

Subjectivity and a civil constitution, according to Kant, are both made possible by a certain power or ability, which the human being has in comparison with animals. This essay examines Derrida's reading of Kant's *Anthropology from a Pragmatic Point of View*, and explores its implications for constitutional democracy.

Animal, Subject, Constitution

JACQUES DE VILLE

Within the Cartesian tradition, "the animal" is generally viewed as a mere automaton or machine which cannot reason, think, speak, or respond to questions.¹ Kant is one of the philosophers, together with Descartes himself, Levinas, and Heidegger, as well as the psychoanalyst Lacan, whose texts Derrida analyzes in *The Animal That Therefore I Am* (hereafter *AIA*) as remaining within this tradition. In contemplating the differences between "the human" and "the animal," it is generally assumed by the theorists at stake here that there is a single, indivisible line or limit separating the two. As Derrida (*AIA* 89-91) points out, in these analyses, no distinction is furthermore drawn between the different species of animals, and no account is taken of animal sexuality (except in Lacan to some extent), of modesty, or of nakedness between animals and humans. Another common feature is that "the animal" is presumed not to have access to language, but only to a fixed code, and is therefore not able to respond, but merely to react. These theorists moreover do not give serious attention to the violence imposed upon animals by human beings, and in fact