Papers
Explorations into Children's Literature

Why Were the Bears Shot/Killed? Examining the Force of Law in the Bear Chapter of *Tales from the Inner City*

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Abstract

This article examines the bear shooting scene in the Bear chapter of Shaun Tan's *Tales from the Inner City* (2018), exploring the force of the diegetic Bear Law with reference to the Derridean term, *carnophallogocentrism.* The story is about a legal battle between bears and human beings but ends with a legal shooting of the bears, depicting an antagonistic human–animal relationship, and challenging animals' impossibility of becoming a legal entity.

In exploring the force of law and human–animal relationship, this article considers Derrida's *carnophallogocentrism* a significant viewpoint, which includes the issue of eating as the prefix suggests. As an intertwined focal point of animality, the issues of subjectivity and sovereignty and the matter of eating date back to religious rituals. At the same time, these issues around animals offer a connecting point with the theory of the Other.

To analyse the chapter in connection with those points, this article first discusses the autochthonous cultural sediments associated with bears in human cultures of the Northern Hemisphere. These regions highlight the shared characteristics of how bears evolved into significant symbols for humans, drawing a parallel with *carnophallogocentrism*. Second, it outlines the structure of sovereignty and the force of law, and then explores how the Bear Law is founded, comparing it with the structure of human legal systems. Finally, this article examines the bear shooting scene through the lens of the power of language and *carnophallogocentrism*.

Keywords: *Tales from the Inner City*, Bear chapter, Shaun Tan, carnophallogocentrism, human–animal relationship

Introduction

The Bear chapter of Shaun Tan's *Tales from the Inner City* (2018; hereafter *IC*) tells the story of a legal battle between bears and human beings. Humans are sued for longstanding offences according to the bears' law which is rooted in nature and has a different legal establishment from human law. Yet at the last moment, when the bears are winning the case, the story abruptly ends with a "legal" shooting of the bears and the cattle arrive as the next plaintiff. Approximately fifty years ago, Peter Singer mentioned in *Animal Liberation* that animals in children's books were portrayed so intimately that children could hardly imagine the separation between these depictions and the actual animals' situations. Considering this, the Bear chapter manifests considerable changes in depicting the relationship between animals and humans, and challenges the impossibility of animals becoming a legal entity. While Tan's works have been studied for the empathetic aspects of their human–animal or child–animal relationships, notably from the posthuman perspective (Banerjee; Hunt; Ionescu; Kerslake; Mulvenna; You), this article explores the bear shooting scene by analysing the force of the diegetic Bear Law with reference to the Derridean term *carnophallogocentrism*. By examining the human–animal relationship in such a context, this paper studies how the tale allegorically demonstrates the structure of human subjectivity that lies in the control over animals.

In exploring the force of law and the human–animal relationship, this article considers *carnophallogocentrism* a significant viewpoint, which includes the issue of eating as the prefix suggests. "The question of animals" (Calarco 4-6) is an intertwined focal point of animality, combining the issues of subjectivity and sovereignty, and the matter of eating dated back to religious rituals. At the same time, these issues around animals are often identified in the situations of the marginalised, offering a connection point with the theory of the Other.

This article will first discuss the historical significance of bears in human cultures of the Northern Hemisphere. These regions have autochthonous cultural sediments associated with

bears and shared characteristics of how bears evolved into significant symbols for humans, drawing a parallel with *carnophallogocentrism*. The article will go on to outline the structure of sovereignty and the force of law, and then explore how the Bear Law is founded, with comparison to the structure of human legal systems. Finally, this article examines the bear shooting scene through the power of language and *carnophallogocentrism*.

Bears as Kings and Gods

The following section illustrates that bears once culturally occupied the central position among other creatures, perhaps as "the first occupant, and therefore the master" (Derrida, *The Animal* 18) of nature. Because of their strength, bears used to be represented as the kings of forests in human cultures of the Northern Hemisphere and regarded as sacred animals: gods (Akaba, *Kuma*, *Kumagami Densetsu*; Nakazawa, *Kuma kara Ou he*; Nevin et al.; Pastoureau). Finding that the apotheosis of bears is largely seen in the legends and folklores around the forested regions from East Japan to the European continent via Siberia, Masaharu Akaba calls this area "the Corridor of Bear-God Legends" (*Kumagami Densetsu* 186). In *The Bear: Culture, Nature, Heritage*, Nevin et al. underscore the multifaceted role bears play in indigenous society and their significant contributions to human culture:

> Bears are iconic animals; they are totemic of the non-human world, symbols of multiple human-cultural manifestations of nature. In human culture, bears have played a number of roles; gods, monsters, kings, fools, brothers, lovers, dancers, medicine, food and pest. They are seen as protectors of the forest; symbols of masculinity; the strength of a fighter, football team or army; a comfort for our children; political bargaining chips; an economic indicator; the first casualty/poster boy of global warming; symbols for conservation; worthy adversaries for a hunter's rifle; prize photography subjects for nature tourists or the last bastion of wilderness. (1)

Michel Pastoureau also explains that one of the traces of how the bear's power was worshipped by Germanic peoples can be found in the prefixes of various names, such as *Ber-*, *Bern-*, or *Born-*, suggesting bear-like, extraordinary power of the name's bearer. The old Germanic words of bear also had the meaning of *bro*wn, the colour of bears' fur. Pastoureau also argues that, in Indian-European languages, nouns for bears are formed around the lexical elements evoking bestial roars, such as *rks-*, *arks-*, or *orks-*. Similarly, in the names of Celtic heroes, such as King *Art*hur, the prefix *art-* signals a relationship with bears. By linking themselves with the masculinity of bears depicted symbolically and figuratively in legends and folklores, humans gained the authority to govern a community or a state (Akaba, *Kumagami Densetsu*).

Moreover, bears are often associated with the figure of the maiden and female reproductive power. In ancient Greek mythology, the goddess of the moon, *Art*emis, has a bear in tow. At her sanctuary called *Br*auronia – a placename also referring to bears – girls danced in dedication to Artemis while masquerading as bears (Campbell 158; Cashford 225-6). Regarding stories about the relationship between a bear and a girl, such as *The Birchbark House* (1999) by Louise Erdrich and *The Girl Who Speaks Bear* (2019) by Sophie Anderson, Jessica Straley mentions that "the feral tale has been reinvented as a refreshing alternative to the hegemonic narratives of British and American colonialism" (95).[1] These stories have a lineage extending back to the pairing of bear and maiden in antiquity. Although Artemis is a virgin goddess, the moon symbolises the maternal power of bearing life through the gravity of waxing and waning. Considering that no other large animal in the world hibernates, the reason for revering bears pertains to hibernation. Akaba (*Kuma*) articulates that the portrayal of a living being immuring itself in a cave or a lair and later emerging from it can be an image evoking birth and new life, and therefore, the bear was respected as a totemic animal in relation to human

[1] There are also numerous examples of the pairing of a girl protagonist and a bear in children's literature. One of the famous pairs descended from this tradition would be Lyra and Iorek Byrnison, who returned to the throne after fighting with Iofur in Philip Pullman's *Northern Lights* (1995). Lyra's enthusiastic participation on adventurous trips echoes with, or is authorised by, the mighty image of Iorek as an old king.

women. For ancient people, the advent of the season in which bears hibernate would have indicated the beginning of a severe winter. At the same time, they would have expected bears to return in spring and thus worshipped them as a symbol of resurgence and reproductive power.

However, Pastoureau claims that bears were gradually, over almost a millennium, expelled from their status as gods in Europe because the Roman Catholic Church targeted them to be replaced by lions, which did not live on the European continent. For the Church, the indigenous folk belief in bears was not approved, since it included interracial human–bear marriage tales. These tales that associate bears' seductiveness are also found in other regions of the Northern Hemisphere (Akaba, *Kuma*; Govindrajan 146-72;[2] Nakazawa, *Kuma kara Ou he*). Interestingly, Pastoureau argues that the bear character in *Le Roman de Renard* or *Reynard the Fox* (see Goethe's edition [1855]), a collection of bestiary narratives circulated in medieval Europe, represents its dethroned image in the twelfth and thirteenth centuries, identifying the process of dethroning as almost contemporaneous with the establishment of these considerable narrative ensembles. Brown the bear, fatuous and easily lured by honey, wretchedly ends up dead.

In children's literature, other bear stories epitomise the bear's doomed fate, from bears as kings to bears as afflicted animals, and finally as affable figures. For example, *The Biggest Bear* (Ward 1952), which won the Caldecott Medal, depicts the relationship between a boy, Johnny, and a bear cub. Johnny attempts to hunt a bear to get a bearskin, but instead captures a bear cub, which grows so big that Johnny can no longer control it. After struggling to shoot the bear, Johnny decides to leave the bear far away in the forest, but the bear returns. Finally, Johnny and the bear are accidentally captured in a cage set by an animal trader, and the bear is settled into a zoo. The relatively positive ending plot of this story briefly traces the degrading

[2] In *Animal Intimacies*, Govindrajan also illustrates interesting research regarding the religious sacrifice of goats and complicated feelings of the people participating in the ritual (31-61), which informs the later discussion around the sense of guilt for sacrificing other lives.

trajectory of bear images in accordance with Pastoureau's explanation; Johnny's ambition for trophy hunting suggests the typical power status symbolised by the bear, but as the ending indicates, bears were hunted and expelled from forests by humans, and nowadays have earned a place in the cages of zoos, where they can be admired by children. Ironically, the enduring icon of bears in human culture is the result of the complete subjection of their power by humans.

Shinichi Nakazawa (*Kuma kara Ou he*), a Japanese anthropologist, argues that in the mythic ideation in which there is no specific difference between animals and human beings, humans metamorphose into bears and bears into humans, connecting every life including humans in one thought that he calls a cognition of "symmetricity". Because of this "symmetricity", bears used to be a friend, a king, and a symbol of force, but at the same time, bears also have an overwhelming physical strength and are represented as a "cannibal" animal to humans (Nakazawa, *Kuma kara Ou he* 81).

Yet, hunting and killing animals for food has had a certain emotional strain on humans. The sense of guilt that came with earning one's life at the expense of other living creatures drove humans to create myths about how those animals' meat and furs were given to humans as gifts from the God of Nature. Nakazawa explains that "[t]he myth was a means of resolving the shock and guilt [of killing prey through hunting]" (*Kuma wo Yumemiru* 73). In the symmetrical relationship with animals, human beings and animals were reciprocally to eat and to be eaten by each other. Richard Posner also affirms that, in pagan culture, humans would not have domesticated, hunted, or defended themselves against animals "without considerable empathy and respect for animals" ("Animal Rights" 53); the relationship of eating and being eaten while sharing the same living sphere evoked a complicated feeling.

This thought can be seen in one of Japanese author Kenji Miyazawa's best-known tales, "Nametokoyama no Kuma" ("The Bears of Mt Nametoko"), in which Kojuro, who makes a living hunting bears in Mt Nametoko, is finally killed by a bear. Kojuro feels sorrow when

killing bears, and the bear that kills Kojuro at the story's conclusion shares the same sorrow. The only person who profits from the bear hunting is a heartless merchant in a town who purchases bearskins and gallbladders from Kojuro at a low price. The relationship between the bears who like Kojuro, and Kojuro who always feels sorry for and affectionate toward them, is poignantly complicated and inundated with pathos. Investigating the religious rituals of animal sacrifices, Ikuo Nakamura points out that the ways of dissolving the sense of guilt for *killing* animals can be divided into two types: one is a ritual to dedicate a part of the sacrificed animal to God, and the other is ritual praying for the sacrificed animal's soul. Although delving into the details of such religious rituals and cultural anthropological arguments is beyond the focus of this article, the sense of guilt is relevant to the following discussion of 'hubris' (177) in the Bear chapter.

Subjectivity and Force of Law

Carnophallogocentrism ("Eating Well" 113), coined by Derrida, delves into the complex relationship between eating and subjectivity that underlies the issues surrounding animals and sovereignty. In *The Animal That Therefore I Am* (2008), Derrida challenges Levinas's philosophy of the Other, arguing that one of Levinas's most vital notions, "Thou shalt not kill" (2005), can be applied only to "the other man" (Derrida, "Eating Well" 113) and does not include other living creatures. He explains that the impossibility of applying Levinas's imperative to animals is attributed to carnivorous religious culture. Indeed, as discussed by Nakamura and Nakazawa above, our attitudes and ideologies towards animals used to be inextricably linked with eating and doctrines of how to eat properly or respectfully. In the structure of justifying animal sacrifices for humans, Derrida observes how humans accrue subjectivity: "carnivorous sacrifice is essential to the structure of subjectivity, which is also to say to the founding of the intentional subject and to the founding, if not of the law, at least of

law (*droit*)" (Derrida, "Force of Law" 18-19, original emphasis). The act of sacrificing animals shares the same dynamics of subjectivity in subjugating others. After exploring our *carnophallogocentric* nature, the nature of eating the other and being eaten by the other, Derrida argues the importance of how to properly eat (i.e., how to respect the other): "[i]t is a rule offering infinite hospitality. And in all differences, ruptures and wars (one might even say wars of religion), 'eating well' is at stake" ("Eating Well" 115). In other words, he changes the imperative from "Thou shalt not kill" to "One must eat well".

In understanding Derrida's ideas surrounding animality and animals, Llored argues that animals have also been considered *pharmakon* (human scapegoats from the lower class who are lapidated in an ancient Greek ceremony) in European philosophy. "Law (*droit*)" is thus founded on the structure of subjectivity as such at the sacrifice of animals or various *pharmakonic* others. As *pharmakon* is seen as both beneficial and harmful, Llored clarifies the duality that European culture imposes on animals: they exist within and beyond cities and can be good and evil from the human perspective; therefore, they are a part of both nature and culture (48). On his official website, Tan comments on *IC*, explaining the idea of imposing dual modes on animals:

> [The animals in the book] are beings that move *in and out* of each story as if trying to tell us something about our own successes and failures as a species, *the meaning of our imagination and our true place in the world*, albeit unclearly. In that sense, *these fictional creatures have some parallels with real ones*. ("Commentary", emphasis added)

As Tan explains that he was thinking about the colonial history of indigenous peoples while working on this tale ("Commentary"), the legal battle of the Bear chapter can be interpreted as a suit by *pharmakonic*, the subjugated side, against the human law system and demonstrates how it would be if their own "systems" ("Commentary") had been illuminated. Tan's other

works have sometimes been examined rather on empathetic aspects of human–animal or child–animal relationships, notably from the posthuman perspective (Banerjee; Hunt; Ionescu; Kerslake; Mulvenna; You). Yet, the Bear chapter offers no place for such an empathetic relationship. This article, therefore, refers to *carnophallogocentrism* as a significant term for exploring the human–animal relationship, containing the issue of eating (begetting *pharmakon*) and law.

Furthermore, Derrida highlights the "founding violence" ("Force of Law" 31) that initiates a law or authority into force. In the argument on the Declaration of Independence, he elucidates that at the origin of the power of this legal establishment, there is an absence of the signer declaring its authority; nonetheless, arguably, the signers signed it. In establishing the first legal foundation for and by the people, those people are effectuated from the future when the declaration comes into force. Here is a crisscross in that the force of the declaration cannot exist until the people who are supposed to authorise this document are authorised after the document is issued. In other words, "[t]he signature invents the signer" (Derrida, "Declarations" 10). Derrida identifies this contortion in God's name: the performative power of language to effect legal status is brought from nothing but the name of God as "at once creator of nature and judge, supreme judge of what is (the state of the world) and of what relates to what ought to be (the rectitude of our intentions)" ("Declarations" 11-12). Thus, it is "the founding violence … that institutes and positions law (die *rechtsetzende Gewalt*, 'law-making violence')" (Derrida, "Declarations" 31). The next section will compare this point with the foundation of Bear Law.

Another forceful quality of law is its "apparently arbitrary and undeniably coercive character" (Posner, *Law and Literature* 32). A creative act is thereupon required to interpret law, including the interpretation of the institutors' intention: law is not static but flexibly relies on the discretion of the judge (Kobayashi 34). In a real legal argument in court, the fact-finding

process is a multilayered construction that includes narratives by and testimony from linked persons, arguments from witnesses, and the judge's formation of recognition. The legal argument is the process of orchestrating a story and its plot by reviewing evidence and witnesses in compliance with the interests of the parties (Kobayashi 49).

Accordingly, the demand for constructing arguments by narrative has generated a further legal studies field, narrative jurisprudence, that places narrative – which is thought to express individual stories and circumstances – as a challenge to law, which is basically generalised to appropriate the mainstream legal mind. Kobayashi illustrates that narrative jurisprudence has been evaluated by researchers interested in people who are not only victims as such but also victims of the obtrusion of the legal system. For marginalised people, legal rhetoric sometimes does not enable expression of individual realities and experiences and in claiming justice with sufficient verisimilitude. On this point, narrative jurisprudence considers that narrative can challenge existing legal rhetoric.

However, Kobayashi questions whether the general audience can be persuaded in an intelligible manner without sacrificing individuality. In *Excitable Speech*, Butler untangles this dilemma of the impossibility and possibility of narrating one's marginalised vulnerability with the language that forms us "by its prior power" (2), explaining that "the subject has its own 'existence' implicated in a language that precedes and exceeds that of the subject who speaks. And yet, this 'excess' is what makes possible the speech of the subject" (28). This "prior power" of language is a significant viewpoint for the examination of Bear Law that does not need to rely on narrating their unfavourable situation with human legal rhetoric. On his website, Tan discusses law in the real world: "law is often used as the agent of baser motives: self-interest, prejudice, abuse of power and so on, disguised as their exact, ennobling opposite" ("Commentary"); however, in his Bear chapter, the structure of Bear Law is shown to be very different.

Force of Bear Law

In the Bear chapter, all animals have their own law and "are recognized as legal entities within a cosmic hierarchy" (Tan, *Tales* 175). In other words, humans do not have absolute legal agency over animals. To sue humans, Bears, whose law "takes precedence in most cases" (Tan, *Tales* 176), appear at the court with lawyers and present copious amounts of paperwork, demonstrating that the case warrants a wide range of charges.[3] The battle proceeds favourably for the Bears, and when the human side is unable to support the plea of not guilty, they attempt to reach a financial settlement. However, as Bears refute the human fiscal system, humans finally pass a bill to legally shoot the Bears, and the case is closed, but, in turn, the cattle come in front of the court "with lawyers" (Tan, *Tales* 179). A human narrator tells the story from the perspective of humans, thereby capturing the essence of human subjectivity.

The first sentence, "Bears with lawyers" (Tan, *Tales* 175), suggests that "bears", animals that are viewed as having no legal status to sue, are juxtaposed with "lawyers", professionals providing legal service. The human narrator considers this to be quite an absurd sight, commenting that it is "simple and terrible" (Tan, *Tales* 175). Yet the illustration for this chapter, depicting the same scene of the Bear and the lawyer's appearance at the court, disrupts the narrator's textual impression. The profile of the Bear, who is supposed to have legal agency, is darkly shadowed, and its expression is unreadable; moreover, the massive straight lines of the staircase seem so merciless as if transpiercing the Bear (Umeno). Its climbing gait, which seems slightly difficult even with the support of the lawyer, contradicts the plot in which Bears initially proceed with the successful battle.

[3] Henceforth, references to the bears in the Bear chapter will be distinguished from references to bears in general by the use of the capital in Bear. Moreover, the capitalised Human Law will signify diegetic human law and not refer to a real legal system.

Bears have their own law to formulate their own narrative and articulate justice for themselves. Their law has completely different grounds upon which it is authorised, drawing from Derrida's argument on the violence and groundlessness of law. Compared to the dynamics of "the founding violence" that comes from the future, or an unarrived imaginary time, by the performative power of language, the Bear Law is authorised on a different time scale: a tremendous past. "For the first time in a very long while, longer than anyone could remember" (Tan, *Tales* 175), the narrator contrasts a considerable disparity between the unfathomable time of nature and the rememberable centuries in human history. The emphasis of this contrast begins from *IC*'s first chapter of "Crocodile", depicting the immense time of crocodiles by such phrases as "these animals live in timeless peace" (Tan, *Tales* 11) and "they've been living in this very spot for a million years and I'll bet they'll still be here long after the traffic has ground itself back into mud" (Tan, *Tales* 13). By beginning with a chapter on an animal whose form had scarcely changed since the Jurassic period, this book renounces the timescale of the Anthropocene. This thought is also reflected in its table of contents in which there are *no names* of the chapters but animal silhouettes[4] with page numbers arranged with no clear pattern. Derrida mentions:

> Who was born first, before the names? Which one saw the other come to this place, so long ago? Who will have been the first occupant, and therefore the master? Who the subject? Who has remained the despot, for so long now? (*The Animal* 18)

To Derrida, "appellation" (*The Animal* 23) is the beginning of ownership of and control over animals. The design that animals are exhibited by their silhouettes instead of their names demonstrates that they had their own presence "before the names" given by humans. *IC* tells the tales of relationships between animals and humans with the condition that creatures are

[4] Arguably, the silhouetted depiction is associated with the word "shadow" of the sentence on the back of *IC*'s jacket: "*Where can we live if not in each other's shadow?*" (Tan, *Tales*, original emphasis), suggesting that those creatures of *IC* cast a shadow over human living realms and vice versa.

given no names, hence, from the position before the humans' appellation deprives animals of power.

The Bear Law is also rooted in creatures and natural substances that existed far before humans appeared on this planet. As the Crocodile chapter compares "crocodiles" and "workers" in a business building, the Bear chapter compares nature and city, suggesting the legal team is a representative of city as they have "spent their entire working life in a city" (Tan, *Tales* 176). Bears demonstrate that their law is inscribed in "trees", "coastlines of entire continents", or "the wing-scale of moths and butterflies" (Tan, *Tales* 176). In other words, the force of Bear Law is derived from the Earth. Their Law being closely connected to nature alludes to the fact that bears are a species represented in folklores as the God of Nature. When they argue against every objection from the human side, "presenting some precedent of Bear Law *as old and unbreakable as time*, dragging various bits of *primeval* forest into the courtroom" (Tan, *Tales* 177, emphasis added), the "cosmic hierarchy" (Tan, *Tales* 175) on which Bear Law is based is related to the immense past time and the nature it has nourished.

The fact that Bear Law is "literally written in stone" (Tan, *Tales* 176) is an intriguing component of its force. According to the narrator, it is written in a "humbling, beautiful, indisputable and horrifying" (Tan, *Tales* 176) way, yet it is difficult for readers to envision from the text what kind of letter it is written by or whether "written" even has the same meaning as in our language. Highlighting that language is always a significant difference between animals and humans, Bear Law demonstrates that Human Law is not the only one "ever written" (Tan, *Tales* 176), or it would broaden the meaning of writing per se. Formulating their rights into statutory documents generates justice and, therefore, enables them to indict other species. This can be seen in the unfamiliar charges such as "*Groaking* and *Ungungunurumunre*" (Tan, *Tales* 177, original emphasis), suggesting that what should be culpable can differ depending on whose law it is. Whether the charge is familiar or not, humans can no longer elude becoming an

indictee since it is written. Kobayashi's following statement points out how a new criminal scope emerges by charges that are founded on linguistic structurality:

> [i]t is possible to criticise a company or prosecute a thief because there is a linguistically constructed system with "company" or "theft", and the other (and the self and the world) emerges through this structurality, not just through legal language. In other words, institutions, including the law, are not mere oppressions but ambivalent entities with positive qualities that open up possibilities [for the vulnerable to allege their rights]. (57)

By incorporating Bears' linguistic structurality into the charged offences, new crimes are realised and prosecuted; the new charges by Bear-language exhibit the Bears' droit that humans had never noticed.

Moreover, when the human side begins to notice that there is little space left to reverse the Bears' argument, they try to settle the battle by paying indemnification, whereupon Bears show "the Ledgers of the Earth" which are also "written" but in mediums such as "clouds and glaciers and sediments" (Tan, *Tales* 178). Unlike our numerical accounting system, their recording system could be an entire memory inscribed in the natural things, which would be impossible to erase because of its amount, forcing humans to relinquish the court battle. In other words, the Bears' side rejects the two predominant recording systems of human beings: language and numerical digits.

Throughout the chapter, the words "it turned out" are used six times when demonstrating the unfavourable position of human beings: "Humankind was being sued" (Tan, *Tales* 175); "Human Law is not the only legal system on the planet" (Tan, *Tales* 175); and "Ours was not the only fiscal system in the world" (Tan, *Tales* 178). The verb "turn out" usually means that something is discovered or proven and suggests the final result. Besides, it intrinsically signifies a motion: "[t]o put, take, or pull out by a rotary movement" ("To Turn Out" sense 1) or "[t]o

alter the position of [something] so as to bring it to *the outside*" ("To Turn Out" sense 5, emphasis added). Recalling the position of this chapter in the table of contents, this symbolic placement concisely indicates that anthropocentrism is *turned out* from the centre to a relative status, as the human chapter is placed in the right periphery of the bear's silhouette. Yet, at the sixth "it turned out", this overturn finally returns in favour of the human side by the passing of another bill, allowing them to shoot Bears legally. Until this moment, the Bears' victory seems assured because they meet the requirements for being a legal entity, and their law is different from Human Law to such a degree that both have incompatible matrices.

Why Were the Bears Shot/Killed?

Although Bear Law claims enough legitimacy in the court case, the ending, decriminalised Bear shooting, highlights preposterousness and brutality on the human side. This section examines the Bear shooting through the lens of the power of language and *carnophallogocentrism*, and argues how they work to rationalise human cruelty. First, there is an entangled antinomy on the Bears' side. In the beginning of the tale, the narrator says, "the bears were able to speak through legal representatives" (Tan, *Tales* 175). Even though Bears show the how and where of the substantial premises in which their law is *written*, and that Human Law is under Bear Law in terms of the "cosmic hierarchy" (Tan, *Tales* 175), Bear Law could not fully exercise its authority insofar as Bears cannot speak directly to human beings. Butler articulates how the speaking subject is assigned and deprived of their autonomy by language:

> Autonomy in speech, to the extent that it exists, is conditioned by a radical and originary dependency on a language whose historicity exceeds in all directions the history of the speaking subject. And this excessive historicity and structure makes possible that subject's linguistic survival as well as, potentially, that subject's linguistic death. (28)

Under the condition that Bears require *human* legal representatives in order to allege their argument *against humans*, this structure intrinsically benefits the human side at the linguistic level.

In addition, when arguing against humans, the figure of Bears, depicted "so silent and resolute" with "their calm, round shapes and sad black eyes" (Tan, *Tales* 177), seems parallelled with what Pastoureau exemplifies as the saint characters who defeat bears in hagiography. Against the ferocious beastliness of bears, the saints have the sagacity to persuade and subdue bears with words. The Bears' wisdom and venerableness are conforming with the characteristics of saints, such as logicality and civilised self-possession, which are usually descriptive of human superiority. This is foiled by the beastliness of the humans, who are represented with the inverted nature. In other words, Butler's notion of the linguistic "survival" and "death" of the subject can also be seen in this description of the Bears. Bears had acquired the power of language to express their rights but, at the same time, this means the "death" of their bestiality: the ability to communicate through human language converted their subjects to be identical to such a sagacity based on *human values*.

The second significant point in the battle is the absence of a judge. This chapter has no mention of judges. When humans say to the Bears' lawyers that "Humans always have a choice: is that not what makes us unique?" (Tan, *Tales* 179), the "choice" signals to the power of language to render a decision, regardless of the truth, virtue, or justice that the lawyers are "sworn to uphold" (Tan, *Tales* 179). Because there is no judge who can embody the force of law by adjudicating decisions and exerting it through the performative power of language, the position of authority is hollowed out, allowing humans to usurp its rule according to their "choice".

The judge's absence indicates that there is no superlative authority for deciding the case and under this condition, the hubristic behaviour of the human side is highlighted. The Greek

word "hubris" (Tan, *Tales* 177) is mentioned in the scene where the Bears point out the shallowness of Human Law.[5] Hubris is originally a Greek term that can be traced back to the crime of deliberately humiliating others, which was morally reprehensible in ancient Greece. Aristotle mentions this term in the part on anger in *Rhetoric*, a part of which is actually an art for court battle: "[hubris] consists in doing or saying things whereby the sufferer is disgraced. … The cause of the pleasure felt by those who insult is the idea that, in ill-treating others, they are more fully showing their own *superiority*" (173-175; 1378b, emphasis added). The act of hubris, which is translated as "insult" in English, correlates with how people feel about recognising power relations in which they see each other as superior or inferior. When Bears claim that Human Law is "hubris" in nature, they accuse humans of thinking themselves superior to other animals; or they see the nature of law as an "apparently arbitrary and undeniably coercive character" (Posner, *Law and Literature* 32).

At the exact moment when the human side decides to turn the situation back in their favour, the narrator says "*Well*, this we simply could not do. *So* we *shot* the bears" (Tan, *Tales* 178, emphasis added). The humans' hubris can be observed through the utter casualness of "Well" and "So"; it is decisive here that Bears are no longer to be considered the Other, in the precise sense of the Levinasian Other: the act of *shooting* Bears suggests that Bears are not *killed* but merely *shot as object* to be removed, because the infinity of the Other cannot be killed. The ancients viewed bears as the Other, as reflected in their feelings of being overwhelmed, respect, friendly affection, and guilt when they killed bears. Akaba illustrates how the impossibility of subjugation made bears God:

> Most man-made disciplines and promises can be easily destroyed by bears. It is those that are beyond human control, beyond human speculations, that makes bears the

[5] "Again and again, they exposed the shallowness of every Human Law as presumption, ignorance, and hubris" (Tan, *Tales* 177).

> messenger of god; the fact that they cannot be manipulated according to human's favour makes bears the Absolute, and thus, god. (*Kuma* 350)

Compared to this view, the humans of the story believe that Bears should be under their control and manipulable in their favour; their lack of respect and understanding leads to their lack of hesitation in shooting Bears, evidenced in the human narrator's use of "Well" and "So".

Given that this "hubris" could symbolise the construction of subjectivity with carnivorous sacrifice, the plot in which Bears are shot due to the newly imposed bill is a re-enactment of the sacrifice and beastliness of human nature. In relation to Derrida's argument on the force of law, Michiko Shimokobe argues that "to live under the law that was established on the ground of one origin is to have a concern about a possibility that we might have taken a hand in the violence exerted on the emergence of that origin" (273). Ultimately, the human side has no concern about this violence. When Bears significantly say "'For the hungriest of all animals, … the only thing left to *eat* is the truth'" (Tan, *Tales* 177, emphasis added), "the truth" seems to refer to this point: despite the sacrifice our subjectivity *eats up*, humans forget or disregard the truth of carnivorous sacrifice. It is so thought-provoking that Tan uses the verb "eat" here. Conceivably, that is why "the cattle" (Tan, *Tales* 179) comes as the next plaintiff, representing one of the most typical animals to prosecute *carnophallogocentrism* and impeach what humans have forgotten behind the act of eating.

The force of law based on *carnophallogocentrism* can also be found in the Bear chapter's illustration. The greyish building in the background occupies almost three-quarters of the double-page spread. In this image, the Bear and the lawyer, depicted on the bottom right, are climbing the overwhelming human structure of the court, which can be seen as a literal force of law according to its structurality. Despite the heroic, monumental moment of the Bear appearing in the court, the gloomy atmosphere presages the victory of human subjectivity, the intransigence of which Calarco points out:

> It might seem that animal rights would effect a radical displacement of anthropocentrism and signal the advent of an alternative moral framework, but instead it has more often than not ended up simply producing a slightly different version of anthropocentrism and subject-centrism. (9)

In other words, human subjectivity always already contains the act of eating and its rationalisation, which always reconceals the matter of eating whenever a "different version of anthropocentrism" is produced. Even though the lawyer helps the Bear climb up to the court, they are already enfolded by this sombre human construction.

Conclusion; or Searching for Another Perspective

The Bear chapter in *IC* is a profoundly allegorical tale. The plot suggests the absolute fact that what caused Bears to be shot/killed is the sacrificing of an ancient god and the shooting of a mere object, which humans established through subjectivity based on carnivorous sacrifice in a metonymic sense. The discomfort of this chapter's ending verifies the crisscross that:

> to confer or to recognise rights for "animals" is a surreptitious or implicit way of confirming a certain interpretation of the human subject, which itself will have been the very lever of the worst violence carried out against nonhuman living beings. (Derrida and Roudinesco 65)

Both the text and the illustration of the Bear chapter lay out a vivid yet discomforting picture that demonstrates "the very lever of the worst violence carried out against nonhuman living beings". Moreover, the Human chapter, the last tale of *IC*, envisages how it might be "when you see yourself as a fossil", and the narrator asks "Why did we fight so much? Why were we so cruel and callous, so selfish and separate, so *lonely* on this high band of rock?" (Tan, *Tales* 218, 219, original emphasis). The possible clue to the answers to these questions is

carnophallogocentrism as well, indicating how it persists in our nature and what it causes to happen.

In response to how the Bear chapter challenges human subjectivity, turning attention towards the Human chapter can also provide an alternative point of view beyond *carnophallogocentrism*. In contrast with the table of contents *without animal names*, the narrator of the chapter names all the *IC*'s creatures, which used to be "brothers and sisters", and says "at least we gave them our most beautiful words" (Tan, *Tales* 219). While the act of naming epitomises the beginning of subjection of other lives, the action of giving "most beautiful words" invokes the notion of "eating well" or "offering infinite hospitality" (Derrida, "Eating Well" 115), with respect for other lives. Although language arbitrarily constitutes the world ruled by humans, the Human chapter suggests that it should be performed in a respectful and cherished way with the utmost modesty of the words, "at least".

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