasonable but false expectations about what one will do when one has good reason to believe that they would suffer significant loss as a result of relying on those expectations."²⁹ Scanlon's Principle of Loss Prevention may also cover the wrong done by the zoo: "If one has intentionally or negligently led someone to expect that one is going to follow a certain course of action, X, and one has good reason to believe that that person will suffer significant loss as a result of this expectation if one does not follow X, then one must take reasonable steps to prevent that loss."³⁰ If these principles are true—as they seem intuitively to be—then

^{29.} Scanlon 1998, 300.

^{30.} Ibid., 301.

we need only establish that the zoo-goers' expectations were reasonable, that the zoo-goers suffered significant loss, and that this loss was foreseeable.

As to the zoo-goers' expectations being reasonable, I think that the fact that when we treat humans—or paradigm special animals such as companion animals—as special, we do so for the duration of that being's life, gives rise to the reasonable expectation that we will do likewise for zoo animals who are treated as analogously special. Evidence of some zoo-goers having suffered significant loss can be seen from the public grief over the other popular zoo animals referenced above, as well as the fact that so many people signed the petitions about Marius's plight. That this loss should have been foreseeable by the zoo is clear from the evidence of other instances of celebrity animals' deaths, as well as the fact that the international protest about Marius was well-known by the zoo *in advance of his death*, since its employees took to the media to defend the decision prior to killing him.

If all of this is correct, we may conclude that the zoo's behavior in its display practices was intentionally misleading—it wanted a to create an emotional connection between the animal and the visitor, in order to further its conservation goals. This behavior gave rise to obligations to continue to treat Marius as special, and the zoo then violated those obligations when it decided to kill him in the name of fulfilling zoological objectives. I will argue in the final section that the zoological objectives were not compelling enough reasons to override these moral obligations.

Though one might object to the application of Scanlon's principles in the Copenhagen case because the zoo informed the public beforehand that they intended to kill Marius, I would reply the only meaningful 'beforehand' would have been upon Marius's birth, not in the weeks before his death, if the zoo was to avoid inducing anthropomorphizing analogical reasoning giving rise to moral obligations. Further, I intend Scanlon's principles, and the criticisms I've made of zoos generally, to be read broadly, as a commentary on the moral entailments of anthropomorphizing zoological display practices generally, not just with respect to the Copenhagen Zoo in particular.

Though, to be sure, some zoos go further than others in the degree to which they engage in anthropomorphizing practices, the ubiquity of these display practices is in itself a large part of the problem, especially in the Internet age. Zoo-goers have the reasonable expectation that animals will be treated as special because of their experiences of zoos in general, not solely because of the Copenhagen Zoo. That is, we 'import' our other zoo experiences to this case and these experiences are likely to include zoos further along the anthropomorphizing spectrum. Indeed, since the overwhelming majority of signatories to the petitions to spare Marius were people whom had never met him in person—indeed, they came from all over the world—the presumption of specialness, and the expectation of respectful treatment that resulted from

it was due, at least in part, to expectations set by zoos writ large, particularly American zoos. That this is the case does not weigh against the responsibility of the Copenhagen Zoo for its treatment of Marius; rather, it increases the sense in which the suffering of zoo-goers was foreseeable.

Thus, the discomfort, for many, around Marius's death and disposal revealed that zoological objectives exist uncomfortably-not only psychologically, but morally-alongside a key feature of the display practices of contemporary zoos: the animal is displayed as special, rather than merely as a specimen of her species—as the fulfillment of zoological objectives would otherwise have it. The moral outrage-and, I maintain, the legitimate moral wrong—over and above the insufficiency of the zoo's justifications arose because of the intuition that we ought not kill healthy individuals or quasipersons (let alone those who have become our friends!) nor ought we to use these special animals' bodies for meat, or for science, at least not in such a spectacular-literally, as spectacle-way. While many of us may not have moral difficulty with the killing of animals *simpliciter*, many of us have the intuition that we ought not to kill our animal friends, and this, I submit was the feeling-indeed, the morally justified feeling-that made Marius's case a unique moral wrong, over and above the moral wrong (not argued for here) of other zoo killings.

Put another way, perhaps the zoo's justifications for the killing were held by many to be insufficient *because* they overlooked the singular level on which we came to feel as if we knew and valued Marius—and the moral obligations that such relationships give rise to—and reasoned only on the basis of the impersonal, specimen level addressed by the four traditional objectives. Marius's case tragically illustrated the important moral tensions between the impersonal stated objectives of zoos, and the moral implications of their very personal display practices.

6. CONCLUSION

How ought we to resolve these tensions? Since the four objectives have been persuasively critiqued by Jamieson (2006) and others, we ought not to resolve the tensions in favor of these objectives over the display practices. Almost no one supports the idea that animal captivity is justified by the objective of human recreation (although, interestingly, the research into what zoo-goers actually achieve during a zoo visit is just that [Turley 2001; Klenosky and Saunders 2008]); the empirical claim that zoos provide meaningful educational experiences or conduct important scientific research has been shown to be highly questionable—zoo-goers tend to ignore the educational displays about the animals, and any science would necessarily study the animal's responses to captivity, rather than the animal's 'natural' behavior.

Further, the idea that zoos are 'conserving' animals for reintroduction into the wild is dubious, both because attempts thus far have had very limited success, in part because endangered animals have no 'wild' to return to, as their endangerments have been caused by an erosion of their habitats. Further, in any case, the reticulated giraffe is not endangered, so these conservation arguments have no bearing on the present case.³¹ Rather, in the present case, 'conservation' meant conservation of the gene pool *of the captive population*, for the population's sake qua captive, not qua potential re-introduction to the wild. Put that way, the question of 'conservation' in a captive setting seems question begging—*for what purpose* do we want to conserve a captive population?

The objectives of zoos thus do not present sufficient reasons to override the moral responsibilities that are generated by the relationships that exist between zoo animals who are special and the viewing public. I want to argue then, that zoo officials owe zoo animals who they have displayed as special, in both life and death, a similar level of consideration and respect to that which we owe our companion animals, who are paradigm cases of non-human individual persons. What one would not do to one's companion animal, one ought not do to a zoo animal whom we regard as special. Such a requirement would prohibit the culling of 'surplus' animals—and indeed the ceasing of the language of special animals as 'surplus'—or the use of their corpses for meat. It would also preclude using corpses for science or education, in all but the most respectful of manners.

More ambitiously, since zoos are deeply in need of compelling objectives for their continued existence, given the round critiques of their stated traditional objectives, perhaps they ought to take on the cultivation of interspecies relationships as more than a display practice: perhaps a new *objective* of zoos could be to facilitate friendship relationships between the species, teaching and instantiating the morality and compassion such relationships require. This idea has a somewhat Kantian flavor: rather than Kant's idea that we ought to treat animals well not out of direct moral duty to them, but as *practice* for our moral relationships with humans, I am suggesting that we ought to treat zoo animals well, in part, as practice for our other moral relationships involving non-human animals.

It is unclear whether such an objective as 'to foster compassionate individual interspecies relationships' or something similar can withstand moral

^{31.} Though the particular subspecies of reticulated giraffe that Marius was a member of is not presently endangered, its populations have been reduced by half over the last twenty years. However, since most re-introduction efforts fail, I do not think that 'preserving' this sub-species in a zoo is the answer to that decline, for the reasons Jamieson mentions: generations of inbreeding and life in captivity lead, effectively, to a different animal than the one we were attempting to 'preserve' at generation one.

scrutiny, however. Beginning from Jamieson's starting point that a denial of liberty *as such* is *prima facie* morally objectionable, the question would be whether the fostering of interspecies relationships is an objective worth the overriding of an the animal's *prima facie* right to liberty. This seems unlikely, and perhaps even self-undermining: how can we demonstrate compassion and a genuine concern for the welfare of animals by denying them their most basic right to liberty?

That said, we are of course left with the fact that zoos exist, are not going anywhere soon, and are now responsible for tens of thousands of inbred animals unable to survive in the wild, their survival skills atrophied by generations of captive breeding. *For these particular animals*, at the very least, it seems that the above reasoning stands: having enacted certain captive animals as special by displaying them as such, and thus encouraging meaningful, singular, relationships to be formed between these animals and their spectators, the zoo thus acquires the moral burden of maintaining—and not actively undermining—such relationships throughout the animal's life and death.³²

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