

BIOART – A NEW CHALLENGE IN CONTEMPORARY ART

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ABSTRACT. Bioart – a New Challenge in Contemporary Art. Lately, in contemporary art one can find, more and more often, live animals with the status of artwork. Although animal rights activists consider this a flagrant violation of their most elementary rights, contemporary artists with a wide range of motivation often incorporate the live animal into their work and give it the title of artistic work. Another challenge in contemporary art is biotech art that provides the public with another field of representation that has as main themes its living tissues, cells and nucleus, DNA, bacteria, grafts, patches of tattooed skin, guinea pigs, phosphorescent rabbits, and a wide floral palette. To this trend, several art galleries rallied, that consider the living animal and certain aspects of biotechnological research, artwork, and their exposure as being a natural thing. Moreover, in recent decades, to this new current of bioart, groups of specialists from different fields also joined: biologists, psychologists, anthropologists, sociologists, historians, jurists, philosophers, and heterogeneous groups of art lovers. The questions addressed to all those who accept and consider this original work of art are the following: “Why is the live animal in an exhibition, more aesthetically valuable than when it lives in its natural life or in a zoo, and why is the representation of DNA more relevant in the art gallery than in the laboratory?”. Lastly, has BioArt any transformative capabilities on the general public?”

Keywords: *bioart, animal, exhibition, phenomenology, ethics*

Introduction

The natural need of artists to broaden the thematic field and the diversity of how art is represented reflects the paradigm that “nature determines art”.² The

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² Hope-Sailer, R., *Organism/Art. Les recines histoques de l'art biotech. In L'art biotech.* Ed. Filigranes. France 2003.

representation of animals in artworks has been, and will remain, a perennial topic, starting from over 600 cave paintings that decorate the interior walls and ceilings of the Lascaux cave, to Picasso's modern painting, who depicted the horns of a bicycle in the shape of a bull's head. However, what is new in contemporary art is defined by the appearance over the last decades of bioart³ and some top scientific achievements in biotechnology,⁴ both of which consider the live animal to be a work of art. Biotech art merely represents another facet of bioart, but is equally fascinating and offers the public another field of representation making use of the following major themes: living tissues, cells and their nucleus, DNA, bacteria, grafts, patches of tattooed skin, guinea pigs, phosphorescent rabbits and a wide range of flowers that have benefitted from the contribution of modern biotechnologies and whose shape, color and texture oscillate between artificial and wild. In biotech art, creative tools come in the shape of bioreactors, sterile hoods, high precision microscopes, the artists' commitment being a complete one, being fully immersed in their original creations.

The problem of using live animals in contemporary art

The appearance of this new trend in contemporary art, that of involving live animals in the work of the artist and that of being regarded as artworks in exhibitions, is highly controversial. The question is rightly asked, "By what right does the artist use the live animal in an exhibition and attribute to it the status of work of art?". A first answer would be given by the artist's deontology, but not understood as the meaning given by the etymology of the word which derives from the combination of two Greek terms: *deon* = bond, bind, chain and *telos* = fulfillment, completion, and leads to the idea of purpose⁵, linking the practitioner with rigor, restricting the autonomy of making decisions by placing them in a secondary plan of action.⁶

The term should rather be understood in the sense offered by its most common conception when used in art, that of the social quality of the artist resulting in absolute freedom⁷. The artist's entire deontology is that his duty is to be free, absolutely free. The modern artist, in an attempt to somewhat depart

³ Cross, A., *The animal is present, The ethics of animal use in contemporary Art*. The Journal of Aesthetics and Art Criticism, 2018, pp 520–528.

⁴ Solini, P. et. al., *L'Art biotech. Le lieu unique*. Éd. Filigranes. Trèzéan, France, 2003.

⁵ Bailly, A., *Dictionnaire grec-français*, Hâchette, Paris, 1985.

⁶ Copoeru, I., Szabo, N., (coord.), *Etică și cultură profesională*, Ed. Casa de Știință, Cluj-Napoca, 2008.

from the religious authority he inspired for centuries, tries to regain his influence over people, and falls into the fantasy of omnipotence, of having infinite freedom.⁷ With the emergence of cubism in art, many painters believed that the artist must dominate, lead, excite, and not necessarily be understood by the crowd, through his art pieces. There is only one truth, the artist's truth, and it must be imposed over all.⁸

However, towards the end of the 18th century, liberalism brought into discussion the social idea of unlimited freedom in art, and implicitly, of the artist, "Art must be free and free in the most unlimited manner"⁹. Philosophical radicalism announced the death of God,¹⁰ and if God is dead, then everything is allowed. Thus, the artist has the duty to eliminate human anxiety, to relieve its suffering,¹¹ to offer humanity a cerebral sedative,¹² to eliminate violence from society¹³ and to establish "paradise on earth".¹⁴ Artistic activity must be freed from any authority, spiritual or political, and the artist must become a prophet who has the duty of teaching and educating the masses.

The disorder of the world can only be controlled by the artist who, through his work and the way in which it is exposed, offers physical, psychological and social equilibrium to the art consumer, "space relations, proportions and colors control psychological functions".¹⁵

Seduced by these theories, the contemporary artist will think that everything is allowed in art. But one must inevitably ask oneself the question: "does the contemporary artist have no responsibility?". If the artist is legally or

⁷ Michaud, Y., *Notes sur la dèontologie de l'artiste à l'âge modernein Gilbert V. Responsabilitès professionnelles et dèontologie. Les limites èthiques de l'efficacitè.* L'Harmattan. Paris, 2002, pp. 245–259.

⁸ Gleizes, A., Metzinger, J., *Du cubism.* Èditions Prisence. Sisterom, 1980, 1912, pp. 74–75.

⁹ Thiers, A., *Le salon de peinture.* Le Globe. 1824, p. 80.

¹⁰ Nietzsche, F., *Amurgul idolilor.* Ed. ETA. Cluj-Napoca, 1993.

¹¹ Bentham, J., *An Introduction to the Principles of Morals and Legislation,* The Athlone Press, University of London, 1970.

¹² Matisse, H., *Ècrits et propos sus l'art.* E. D. Fourcade. Herman, Paris, 1974, pp. 50–51.

¹³ Tolstoj, L., *Qu'est-ce que l'art?. Ècrits sur l'art.* Gallimard. Paris, 1971, p. 270.

¹⁴ Saint-Simon, *Doctrine.* Exposition, première année. 1828-1829. Troisième édition revue et augmentée. Paris. Au bureau de l'Oragnisateur, 1931, p. 94.

¹⁵ Gropius, W., *Radition et continuite dans l'archtecture in Apollon dans la dèmoqratie,* 1964.

¹⁶ Rațiu, E. D., *Lumea artei: imunitate sau responsabilitat? Problema responsabilității și a angajamentului în arta contemporană,* în Rațiu, E. D., Mihaliuc, C. (coord.). *Artă, comunitate și spațiu public,* Ed. Casa cărții de Știință, Cluj-Napoca, 2003.\

¹⁷ Heinich, M., *Se triple jeu de l'art contemporain. Sociologie des arts plastiques.* Les Èditions du Minuit, Paris, 1998.

¹⁸ Merryman, J. H.; Elsen, A., *Law. Ethics and the Visual Arts.* New York. M. Brender, 1979.

morally responsible for his work, then this requirement no longer satisfies the urgency of the freedom of expression, which was conquered with such great difficulty.¹⁶ Contemporary art has two divergent tendencies: one militates for total autonomy, and the other claims unlimited freedom¹⁶, meaning the right to transgress any frontier.¹⁷ Today, in contemporary art, the concept of a “triple game”, defined in terms of transgressions, reactions, integrations¹⁷ is being discussed. This is the space where systematic transgressions are aimed not only at artistic criteria, but at the moral and legal frameworks in which social life unfolds as well, artists placing themselves at the boundary between art and non-art, between good and evil, justice and injustice, the legal and illegal.¹⁶ These transgressions are understood as exemptions that provide the artist with complete freedom and protection against judicial action. Therefore, the artist is considered a cultural hero, a player in the symbolic order, so he deserves to have a special status in front of the law. Having the status of creator, both society and the artist him/herself, call for “artistic exception”,¹⁸ for a field of manifestation in which artistic representations can not be constrained by anyone or anything. Modern art, since its inception, has claimed aesthetic immunity and even a moral impunity under the guise of total autonomy of the art and of the artist.¹⁹

The idea of a “criminal autonomy” and the appearance in the social space of the phrase that art can also be criminally irresponsible was advocated and supported. Art and its artist must escape that “constraining authority”.¹⁹

Those who react to these transgressions of art are primarily the public, and more specifically, associations, communities, NGOs, in a word, civil society, and secondly, the state, through its institutions. Most of the time, the state reacts in a rather tardy manner and with some containment. When discussing the artist's responsibility, one does not refer to his/her responsibility as a citizen, but to the artist's responsibility as an artist, meaning in the practise of his profession.²⁰ There are voices who believe that art can be judged only from the inside and not from an outside position. Any work of art must be seen as a whole and not as disparate elements, which can be interpreted and judged piece by piece.^{21 22} Art belongs to non-reality, it has a self-referential language, and the work of art does not have to necessarily make any references to something specific, this way of thinking originating in communist and religious thinking.²³ Adorno²⁴ considered art to be “ambiguous and heterogeneous, free in its construction and can not be judged in a linear way: author-era-art”. “Art is a mystery, and the work of art both expresses and hides the same breath”.²⁴

At times, the question of whether the artist who uses a live animal in an exhibition and calls it a work of art, seeks to provoke, scandalize, or is he/she a

person so vain to the extent that he/she might see themselves as depositors of a special kind of knowledge, to which they feel are privileged to, owing to do education to the masses.⁴

Perhaps the artist thinks he/she has understood the mysteries of the world, and so, art being a mystery the artist feels that it is expected of him/her to share these mysteries with others, or may even think one has a special relationship with the thorny problem of existence felt as understood, so it is the artist's rightful place to explain it to all.

At other times, perhaps out of honesty, living under infernal regimes,²⁵ the artist offers to show people that art can also be found in everyday life, that there is also a practical side to aesthetics, one that might be overlooked by man, on a daily basis.²⁶ The modern and postmodern man have rejected nature from their physical, emotional, and mental universe and live in a world of false impressions of all kinds, bioartists doing nothing but in essence to reconnect, to reconcile man with nature. Moreover, the modern man has threatened the existence of his own senses, living in an artificial paradise where no wind blows, where no rose is scented, and in which no bird sings and no angel sweats. The modern man is an idle man, tired of so many conveniences due to an inflation of possibilities, his/her aesthetic taste is atrophied.²⁵ So, bioart serves as a reaction to these conveniences and wishes to provoke the artist, to awaken him/her from the spiritual numbness in which he/she fell.

Freedom often produces fear because it automatically claims responsibility too. Contemporary art is a responsible art, and artists assume the full responsibility of the work. BioArt, biotech art is an assumed art, though sometimes it is not well received or well understood, but it is always challenging. Art, in general, and bioart, in particular, offer themselves first and foremost to the realm of the visual. It is our vision that defines our place in the surrounding world,²⁷ and between what we see and what we know there is no fixed relationship. The way we see things is influenced by what we know or what we believe.²⁷ Images, photographs, paintings in general, evoke an appearance of something that is absent. The live animal, as a work of art, is present and the way to see it depends on the

¹⁹ Soulillau, J., *L'impunité de l'art. Paris, Seuil, Introduction générale*. 1995, pp. 11–19.

²⁰ *Idem*¹⁶

²¹ Breton, A., In Soulillau, J.,. *L'impunité de l'art. Paris, Seuil, Introduction générale*, 1995.

²² Barrie, D., In Soulillau, J., *L'impunité de l'art. Paris, Seuil, Introduction générale*, 1995, pp. 11'19. 23

²³ Lessing, D., Articol în ziarul The New York Times, citat In Soulillau, J., *L'impunité de l'art. Paris, Seuil, Introduction générale*, 1995.

²⁴ Adorno, T. W., *Thesis upon Art and Religion Today*, în *Gesammelte Schiften II*. Notes zur Literatur, Frankfurt, Suhrkramp. 1970, p. 648.

onlooker's particular way of viewing and not only the particular look of the artist. Art is not a simple documentary proof, it is expressive, imaginative, and allows the viewer to share with the artist the experience of the visible.^{27 5}

When we see a landscape, we place ourselves inside it, but in the case of bioart we are part of the work, we look at the work and the work looks back at us, thus creating incomprehensible interpretations and meanings.

Aesthetic emotions are transferred, the presence of the viewer contributes to the force of the work of art. The live work influences the viewer, acts directly on it, and forces it to adopt a certain attitude. The attitude of the art consumer is influenced by his own knowledge, his own system of values, his own opinions about people and animals, about art and one's role in it, about relationships and nature. Bioart forces the viewer to come out of reflexive contemplation and incorporate the pleasures of touch, taste or smell into his experiences. These types of reactions due to the viewer's participation in an exhibition in which a living animal is a work of art, incorporate the field of bioart in the broader sphere of the aesthetics of everyday life.^{28 29 30} Of course, we are talking about aesthetics from the viewpoint of experienced events, from the most ordinary to the extraordinary, resulting from the continuity and dynamic interaction between the aesthetics of everyday life and the aesthetics of art and nature.³¹ Another argument to integrate bioart into the aesthetics of everyday life is offered by the aesthetics of design, which focuses mainly on objects rather than daily activities.³² Thus, the art gallery becomes a structured space, organized by the artist. Through bioart, both the artist and the viewer are touched, the daily experience being not a simple repetition of the same event, but having transformative capabilities.³³ The viewer, the art consumer, is a social and moral being at the same time, who is also the receiver of aesthetic experiences³⁴ and is subjected to an aesthetic

²⁵ Bădăliță, C., *Văzutele și nevăzutele*. Ed. Curtea Veche. București, 2004.

²⁶ Rațiu, E. D., *Experianța estetică a cotidianului. Exploatări pentru o estetică practică în Arta și viața cotidiană. Exploatări actuale în estetică*, Ed. Casa Cărții de Știință, Cluj-Napoca, 2016.

²⁷ Berger, J., *Feluri de a vedea*. Ed. Velant, București, 2018.

²⁸ Saito, Y., *Everyday Aesthetics*. Oxford, Oxford University Press, 2007.

²⁹ Irvin, S., *The pervasiveness of the aesthetic in ordinary experience*. *British Journal of Aesthetics*, 48(1) 2008, 22–94.

³⁰ Melchionne, K., *The definition of everyday aesthetics*. *Contemporary Aesthetics*, 11, 2013, pp.16–19.

³¹ Leddy, T., *The extraordinary in the ordinary*. Peterborough, Canada: Broadview Press, 2012.

³² Forsey, J., *The Aesthetics of Design*, Oxford: Oxford University Press, 2013.

³³ Gadamer, H.-G., *Adevar și metoda*. Ed. Teora. București, 2001.

³⁴ *Idem*²⁶

judgment. This quality, considered,³³ can not be taught or guided, but operates in concrete situations, on a case-by-case basis.

The aesthetic judgment is based on human experiences that have both a subjective dimension and an objective one as well,³⁵ also influencing the aesthetic experience of daily life. The aesthetics of everyday life, as a practical aesthetics, integrate everyday aesthetic practices and experiences, with their ethical consequences.³⁶

In the current crisis of defining art and aesthetics, the idea of “de-definition” of art appears as well. In the writings of,³⁷ who considered that “nothing in art is no longer obvious on its own”, as well as in Rosenberg’s writings,³⁸ who believes that “the nature of art has become insecure, it is at least ambiguous and no one can say for certain what is a work of art or, more importantly, what is not a work of art”. Moreover, there are authors who define art as “a notion invented by a cultural group which declares the existence or non-existence of an artistic object”.³⁹ From the great theories that define art as an imitation, as a representation of the sacred, as geometric perfection or as an expression of the self, it has become to the point that, in contemporary times, art feels rootless from a philosophical point of view.⁴⁰ According to his philosophy,⁴¹ claims that the artwork has an intimate relationship with the lived life of a determined historical community. A work of art has this status if it is defined by its work status⁴², and if the work can be defined as that which is perceived by the senses, that it is a material that takes shape. Through the vision of Heidegger, art is reintroduced into everyday life, and its role and influence in a community of people is reaffirmed.⁴⁰ BioArt provokes the viewer, and it is focused on events and life experiences. The aesthetic experience of man is nothing but “an active and alert trade” with the world.⁴³ Dewey’s pragmatism and Heidegger’s hermeneutics attempted to bring together artwork and cultural production in general, with everyday life.^{40 6}

³⁵ Shusterman, R., *Estetica pragmatică. Artă în stare vie*, traducere de Ana Maria Pascal, Institutul European, Iași, 2004.

³⁶ *Idem*²⁶

³⁷ *Idem*²⁴

³⁸ Rosenberg, H., *The American Action Painters*, The Tradition of the New. Erdetileg in: Art News 51/8, 1959.

³⁹ Dickie, G., *Art and Value*. Ed. Blackwell, 2001.

⁴⁰ Hainic, C., „*Early Theoretical Models for the Aesthetic Analysis of Non-Art Objects*”, *Rivista di Estetica*, vol. 63, nr. 3, 2016, pp. 188–202.

⁴¹ Heidegger, M., *Introduction à la métaphysique*, Paris. Gallimard, 1980, p. 161.

Other authors consider that the realm of aesthetics far exceeds what we call fine arts, and art arises from a series of non-artistic activities and experiences.⁴⁴ If aesthetic experience is imprinted directly on the senses and imagination, it gives art an undeniable normative justification,⁴⁵ so that the live animal exposed in a gallery can receive the status of artwork.

Animal phenomenon. Beastliness in phenomenology

The issue of animality has been and remains a thorny and controversial issue. There is still no unifying theory of beastliness that analyzes the main mutations and differences of perspective, as well as its problematic ramifications manifesting through an approach to and attempt to explain this phenomenon. The topic of animality is a transdisciplinary subject and crosses a variety of disciplines, from biology to philosophy.⁴⁶ The major question that is asked, without a trace of disagreement is that of attempting to find “which is the border between man and animal”.⁴⁷ There are approaches that highlight the difference between man and animal, and approaches that highlight the similarity between the two species; philosophies that emphasize the ontological, structural and constitutive differences between man and animal highlight the special character of man and show his uniqueness and singularity. Those who dispute this special character of the man, believe that this gives the opportunity for any form of cruelty, injustice and discrimination to come to surface and to which animals fall victim. From this point of view, man is an agent of exploitation and violence, the massacre of animals through his gastronomic, clothing and occupational culture.⁴⁷

The ways of thought and action that speak about animal ethics militate for the abolition of human tyranny over animals and for the extension of the concept of rights, from the human sphere to the animal sphere.

⁴² Heidegger, M., *Poetry, Language, Thought*. New York: Harper Modern Perennial Classics, 2001, p. 8.

⁴³ Dewey, J., *El arte como experiencia*. Barcelona, España: Paidós, 2008.

⁴⁴ Sartwell, C., *The art of living: aesthetics of the ordinary in world spiritual traditions*. Albany, NY: State University of New York Press, 1995.

⁴⁵ Shusterman, R., *Analytic Aesthetics*, Basil Blackwell, 2009.

⁴⁶ Kistler, J. M., *Animal Rights. A Subject Guide, Bibliography, and Internet Companion*, London, Greenwood Press, 2000.

⁴⁷ Ciocan, C., *Note privind problematica animalității în fenomenologie*, Studii de istorie a filosofiei universale, 2014, pp. 234–244.

The animal must be included in the moral community within human society, not to have the status of human property, and to be given the status of a person, from which all legal rights derive: justice, dignity, protection, respect, values in their own right.⁴⁸ The issue of animality, on the one hand, relativises the “exceptional human” and blames man as a villain in relation to animals and nature and, on the other hand, still grants man a privileged status in relation to the environment, nature and animal species. This phenomenological issue is approached from different angles: from the viewpoint of transcendental phenomenology (Husserl), to the ontological hermeneutics (Heidegger and Merleau-Ponty), to the ethical dimension of otherness (Lévinas) and to aporetic deconstructivism (Derrida). Certain phenomenological approaches explain and reveal the beastly, living and organic aspects, specific to both the human being and the animal being, a dimension that manifests itself in the register of corporeality, while other approaches focus exclusively on the animality of the animal.⁴⁹ To fully understand the phenomenon of animality, there is a need for a perspective that embraces both philosophical approaches. According to Husserl, the issue of the construction of animal nature must be placed in relation to the constitution of physical nature and the constitution of the spiritual world. Here, the essential role is the phenomenon of corporeality, a body animated by a soul, a living body that belongs both to man and animal.^{50 7}

From this perspective, the phenomenological distinction between body and soma is clearly visible. The question is how can one differentiate between human-specific embodied experience in relation to the animal's body.

Heidegger firmly rejects any tendency to humanize the animal's being or to animate the human being, starting from a supposed body-frame similarity “the body of the man is essentially something else than an animal organism”.⁵³ In the analysis of animality other questions arise: Does the animal have an ego? Is it a constituent subject? Does the animal have consciousness? If so, how do we get to it? How do we have access to animal psychism? How can we differentiate our own consciousness from the consciousness of an animal?⁵¹ Believes that the animal also contains a “structure of a ‘me’”, but in man it is “me” in a privileged sense to the extent that it is a person, “personally”, a one who as a person references the totality of humanity, to an “us together consciously”. Man is the subject of a

⁴⁸ Singer, P., *Practical Ethics*. Cambridge University Press, 2011.

⁴⁹ *Idem*⁴⁷

⁵⁰ Husserl, E. *Ideen zu einer reinen Phänomenologie und phänomenologischen Philosophie. Erstes Buch. Allgemeine Einführung in die reine Phänomenologie*. Husserliana III/1. The Hague: Martinus Nijhoff, 1976.

cultural world, but at the same time, Husserl also speaks of “an animal consciousness”, but this must be understood as “an analogue, something more general than the human ego”.⁵¹ ⁵² Human empathy towards the animal is only made as “an assimilation of empathy among people”.⁵¹ Do man and animal understand each other? A man is supposed to understand his pet, but does the animal understand his master? And does that understanding have the same meaning? The relationship between man and animal is structurally altered if it differentiates between a domestic and wild animal, be it a peaceful or threatening one. The animal does not produce a “spiritual system of purchase”, which does not produce change in its world, so animals do not have real, intuitive, repeatable memories.⁵¹ ⁸

Animals are “abnormal variants of our humanity”.⁵⁴ Instead,⁵³ considers that the animal does not really have a world, but an “ambient world”, navigated through with the help of impulse. This makes the animal have a “poor access” to being, which means that “being as a being” remains inaccessible.⁵⁵

This way of describing the animal, according to,⁵⁶ comes as a response to the work of,⁵⁷ who postulates that an animal can not relate to an object as such, but uses those stimuli bearing significance according to his own constitution. This analysis clearly highlights the differences between man and animal, between human and animal behavior. Starting from these phenomenological considerations of animality, in addition to the violence of man towards the animal, these aspects can be considered to contribute to the rigorous foundation of the debate on animal ethics.⁵⁸

In his work on describing beastliness,⁵⁹ does not use terms such as ego, consciousness, subject, empathy. For Heidegger what is essential is the explanation of those ‘a priori’ constitutive elements of being in relation to the animal.⁶⁰ States that “only man is subject, because he is provided with reason, while the animal is nothing more than a machine that moves, nourishes and reproduces. There is an ontological abyss between man and animal”.

This way of thinking has its multiple sources, beginning with the encounter between the absolutist Judaic monotheism that only man poses before God, and

⁵¹ *Idem* ⁰

⁵² Husserl, E., *Zur Phänomenologie der Intersubjektivität*. Texte aus dem Nachlass. Dritter Teil: 1929–1935 (Hrsg. von Iso Kern), Den Haag, Martinus Nijhoff, [Hua XV], 1973, p. 184.

⁵³ Heidegger, M., *Originea operei de artă*, traducere și note Thomas Kleinginger și Gabriel Liiceanu, studiu introductiv de Constantin Noica, Editura Humanitas, București, 1995.

⁵⁴ Husserl, E., *On the Phenomenology of the Consciousness of Internal Time(1893–1914)*, J. B. Brough (trans.), Kluwer, Dordrecht, 1991.

⁵⁵ Heidegger, M., *Ființă și timp*, Ed. Humanitas, București, 2003.

an optimistic Hellenism on the anthropological plan, which reveals the centrality of man and humanity, and which leaves behind all other creatures.⁶¹ In the Judeo-Christian tradition, there is an exasperating anthropocentrism in which man is the absolute master of the planet, convinced that his vocation is to enslave it and dominate it. In the first pages of the Bible, in The Genesis, The First Book of Moses, there are references that legitimize the crimes against nature that were committed by man who continues to do so: “So God created man in His own image; in the image of God He created him; male and female He created them.”⁹

God blessed them and said to them, “Be fruitful and multiply, and fill the earth and subdue it; rule over the fish of the sea and the birds of the air and every creature that crawls upon the earth...”⁶² Attention, in this case, is directed only to man, because only his vocation matters, his destiny, his salvation. However, it has been forgotten that this possibility and legitimacy must always manifest in the harmony and logic of the cosmic covenant that men are responsible for, which must be established and maintained with all the earthly beings.⁶³ The biblical message must be reinterpreted with great care and rigor. In the Epistle to the Romans, the apostle Paul gives us an important revelation “Temper—that is, the animals, the plants, the minerals, the whole universe, is willingly awaiting the discovery of the Son of God in the hope that it will also be delivered from the bondage of corruption” (Rom. 8, 19-20). The very first pages of the Bible clearly show the co-creation of man, animals, plants and things. Man gives names to animals, distinguishes them, identifies them. They are an important aid to man, and by receiving the name, they also form relationships with him. By naming the animal, the man enters into a relationship and dialogue with the animal, recognizes it as a living being in front of him, the man calls the animal “you”. The man, the animal, and all the things created on earth are destined to live together. Man is called to be a shepherd, the good shepherd among all animals, and also a

⁵⁶ Heidegger, M., *Qu'est-ce que la métaphysique?* in Questions I. Paris. Gallimard, 1976, p. 56.

⁵⁷ Von Uexküll, J., *La théorie de la signification*, in Mondes animaux et mondes humains. Paris. Denoël, 2004, p. 166.

⁵⁸ *Idem*⁴⁷

⁵⁹ *Idem*⁵⁵

⁶⁰ Descartes, R., *L'uomo*. in Opere scientifiche. I. Laterza. Roma–Bari, 1966, p. 57.

⁶¹ Bianchi, E.; Michan, A. L.; Chiaranz, P., *Oameni și animale. O perspectivă teologică și etică*. Ed. Ratio et revelation, Oradea, 2013.

⁶² *Biblia sau Sfânta Scriptură*. Ed. Institutului Biblic și de Misiune al Bisericii Ortodoxe Române, București, 2001, sub coordonarea Mitropolitului Bartolomeu V. A.

⁶³ *Idem*⁶¹

⁶⁴ Beauchamp, P., *Parler d'Écritures saines*. Seuil. Paris, 1987, p. 84.

shepherd of his own beastliness.⁶⁴ Man is not in the center, isolated and alone, but has a in the Second Millennium, Western Christianity cultivated a profoundly anthropocentric a- particular place

In a large community of creatures: in the center there is God, through communion and love.⁶⁵

In the Second Millennium, Western Christianity cultivated a profoundly anthropocentric a-cosmic belief. According to this belief, nature, that is animals and plants, have been forgotten, marginalized, they have secured the context in which man who is master, has asserted himself as the highest form of creation. Although there were exceptions in this period as to the place of man in the world, they were rare, as was the holy Francisc of Assisi, who showed great care for all creatures, including animals. Another representative of this trend of empathy and care for animals was Dr. Toma d'Aquino, who believed that man was responsible for animal and plant life.⁶⁶ States that "a fundamental and inexplicable error of Christianity was to separate man from the world of the animals to which he belongs, giving value to man alone, only to consider animals as objects". In the "Introduction to The Phenomenology of Religion",⁶⁷ made a comment in relation to the Epistle of Paul to the Romans, and considers that "decisive are neither the dogma, nor the theory, but the effective experience, the way in which mundane relations are lived". Relationships with the world take their meaning not from the importance of their originating content, but on the contrary, the relationship and meaning of lived experiences are originally determined by the way they are lived". The authentic is not something that floats above everyday life doomed to failure, but from an existential point of view, is just another way of capturing it".⁶⁹ Human existence is not determined by worldly relationships and their essence, but by the way they are lived, and only in this way, become closer to their impropriety.⁶⁸ In this context, we believe that ethics do not amount to a theory, but it can be used to place the human being on an even plane with its ontological status. There are people who believe that ethics and religion consist in acting as if God, the Kingdom, the truth exists.⁶⁸ ¹⁰ Strong ethical concerns about the moral status of animals have emerged since the 1970s,⁷⁰ a period marked by a general revival of

⁶⁵ *Idem* Bianchi⁶¹

⁶⁶ Schopenhauer, A., *Parerga e paralimpomena*. Adelphi. Milano, 1998, p. 489.

⁶⁷ *Idem*⁵³

⁶⁸ Agamben, G., *Timpul care rămâne. Un comentariu al Epistolei către romani*. Ed. Tact, Cluj-Napoca, 2000.

⁶⁹ *Idem*⁵⁵

⁷⁰ De Grazia, D., *The Moral Status of Animals and Their Use in Research: A Philosophical Review*. in Kennedy Institute of Ethics journal 1(1), 1991, pp. 48–70.

human rights concerns, the right to opinion, the liberation movement, the rights of children. In this context, a small group of philosophers came to the scene, and brought the relationship between humans and animals into the field of debate. In his book on the freedom of the animal,⁷¹ claims that the animal is an entity capable of feeling pain, feeling certain forms of pleasure, of suffering, aspects to be included in the umbrella concept of ethical considerations. The author argues that when an entity is able to feel pain in response to our interactions with it, then this aspect should be included in the calculation of positive justifications in cases of intervention. The animal counts, from an ethical point of view, because pain matters. According to this thesis,⁷¹ rallied to the utilitarian philosophical stream of the 18th and 19th century, supported by Jeremy Bentham and John Mill Stuart, and considered that the use of animals in research or any other field should be done only when it maximizes the benefits. That is, the benefits expected to be used must exceed the cost of the animal, and that these benefits can not be achieved in any other way.⁷² Argues that animals should not suffer by virtue of being “subjects of a life”. That is, the animal is an entity that has inherent, intrinsic and non-conditioned value, its value is not gained⁷³ and⁷⁴ have advanced the idea that animals have a moral status. Although our tendencies are to give priority to people, especially in social connections, based on many ethical considerations, animal status can not be rejected.⁷³ Although man has the right to study animal anatomy and behavior, he has no right to deny the reality of the suffering that the animal feels.⁷⁵ ¹¹ In his work,⁷⁶ emphasizes the idea that “if common morality agrees that animals should be exposed to a minimum of discomfort when used for various purposes, then alternatives to their use must be found and reduced in number when there is no other way”.⁷⁷

Other researchers question the theory which posits that only members with a given set of cognitive abilities have the right to ethical protection.⁷⁸ Thus, the question is whether the animal “has consciousness or not, has an inner life or not?”. Many psychologists and ethologists have confirmed that animals have a

⁷¹ Singer, P., *Animal Liberation: The Definitive Classic of the Animal Movement* (P.S.) Reissue Edition, 1975.

⁷² Regan, T., *Animal Rights, Human Wrongs*, New York, Rowman and Little field Publishers, 1983.

⁷³ Midgley, M., *Wickedness*. Routledge, 1984.

⁷⁴ Sapontzis, S., *Morals, Reason and Animals*. Temple University Press, Pbiladelphia, PA, 1987.

⁷⁵ Rollin, B. E., *Animal welfare, animal rights and agriculture*. Journal of Animal Science, 68(10), 1990, pp. 3456–3461.

⁷⁶ Beauchamp, in Soullillau, J., *L'impunité de l'art. Paris, Seuil, Introduction générale*, 1995, pp. 11–19.

⁷⁷ Carruthers, P., *The animals issue: moral theory in practice*. Cambridge, Cambridge University Press, 1992.

level of perceptual awareness and are capable of feeling simple pleasures and pains.⁷⁹ Certain animal species are even capable of intentional activities: they make basic plans and follow a decision-making process to implement a proposed plan.⁷⁹ When the question arises whether non-human living creatures have a mind or not, we must start by asking ourselves whether they have a similar mind, at least in some respects, with the human mind, because that is the only one of which some is understood.⁸⁰ This is very important because only those who have the thought can show interest in something, only they can care about what is happening, and this is the guarantee of a certain moral position. Surely there are non-human animals that have mental life.⁸⁰ When talking about consciousness in animals, we have to be very careful when answering so as not to confuse ontological problems (that which discusses the issue of what exists) with epistemological issues (that which discusses the process of knowing).⁸⁰ When discussing animal ethics or any other moral calculations, the ability to suffer is more important than the ability to react in a sophisticated or profound manner,⁸⁰ and the fact that animals resist pain and suffering is well known.¹²

Griffin⁸¹ asked scientists to recalibrate research on animal consciousness through a more in-depth examination, both on-site, and in the laboratory. Dangers occur when we use animals and underestimate their suffering due to our interactions with them.

Bioethics – a new paradigm of humanity

The appearance of a new paradigm of human bioethics is relatively recent. The term paradigm was launched in 1962 by Thomas Kuhn⁸² in the context of the theories of science and attempted to answer the question: when and under what conditions can a discovery or an invention be considered epochal? Or when does a scientific vision become paradigmatic? The term bioethics was introduced by American doctor Van Rensselaer Potter⁸³ in *Bioethics: Bridge to the Future* (1971). Blackburn⁸⁴ considers bioethics a branch of applied ethics that “studies the ethical

⁷⁸ Cohen, C., *The case for the use of animals in biomedical research*, The New England Journal of Medicine, Vol. 315, No. 14, 1986.

⁷⁹ Gluck, J. P.; DiPasquale, T.; Orlans, F. B., *Applied ethics in animal research: Philosophy, regulation, and laboratory applications*. Purdue University Press, e-books OLD. Paper 16., 2002.

⁸⁰ Dennett, D. C., *Tipuri mentale. O încercare de înțelegere a conștiinței*. Ed. Humanitas, București, 1996.

⁸¹ Griffin, D. R., *Animal thinking*. London, Harvard University Press, 1984.

issues resulting from medical and advances in biology”. The need for the urgency of an ethical reflection on the problems of medicine, biology and health was amplified in 1966, with the recognition that in the 1950s, after the Nuremberg trial, human experiments took place in equally frightening conditions.⁸⁵ ⁸⁶ Le Petit Larousse Illustré (1995) defines bioethics as “the set of problems posited by the moral responsibility of doctors and biologists in their research and applications”. The common meaning of these definitions is that of the universal vocation of ethical exigencies: norms, principles, values, that must provide adequate and effective regulation for all people in biology and medicine. At the beginning of the seventeenth century, in Jonsen’s *Bioethics Birth* (1998) it is discussed about the birth of the term and the discipline of bioethics. The widening and enrichment of the semantic field of bioethics can also be found in Ach and Runtenberg’s *Bioethics: discipline and discourse* (2002), as well as⁸⁷ and⁸⁸ in the paper titled *Biotechnics*.¹³

Bioethics is the meeting point and the battlefield between different conceptualizations of humanity. As diverse as the different fields in bioethics are, so are their criteria and evaluation principles.

Bioethical challenges have forced theology to re-enter into dialogue with science. To discuss bioethics in theology, two major aspects must be debated and those are: spiritual bioethics and secular bioethics. Spiritual bioethics can be defined as the reaffirmation of the “old” truths of the “novelties” in the epoch.⁸⁹ Spiritual bioethics rely on a few basic assertions: man is created in the image and likeness of God; man is not an accident of nature but the expression of a conscious act of interpersonal love; man has a spiritual vocation. Synthesizing the

⁸² Kuhn, S. T., *The Structure of Scientific Revolutions*, University of Chicago Press, Chicago, 1962.

⁸³ Van Rensselaer, Potter, *Bioethics: bridge to the future*, Englewood Cliffs (NJ), Prentice Hall, p.1; Darryl Macer, *Eubios Journal of Asian and International Bioethics*, nr.5/1995, 1971, p. 146.

⁸⁴ Blackburn, S., *Dicționar de filosofie Oxford*, Ed. Univers Enciclopedic, București, 1999.

⁸⁵ Beecher, K. H., *Ethics and clinical research*, *The New England Journal of Medicine*, 274, 1966, pp. 1354–1360.

⁸⁶ Zanc, I., Lupu, I., *Bioetica Medicala. Principii, dileme, solutii.*, Editura Medicala Universitara „Iuliu Hatieganu”, Cluj-Napoca, 2001.

⁸⁷ Hubner, J., *Bioethic în Martin Honecker et al. Evangelisches Soziallexicon*, Neausgabe, Stuttgart, 2001.

⁸⁸ Gutmann, M., *Biotechik*, în Wilhem Korff et al. *Lexicon der Biotechnik*, Gutersloher Verlagshaus, 2000.

⁸⁹ Breck, J., *The Sacred Gift of Life: Orthodox Christianity and Bioethics*. St. Vladimir’s Seminary Press, Crestwood, New York, 1998.

⁹⁰ Preda, R., *Tradiție și modernitate în dezbateră bioetică actuală. Considerații social-teologice*, *Studia Universitas Babes-Bolyai, Bioethica*, Liv, 2, 2009, pp. 19–49.

three major statements of Christian bioethics, it can be said that, given the sacredness or holiness of life, any form of abusive intervention on human life is considered an affront to the definition of man as an illustration of the holy mysteries of personhood, somatic and spiritual alike.⁹⁰ Spiritual bioethics or the sacredness of life sees the gift of life as a given and a desideratum, a gift and a goal at the same time.⁹⁰ The sacredness or holiness of life has its foundation in the data provided through holy revelation, interpreted and highlighted by tradition. This definition of bioethics is not limited to humans, but includes all creation, which is why its agenda includes topics related to ecology, economic growth, natural resources, needs and possibilities. In essence, spiritual bioethics is given a conservative function, that is, it opposes in principle the excessive cultivation of the definition of man, the so-called medieval, supposedly sober in attitudes, to the postmodern one, free and liberated from any constraints.⁹⁰

The human individual is seen in Orthodox anthropology as a mystery: man is a mystery for himself and others.⁹¹

The mystery of personhood confirms the sacredness or holiness of life and highlights the particular place of man in the order of creation, but at the same time establishes a censorship.⁹²

Secular bioethics or in other words that which refers to the quality of life, or the opposite of spiritual bioethics, is articulated around the concept of quality of life.⁹³ This particular strand in bioethics derives from the secularization that founded the so-called "European way" and militates for secular bioethics. Representatives of this type of bioethics understand their mission, following the founding model of secularization through suppression, by making use of a plea for the separation of religious from the non-religious criteria they describe as being neutral. Life must be seen in its spiritual and practical complexity. Bioethics is not a principled-theoretical approach exclusively reserved for specialists in different fields, but is rather seen as a themed agenda resulting in directly affecting man's life and man's definition at the beginning of the third millennium. Autonomy, dignity, integrity and vulnerability are the basic principles of bioethics. Immediately after the outline of the concept of bioethics, within its confines, the phrase of *bioethical animal* comes to the surface, a phrase that refers to the human relationship with the animal world and the moral responsibility of the man in the process of animal breeding and exploitation, in man's experimentation with the aid of animals, in preserving the biodiversity of species, all of which are discussed in *Animal Bioethics*.^{94 14}

⁹¹ Beaufils, D., Bobrinskoy, B., Breck, J. și col., *Bioetica și taina persoanei. Perspective ortodoxe*, Ed. Bizantină, București, 2006, p. 274.

Internationally, Bentham, the philosopher, moralist and English lawyer, as well as the founder of *utilitarianism* in ethics, has been discussing, as early as 1978, the ethical motivation of animal welfare and protection.⁹⁵

From the multitude of existing definitions on the concept of autonomy alone, the only one that could be extrapolated to the animal world is that which states: “an autonomous being is one who has the power of self-direction, possessing the ability to act in accordance with its decisions, independent of the will of others and other internal or external factors.”

Autonomy in the animal world presupposes the development of life in natural conditions according to the requirements of the species, i.e. the attempt to accommodate to the environment, the ability to prioritize and to use available energy, according to its needs. Removing animals from their living environment compels man to protect them and ensure their wellbeing, but it reduces their autonomy. One’s moral attitude towards animals has changed considerably over time. Until the second half of the twentieth century, the use of animals for various purposes was regulated by prohibiting those activities that were considered offensive to humans, on the basis of the so-called Principle of Offense, or in contravention to human dignity. These laws, however, were anthropocentric because their objective was to protect the moral feelings and values of human beings, not animals. Beginning with the second half of the twentieth century, the increase in cattle growth and the use of laboratory animals have provoked heated debate concerning animals’ suffering. It was especially during the 1960s and 1970s that there appeared groups who militated for the welfare of laboratory animals. New forms of legislation emerged that sought to protect animals from a non-anthropocentric point of view. Two key issues were considered in these discussions.

The moral foundation for animal protection has taken from man the so-called Principle of Indignation and has transformed it into the Injury Principle that forbids the wounding of animals in their breeding and in research activities.¹⁵

Due to some scientists’s skepticism in relation to the existence of consciousness of the self and consciousness in animals, they were subjected to

⁹² Chirilă, I., *Comunicare/comuniune în discursul bioeticii europene*, Bioethica, nr. 2/2009, Ed. Studia Universitas Babeş-Bolyai, Anul LIV, 2009.

⁹³ Engelhardt H. T. jr, *Fundamentele bioeticii creștine. Perspectiva ortodoxă*, Ed. Deisis, Sibiu 2005, p. 507.

⁹⁴ Marie, M., Edwards, S., Gandini, G., Reiss, M., Von Borell, E. (editori), *Animal Bioethics. Principles and Teaching Methods*. Wageningen Academic Publishers, 2005.

⁹⁵ *Idem*¹¹

the “presumption of innocence”, adopting the so-called postulate of the human-animal analogy. Since the 1980s, criticism of animal life in farms and laboratories has begun to interfere with other social debates, especially those related to environmental protection and the development of new breeding techniques.

Thus, the term of the “intrinsic” value of animals, which is a good that belongs to only them, and is of great interest to their welfare,⁹⁶ has begun to circulate. Of course current philosophy poses major problems to human nature, and philosophers still wonder if human nature really exists and ponder about its nature. However, there are many comparative studies in ethology, while analogies between humans and animals have become extremely popular. People use data and behavioral evidence taken from animals to find out whether a person is naturally aggressive or naturally territorial. On the other hand, many sociologists and psychologists consider behaviorism to be correct, a theory according to which man is a creature of no instincts, a theory accepted by numerous existentialist philosophers, such as Jean Paul Sartre, who stated that “there is no human nature ...”. If this theory is indeed correct, any comparison between humans and animals is completely irrelevant. Thus, according to this theory, man is the product of his own culture.⁹⁷ There is also the opposite to take into account, one of the most controversial books at the time of its appearance in the late 1960s, being *The Naked Monkey*, written by the ethologist and zoologist Desmond Morris,⁹⁸ and still remains a shocking read by supporting the premise that man is no more special than animals and that just as animals, man is governed by instinct, by the need to feed, reproduce or survive, Morris' main concern being the domination of man by sexuality. According to Morris,⁹⁸ there are 193 different species of primates, out of which 192 are covered in hair and only one, the man, is devoid of general hairiness.¹⁶

Studied from the point of view of the zoologist and not of the anthropologist, the primate of the forest has become a land primate, which in turn became a hunter-primate. Later it became a territorial primate then a cultural one, this being the precise moment at which the researcher claimed to have found the end of evolution and brought forth the man. There is a striking discrepancy between the manner in which human life is treated and how other life forms are treated. Western legislation, sustained by ethics and Western ethics, mentions that human beings have morality, whether they are still unborn, comatosed, sentenced to death or devoid of any brain activity. Even when a

⁹⁶ Van der Tuurk, E., *Recognising the Intrinsic Value of Animals*, Editura Van Gorcum, Assen, 1999.

⁹⁷ *Idem* ³

⁹⁸ Morris, D., *The Naked Ape*, Jonathan Cape Édition, Canada, 1967.

detainee is condemned to death in the United States, he/she must be dealt with according to strict standards and regulations concerning the period before the execution and even post-mortem. People are not allowed to treat other people in a way that would hurt the latter. These rules prove morality: the detainee must be treated in some way before execution, killed in a certain way and respected afterwards. In contrast to this Western mode of thinking, animals are denied their right to morality. Some animals are protected as human property or by being given special status, as we do in hunting, or when we protect them against becoming extinct; although we are not given permission to kill any other humans for any reason, it is perfectly acceptable for us to kill a mouse that invaded our pantry or kill a mink for its coat. We are destroying animals because we believe we are allowed to do so, due to the fact that we do not give animals any moral power.⁹⁹ In this light, the question of whether animals can be taken into consideration, morally speaking, remains. From a utilitarian perspective, the answer is yes. Any conscious being, whether human or not, can be taken into account from a moral point of view. Supporters of utilitarianism, such as Jeremy Bentham¹⁰⁰ or Peter Singer,¹⁰¹ thought of being the pioneers of utilitarianism and the movement for animal rights, focus on the abilities of suffering and feeling, as being morally relevant criteria to establish morality.^{99 17}

From this point of view, there is no good reason, whether scientific or philosophical to deny that animals can feel pain. If we do not doubt that people can feel pain, then we must not even doubt that animals can feel it.¹⁰¹ Others, however, believe that only those who have a “sense of justice” can be endowed with a sense of morality.¹⁰² The study of animals and human mediated interaction are also subject to severe animal protection legislation, both for reasons concerning animal compassion and due to the fact that abusing animals could lead to a compromise of the scientific act itself. As key terms, it is necessary to understand that for the sake of science, but also for the sake of better understanding, there are certain definitions to be taken into account when discussing animal ethics. In philosophy, used terms must be as precise as possible. Since human beings are mammals, it is incorrect to make any reference to animals as being any other creatures devoid of consciousness apart from ourselves. Although humans separate themselves from animals by using the term animal, we

⁹⁹ Kemmerer, L., *In Search of Consistency: Ethics and Animals*. Brill Academic Publishers, 2006.

¹⁰⁰ *Idem*¹¹

¹⁰¹ Singer, P., *Animal Liberation*, Thorsons, London, 1991.

¹⁰² Steeves, P. H., *Animal Others: On Ethics, Ontology and Animal Life*, SUNY Series in Contemporary Continental Philosophy, 1999.

are making a mistake, from a scientific point of view. Thus, the word *animalis* came into being, referring to animals, but excluding *Homo Sapiens*. The terms “non-human animals” or “other animals than the human” can be used, emphasizing the concept that people are different, that there is a hierarchy.¹⁰³ Key fields in animal biology are behavioral and population ecology, the biology of conservation, veterinary medicine and wellbeing. Understanding these areas can not only be done by observing animals in nature, but it also requires experimental manipulation that at times becomes invasive. Thus, evolutionary welfare must be primarily taken into account. The traditional concepts for measuring wellbeing are: comfort (to the extent that the animal has adequate space and its basic subsistence needs met), health (hygiene and maintenance of animal health, devoid of any traumatic stress or behavioral problems), normal opportunities (to ensure the satisfaction of a wide range of natural, social or sexual behaviors), but also certain philosophical concepts related to ethics and animal rights, including arguments for respecting “animal dignity”.^{104 18}

These concepts form the basis of the recognized five animal rights and contained in the Universal Declaration on Animal Welfare. There also exists the issue of the three ‘R’: Replacement, Refinement, Reduction, a concept introduced in the scientific community for the first time by Russell and Burch.¹⁰⁵ Replacement involves either exchanging conscious species (mammals, more advanced vertebrates), with some less conscious ones in certain experiments (highly problematic replacement), or involves giving up the use of experimental animals completely when alternatives that can replace animals (experiences for students virtual holdings, virtual models, etc.) are available. The use of animals in their natural environment at the expense of animals raised for laboratory experiments is another form of replacement. Reduction translates to keeping the number of animals used in the experiment at an absolute minimum, provided that the researcher does not reduce the number so that the results become invalid. The purpose of improving experimental conditions is to minimize pain, stress and suffering on each animal used in the experiment.

As a conclusion, we must highlight that the activity of one species (man) who causes pain, suffering, or even the death of another species only to benefit from it, is questionable. The three Rs should always be followed. In a meta-

¹⁰³ *Idem*⁹⁹

¹⁰⁴ Barnard, C., *Ethical Regulation and Animal Science: Why Animal Behaviour is special*, *Animal Behaviour*, 74, 2007, 5–13.

¹⁰⁵ Russell, W. M. S.; Burch, R. L., *The Principles of Humane Experimental Technique*, London, UK: Methuen. vol. XIV, 1959, p. 238.

analysis,¹⁰⁶ identifies four sources of ethical concerns about the use of animals in various fields: welfare and suffering; preservation; considering life itself; extrapolations of human rights to animals. Human beings are an integral part of the biosphere and have an important role to play by protecting one another and protecting other life forms, especially animals. Animal welfare designates the quality of animal life. The notion of animal welfare, accepted by most specialists with concerns in the field, includes health, productive comfort and animal protection. The Universal Declaration on Animal Welfare defines wellbeing as: the extent to which the animal's physical, behavioral and psychological requirements are met.¹⁹

In the same statement, the five rights are also mentioned, which must be ensured simultaneously: providing access to fresh water and specific food, providing comfortable shelter and rest; prevention of pain and wounds, quick diagnosis and treatment of diseases; ensuring a life free of fear and mental suffering; ensuring space, facilities and the companionship to help facilitate normal behavior.¹⁰⁷ Improving genetic engineering techniques: cloning, obtaining transgenic organisms, and extending animal and human organ transplants to humans have made people more interested in the quality of animal life, people being more susceptible to their suffering, more responsive to actions of cruelty. However, one thing is certain, namely that ways of limiting and reducing animal suffering will have to be identified so as not to contradict at least one of the principles of human and animal medicine: *primum non nocere*.

The most famous exhibitions that used live animals as works of art

The ways in which artists used live animals in contemporary art are extremely various. For a better understanding of the ethical aspects of the incorporation of live animals into artistic work, I have chosen to describe the cases presented by Cross¹⁰⁸ in a scientific work that is relevant to this case. One of the most well-known exhibitions in which live animals were used is that of Jannis Kounellis' (1969), titled *Without a Title (12 horses)*, in which the artist bound 12 horses to the wall of a gallery for as long as it was opened and presented them as works of art. This exhibition was regarded as a triumph of the movement called

¹⁰⁶ Cuthill, I., *Field experiments in animal behaviour: methods and ethics*. *Animal Behaviour*, 42, 1991, pp. 1007–1014.

¹⁰⁷ Verhoog, H., *Diversity of Livestock Systems and Definition of Animal Welfare*. *Proceedings of the Second NAHWOA Workshop, Cordoba*, edit. M. Hovi si R. Garcia Trujillo, 2000, p. 108–119.

Arte Povera. When this exhibition was reorganized at Gavin Brown's Entreprise Gallery in New York in 2015, some activists in the field of animal rights protested against the artwork, seeing as how binding the horses to the gallery wall was made without taking into account these rights and provoked unjustified suffering to the horses.^{109 20}

Another case is that of Kim Jones, who in 1976 exhibited the artwork titled *Rat Piece*, consisting of 3 live rats held in a metal cage. He set the rats on fire in front of the public, thus inducing their death. The audience was terrified, but the artist pointed out that the exhibition is a profoundly personal exhibition and reflects his traumatic experiences in the Vietnam War. Although the artist was charged with animal cruelty and fined, the director of the gallery being fired as well, the artist argued that the public could intervene at any time to stop him from setting the rats on fire, but that they did not do it.¹¹⁰ Another equally controversial exhibition was that of the artist Marco Evaristi, who in 2000 presented an art work titled *Helena* consisting of showcasing 10 small mixers in which he put water and live fish. The blenders were plugged in, they were functional, and visitors had the option to turn them on, with predictable results. More than one visitor turned the mixers on, killing the fish inside, garnering complaints from animal lovers and animal rights activists. The artist, the exhibition manager, and the people who pressed on the blenders' start button were accused of animal cruelty. The artist then claimed that piece was a social experiment aimed at drawing attention to choices made by animal lovers.¹¹¹ Another equally publicized case was artist Eduard Kac's exhibition, who in 2003 presented the artwork *GFP Bunny*, a transgenic rabbit whose DNA was modified by introducing genes from a phosphorescent jellyfish into its genome. The rabbit with the modified genome, named Alba, underwent a change in the coloring of its fur, so that under a light blue its body gave off a green, phosphorescent glow. The artist wished to take the phosphorescent rabbit home but was not allowed to do so, the transgenic animal not being allowed to leave the laboratory. It is believed that Alba would have died in captivity. Kac thought that besides the created work of

¹⁰⁸ *Idem*³

¹⁰⁹ Kinsella, E., "Animal Rights Activists Protest 'Untitled (12 Horses)' at Gavin Brown's Entreprise." *Artnet News*, June 26, 2015.

¹¹⁰ Harries, M., "Regarding the Pain of Rats: Kim Jones's *Rat Piece*." *TDR: The Drama Review*, 51, 2007, pp. 160–165.

¹¹¹ Boxer, S., "Animals Have Taken Over Art, and Art Wonders Why; Metaphors Run Wild, but Sometimes a Cow Is Just a Cow." *The New York Times*, June 24: B9, B11, 2000.

art, what was also important was challenging people's relationships with animals and plants whose genome was modified.^{112 21}

Equally interesting was the exhibition organized by Peng Yu and Sun Yuan in 2003 entitled *Dogs That Cannot Touch Each Other* in which Mastiff dogs faced each other while they were tied to moving treadmills but were not able to reach one another, to touch. Another artist, Huang Yong Ping, organized in 1993, in Stuttgart, an exhibition titled *Theater of the World* consisting of a wooden piece tortoise and a metal cage filled with live reptiles and insects. The animals were free to interact, often struggling with each other, insects being at times consumed by the reptiles. As some of the animals died, they were replaced by others. In this case as well, there were virulent critics from animal rights activists about the organization and presentation of such an exhibition.¹¹³

In recent years, a new form of art has emerged that manipulates “the mechanisms of life” and which, in turn, inspired a new wave of writers. The Alba rabbit was the beginning of an far-reaching artistic movement that dominated almost all domains of contemporary biology, from transgenesis, cell and tissue culturing, plant selection and propagation, human grafts, artificial synthesis of DNA sequences, neurophysiology, and visualization techniques in molecular biology.¹¹⁴ This type of art produces discomfort, more precisely, it scares because it strikes at the center of our fears and reflects the contradictions of the “biotechnological revolution”.

In this context, we can better understand the approaches of the artistic current proposed by *Symbiotic A*, a lab that combines art with science, where artists like Jens Hauser, Vilem Flusser, Eduardo Kac, George Gessert, Joe Davis and Marta de Menezes have found a stable ground to present their work. In this type of art, “philosophers and bioethics experts always meditate, subtly and a priori, on what we should or should not do, but we may need to reconsider a priori judgments formed a posteriori on the mistakes of man and of the world”.^{115 22}

¹¹² Kac, E., “*GFP Bunny*.” *Leonardo* 36, 2003, pp. 97–102.

¹¹³ Goldstein, A., “*The Guggenheim’s Alexandra Munroe on Why ‘The Theater of the World’ Was Intended to Be Brutal*.” *Artnet News*, September 26, 2017.

¹¹⁴ Hauser, J., *L’art Biotech*. Le lieu unique. Filigranes Editions, Nantes, 2003.

¹¹⁵ *Idem*⁷

¹¹⁶ Ryder, O. A.; Feistner, A. T. C., *Research in zoos: A growth area in conservation*. *Biodiversit, and Conservation* 4 (6): 1995, pp. 671–677.

¹¹⁷ O’Connell M., *Threats to water birds and wetlands: implications for conservation, inventory and research*. *Wildfowe* 51, 2000, pp. 1–15.

¹¹⁸ Rusu, A. S., *Principii moderne de amenajare a grădinilor zoologice*. Ed. Presa Universitară Clujană. Cluj-Napoca, 2008.

Alternatives to bioart

As alternatives to the presence of live animals in art galleries, gardens, zoos and the natural environment still exist, of course, with the exception of pet ownership or the existence of zootechnical farms for breeding livestock. Zoos and parks are mini-ecosystems that are totally dependent on humans. They can not stand alone. Historically, many zoos have sheltered and presented animals strictly for the joy of visitors, few taking into account their wellbeing. Today, the role of gardens and zoos has changed dramatically. Thus, these entities have the role of preserving biodiversity, doing research and ecological education, and last but not least, making tourism and recreation. Often, the controlled environment, represented by zoos, is the only survival solution for endangered species.¹¹⁶ Zoos have an active role in preserving biodiversity by informing, sensitizing and promoting interest in nature,¹¹⁷ and must engage in ecological education and cultivate respect for animals, both for those working in the field and for visitors, even if this nature is rebuilt in a controlled environment, based on the model offered by wilderness conditions observed in species held captive.¹¹⁸

The presentation of habitats and animals' natural living quarters aim to facilitate human interaction with them. People are invited to meet the animals in their natural environment to learn and understand their needs and interests, to learn to protect and to respect them. Sometimes zoos invite the public to give names to animals, celebrate their birthday, encourage interactions with them, present them in social environments, all in order to understand that the animals are special beings, that they are our friends.^{119 23}

Some zoos encourage visitors to participate in animal care so that they develop feelings of worry and protection for them. Often, zoos, by extracting animals from their natural habitat, have changed their behavior, they are no longer in contact with their natural behavior, often being an infantile one. At times, animals in zoos are not seen as wild animals in captivity, but as toys, as fantastic creatures,¹²⁰ but captivity also brings much suffering to wildlife.¹²¹ The use of live animals in various activities must take into account the moral principle that suffering must be provoked only if it has a well-founded reason and maximizes the benefits it could bring. Pets, animals, those grown for consumption, due to the domestication process

¹¹⁹ Levin, A., *Zoo Animals as Specimens, Zoo Animals as Friends*. Environmental Philosophy 12, 2015, pp. 21–44.

¹²⁰ Tafalla, M., *The Aesthetic Appreciation of Animals in Zoological Parks*. Contemporary Aesthetics 15, 2017, pp. 32–34.

¹²¹ Jamieson, D. *Against Zoos*, in *In Defense of Animals: The Second Wave*, edited by Peter Singer, 132–143.

do not seem to suffer so much in contact with humans, if they are well cared for and if their wellbeing is taken into account, according to the species' requirements.

Conclusions

The use of live animals in art galleries has at least two explanations. One would be that the presence of a living animal in a space structured by the gallery environment and the art show obliges the visitor to interact with it, to focus on its relationship with that animal and to pay more attention to it than having come in contact with the animal outside the gallery. The gallery becomes a place where man can rethink and restructure his/her relationships with animals in particular, and with the world in general.

The presence of live animals in an art gallery creates other meanings, while animal representations do not do so in the same way¹²². The live animal in an art gallery can facilitate relationships of concern, protection and respect from visitors. The agreement of artistic engagement offered by the art gallery certainly contributes to this.²⁴

A second explanation for the use of live animals in contemporary art galleries is given by the fact that many artists consider that "the work becomes a matter of reaction",¹²³ but this aspect must be very well judged, since transgressive behavior tends to settle in other spaces as well, and at times, young artists take considerable risks on their own,¹²⁴ and often violate human dignity.¹²⁵

Bioethics requires of the artist who incorporates the live animal into his work, only to do so when it does not cause suffering and produce concern for the visitor, but also promotes protection of and respect for the animal.

In conclusion, I would quote Flusser¹²⁶ who rhetorically and somewhat naively asks: "Why are there no red spotted blue dogs? And why do rabbits have no phosphorescent colors to radiate in the landscape of the night?" I believe that bioartists succeed, at times, through their work, to fulfill our preoccupations, hopes and fantasies.²⁵

¹²² *Idem*³

¹²³ Bousteau, F., *Le vent se lève*. Beaux Arts magazine, nr. 225, 2003, p. 5.

¹²⁴ Conte, R., *L'art a-t-il tous les droits?*. Revue Plastik nr. 2. Université Paris, 2002.

¹²⁵ Fleck, R., *L'actionnisme viennois*. In *Hors limites. L'art et la vie*. Paris Musée National d'Art Moderne, 1994, pp. 206–207.

¹²⁶ Flusser, V., *Eine Korrigierte Greschichtsschreibung*, in *Artforum and Schriften*, Band 2, Nachgeschichte, 1988.

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