



Introduction to ANIMAL PRIVACY: Historical and Conceptual Approaches

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Table of Contents

Introduction to ANIMAL PRIVACY: Historical and Conceptual Approaches by Natacha Klein Käfer, Brett Mills, and Kaori Nagai pp. 1-13

Here's Looking at You, Kid: Nonhuman and Human Privacy Entanglements in the Surveillant Assemblage by Delia Langstone pp. 14-35

The Ethics of Privacy and Consent in Anthrozoological Investigations by Michelle Szydlowski, Jes Hooper, Sarah Oxley Heaney, and Kristine Hill pp. 36-59

Baby Watch: Capitalism, Technology, and the History of Maternal Privacy and Live-streamed Surveillance in Captive Animal Spaces by Andrea Ringer pp. 60-81

The Constitutional Monarch and his Mini Zoo: The Case of Sultan Abdul Halim Mu'adzam Shah by Zahid Zamri pp. 82-100

Settler Colonial Intrusion, Tasmanian Tiger Extinction, and Animal Privacy in Walton Ford's *The Undead* by Matthew Whittle pp. 101-118

Animal Soundscapes and Early Modern Privacy at the Danish Court, Christine Jeanne-
ret pp. 119-145

Abstract

*This article introduces the special issue *Animal Privacy*, situating its contributions in the fields of animal studies and privacy studies. By analyzing how a focus on non-human perspectives can reframe understandings of privacy, this introduction highlights how the authors in this special issue add new perspectives on animal privacy in the context of technology and surveillance, ethics and consent, captivity and observation, colonialism and extraction, as well as the crossing and protecting of thresholds.*

Keywords

Animal privacy – non-human privacy

In October 2016, the naturalist and wildlife documentary presenter David Attenborough called for zoos to consider replacing enclosures' glass panels with peepholes, in order to respect animals' privacy.¹ His justification was that some animals—such as gorillas—protect their privacy in the wild, and this aspect of their behaviour, therefore, needed to be accommodated for in institutions such as zoos. But is it meaningful to think about whether privacy debates are relevant to non-human animals? If so, how does the concept differ—if at all—for animals in contrast to humans? Does it apply differently for different species, or for different contexts; for example, should humans think of privacy in relation to wild animals differently to animals in zoos, or as pets? How can humans know if animals have a sense of privacy, and if they do, how does it differ from that for humans? And, if humans should consider animal privacy, what forms should this take, in terms of policy, ethics, or behaviour? Why—and for whom—is it better to look at animals through peepholes rather than glass?

In short, what new insights can be gained if non-human animals are taken into account when exploring notions of privacy? This special issue addresses this question by exploring how historical and contemporary human-animal relationships inform how privacy has been understood, conceptualized, and enacted: conversely, it also examines how human conceptualizations of privacy inform how other species are understood and humans' relationships with those species. The articles in this volume stem from ongoing discussions resulting from a workshop of the same name that took place in November 2021, organized by the Centre for Privacy Studies at the University of Copenhagen and the Kent Animal Humanities Network at the University of Kent.²

In asking such questions about animals and human-animal relationships, this special issue responds to what has been dubbed the 'animal turn', in which many fields within the humanities and social sciences have begun to situate animals as relevant and necessary to the questions they ask.³ This shift represents a significant disruption in research methodologies and interests, especially for the *humanities*, which—as its name suggests—has often defined itself as focused on humans and human socio-cultural contexts alone. Yet those human contexts are—and always have been—bound up with non-human animals and, thus, understanding human societies is incomplete if animals are ignored. Humans use animals as pets, in wars, for entertainment, as food, and as research specimens. Humans also understand some species as dangerous threats, while at the same time marvelling at them as exemplars of nature. How humans engage with and understand animals is complex and often contradictory; furthermore, it is often context-specific, changing across time and across cultures and nations. Trying to understand all this has resulted in the development of research methods categorized as 'animal studies' or 'human-animal studies', which "explores the spaces that animals occupy in human

1 Agence France-Presse, "David Attenborough: Zoos should use peepholes to respect gorillas' privacy," *The Guardian*, October 18, 2016, <https://www.theguardian.com/world/2016/oct/18/david-attenborough-zoos-respect-gorillas-privacy-peepholes>.

2 We would like to thank the Centre for Privacy Studies (DNRF138) at the University of Copenhagen and the Kent Animal Humanities Network at the University of Kent for all their support during the workshop and the ensuing publication as well as all the participants and presenters that took part in this collective endeavour.

3 Harriet Ritvo, "On the Animal Turn," *Daedalus* 126, no. 4 (2007): 122.

social and cultural worlds and the interactions humans have with them.”⁴ Arising from differing motivations and pursuing a variety of goals, scholarship in this loose, interdisciplinary, and transdisciplinary area has emerged in many pre-existing fields, such as history, literature studies, sociology, and media studies.⁵

Given that much of this emerging scholarship focuses on human-animal relationships, a criticism of it is that it is interested in animals only inasmuch as they are useful resources for deeper understandings of the human condition. In that sense, a question remains; what do the animals get out of all of this? In response, more critical and radical threads of the animal turn aim to disrupt the human-centredness that motivates such thinking and, instead, situate animals as equal subjects in their own right. Loosely defined as ‘critical animal studies’, this more radical perspective exposes, responds to, and critiques humans’ exploitation of animals.⁶ Such analyses are typically situated within a number of human-made contexts in which animals are victims, such as the destruction of their environment and the collapse of ecosystems in the Anthropocene, pets as animals entrapped in human-centred environments, and the global, industrial meat industry entirely dependent upon disempowered animals.⁷ Critical animal studies makes visible and critiques “the culturally normal fantasy of human exceptionalism,”⁸ whereby humans understand themselves as superior to all other beings, and, therefore, legitimize their exploitation of them. Rethinking how the world is conceptualized and understood in order to accommodate the needs, preferences, and activities of non-human animals is thus a significant intervention into centuries of humanist thought, which has typically situated the human as the primary—or sole—subject of inquiry. It is within this context that this special issue engages with the concept of privacy, which has traditionally been understood as a human-only concern.

Although attracting significant interest and broader critical debates in recent years, privacy is still usually understood as something humans protect from other humans. Humans’ understanding of privacy as a right stems from the belief that it is part of human nature

4 Margo DeMello, *Animals and Society: An Introduction to Human-Animal Studies* (Columbia University Press, 2012): 4–5.

5 Notable recent examples include, for history, Erica Fudge, *Quick Cattle and Dying Wishes: People and their Animals in Early Modern England* (Cornell University Press, 2018), Jennifer Bonnell and Sean Kheraj, eds., *Traces of the Animal Past: Methodological Challenges in Animal History* (University of Calgary Press, 2022) and Kaori Nagai (ed.) *Maritime Animals: Ships, Species, Stories* (Pennsylvania State University Press, 2023); For literary studies, Susan McHugh, Robert McKay, and John Miller, eds., *The Palgrave Handbook of Animals and Literature* (Palgrave, 2021) and Michael Lundblad, *Animalities: Literary and Cultural Studies Beyond the Human* (Edinburgh University Press, 2017); For sociology, Erika Cudworth, *Social Lives with Other Animals: Tales of Sex, Death and Love* (Palgrave, 2011) and Kay Peggs, *Animals and Sociology* (Palgrave, 2012); For media studies, Claire Molloy, *Popular Media and Animals* (Palgrave, 2011); Brett Mills, *Animals on Television: The Cultural Making of the Non-Human* (Palgrave, 2017).

6 Dwayne McCance, *Critical Animal Studies: An Introduction* (State University of New York Press, 2013), 4.

7 See, for example, Katherine Gibson, Deborah Bird Rose, and Ruth Fincher, eds., *Manifesto for Living in the Anthropocene* (Punctum Books, 2015) and *Human Animal Research Network Editorial Collective*, eds., *Animals in the Anthropocene* (Sydney University Press, 2015); Erica Fudge, *Pets* (Routledge, 2008) and Yi-Fu Tuan, *Dominance and Affection: The Making of Pets* (Yale University Press, 1984); Annie Potts, ed., *Meat Culture* (Brill, 2017); Carol J. Adams, *The Sexual Politics of Meat: A Feminist-Vegetarian Critical Theory* (1990; repr., Bloomsbury, 2016).

8 Donna J. Haraway, *When Species Meet* (University of Minnesota Press, 2008), 11.

to establish barriers—physical, normative, or behavioural⁹—between the individual and the collective. Human cultures, thus, tend to disregard the roles that other animals play in shaping human space and sense of privacy, even though humans share their environment with many species on a daily basis. Likewise, humans do not take the idea of nonhuman animals' right to privacy seriously or even consider what forms nonhuman privacy might take, even though their continuing encroachment into other spheres of life endangers and dismantles the lives of other animals.

Given this understanding of privacy as a human strategy of protection over their bodies, information, and resources, the growing field of *privacy studies* is, by default, also human-centric. However, even all human beings are not encompassed in narrower perspectives of privacy. Highly influenced by the 1890s article "The Right to Privacy" by Louis D. Brandeis (1856–1941) and Samuel D. Warren (1852–1910), privacy became a concern of modern society in the face of the intruding nature of technological developments.¹⁰ The debates regarding legal protections of privacy pushed forward a notion of privacy that is particularly individualistic and Western, excluding more collectivist societies and how they might experience privacy as individuals and communities.¹¹ In the past decade, the field of privacy studies has tried to tackle this challenge by creating more encompassing definitions, expanding on previous methodologies to understand privacy as a malleable, relational, and contextual exercise of boundary drawing and control over the crossing of thresholds – be they physical, informational, personal, or collectively defined.¹²

In the same vein, the study of privacy for individuals and societies from the past is often seen as an anachronistic attempt to stretch a modern phenomenon onto different periods. Historians have to continuously justify the use of the term in order to explore privacy as a historically rooted notion and experience.¹³ The idea of adding animal experiences to the discussion might find some resistance as it pushes the boundaries of privacy as a concept even further. We argue, however, that rather than distorting our understanding of privacy, focusing on animal privacy ultimately helps us uproot ingrained and narrow perspectives of privacy as an asset belonging to the modern Western human individual. Instead, we propose that privacy can encompass the broader experience of the need to selectively enable, disable, and regulate the degree to which others can approach boundaries defined by individuals and collectives of different species and cultures. Such fluid-

9 Roger J. R. Levesque, "Spatial Privacy," in *Adolescence, Privacy, and the Law: A Developmental Science Perspective*, ed. Roger J. R. Levesque (Oxford University Press, 2016) and Natália da Silva Perez, "Privacy and Social Spaces," *TSEG—The Low Countries Journal of Social and Economic History* 18, no. 3 (2021): 5–16; Beate Roessler, *The Value of Privacy* (Polity, 2005); Kirsty Hughes, "A Behavioural Understanding of Privacy and Its Implications for Privacy Law," *The Modern Law Review* 75, no. 5 (2012): 806–36.

10 Louis D. Brandeis and Samuel D. Warren, "The Right to Privacy," *Harvard Law Review* 4, no. 5 (1810): 193–220.

11 Alex B. Makulilo, "A Person Is a Person through Other Persons'—A Critical Analysis of Privacy and Culture in Africa," *Beijing Law Review* 7, no. 3 (2016): 192–204.

12 Beate Roessler, "Three Dimensions of Privacy," in *The Handbook of Privacy Studies*, ed. Bart van der Sloot and Aviva de Groot (Amsterdam University Press, 2018), 137–42; Mette Birkedal Bruun, "Towards an Approach to Early Modern Privacy: The Retirement of the Great Condé," in *Early Modern Privacy: Sources and Approaches*, eds. Michaël Green, Lars Cyril Nørgaard, and Mette Birkedal Bruun (Brill, 2021), 12–60.

13 Lars Cyril Nørgaard, "Past Privacy," in *Early Modern Privacy: Sources and Approaches*, eds. Michaël Green, Lars Cyril Nørgaard, and Mette Birkedal Bruun (Brill, 2021), 1–11.

dity allows for an understanding of how the intrusion of privacy can look or feel very different depending on the context, thus allowing a much more nuanced perspective of what different societies, environments, cultures, social groups, and species perceive as a threat or as something requiring protection.

Such broadening of perspectives on privacy also entails different approaches regarding how achieving privacy or having one's privacy violated can be experienced through the senses.¹⁴ Human-centric accounts of privacy tend to focus on regulating how and when one is seen. This emphasis on sight as the benchmark of privacy can have a large impact on understanding privacy as it is experienced in bodies that rely primarily or entirely on other senses. For many species, protections and intrusions would be felt much more via aural, olfactory, tactile, or gustatory stimuli. Sensitivity to vibrations for some species, such as elephants, can mean that interferences in their environment can be felt at significant distances, something that a perspective based on sight would fail to account for.¹⁵ A multisensory lens also facilitates a better understanding of which behaviours can be perceived as more private and where preferred boundaries can be drawn. Such a view of privacy highlights the malleability of such boundaries and how they can adapt to social, cultural, environmental, and technological changes.

Advancements in technological developments and the constant scrutiny of media in daily life have brought the issue of privacy regarding animals and human/non-human interactions to the forefront. In 2010, Brett Mills subjected the BBC wildlife documentary *Nature's Great Events* and the production team's efforts to film the secret life of animals to an ethical examination, asking why it is that "they never engage with the debate as to whether animals should be filmed at all."¹⁶ Mills argued that neither the possibility of animals' right to privacy nor their likely "desire to remain unseen by other species";¹⁷ was taken into account. Mills' article raises uncomfortable issues, not only because wildlife documentaries such as *Nature's Great Events* are thought to be a means to educate people about nature's wonders and to raise awareness about conservation concerns, but also because it calls attention to the possibility that humans' 'love' of other species—enacted via curiosity or a desire to see and feel intimacy with other species—might be infringing their 'privacy' in ways hard to imagine. More recently, the fast growth of social media and new surveillance practices have made this concern even more pressing.¹⁸ Amidst ongoing environmental crises, it is vital that humans fundamentally reconsider their relationships with nonhuman species. It would require a radical rethinking of the concept of 'privacy' to examine animal privacy earnestly, especially as it has been a blind spot in our critical discourses about animals. Even if it is decided that privacy cannot be extended to other

14 Alessandro Acquisti, Laura Brandimarte, and Jeff Hancock, "A Sense of Privacy," *SSRN Electronic Journal*, ahead of print, 2020. <https://doi.org/10.2139/ssrn.3752063>.

15 Beth Mortimer et al. "Noise Matters: Elephants Show Risk-Avoidance Behaviour in Response to Human-Generated Seismic Cues," *Proceedings of the Royal Society B: Biological Sciences* 288, no. 1953 (2021): 20210774.

16 Brett Mills, "Television wildlife documentaries and animals' right to privacy," *Continuum: Journal of Media & Cultural Studies* 24, No. 2 (2010): 196.

17 Mills, "Television wildlife documentaries," 196.

18 Rose Eveleth, "Animals need digital privacy too," *Wired*, January 31, 2020, <https://www.wired.com/story/animals-need-digital-privacy-too/>.

species, humans' sense of privacy needs to change in order to be attentive to the roles of other animals that have crucially contributed to the construction of that sense of privacy.

The articles in this special issue tackle the question of animal privacy head-on. Coming from multiple disciplinary perspectives, our authors engage with animals in relation to privacy in history, art, sound studies, ethics, surveillance studies, and trans-species studies. These different approaches to animal privacy allow us to highlight the challenges and opportunities offered by examining the issue from broad cultural, historical, geographical, and socio-political angles. Most of the studies presented here focus on animals in close relationship with humans, particularly in human intrusions into the boundaries of other species. Given the sheer variety of animal experiences, histories, and contexts relevant to the study of animals, the cases in this special issue are a starting point, but far from being comprehensive of what animal privacy can entail. This is a problem that animal studies and critical animal studies have repeatedly grappled with, where the word 'animal' simply contains so much that using it risks reinforcing the very human-animal binary that this work intends to disrupt. It is, after all, "an appellation that men have instituted, a name they have given themselves the right and the authority to give to the living other."¹⁹ By that logic, there is no such thing as animal privacy; like for humans, there are instead an almost infinite number of animal *privacies*, each of which demands acknowledgement of its specificity. This special issue encourages a much-needed awareness of this multitude.

Combined, the articles in this special issue offer new perspectives on how privacy in relation to *technology and surveillance, ethics and consent, captivity and observation, colonialism and extraction* can be understood, as well as the *crossing and protecting of thresholds* by bringing the non-human perspective to the fore. In what follows, it is shown how opening up to the inclusion of a variety of sensorial, behavioural, and environmental experiences can transform what privacy can mean and, through this new understanding, help find different ways of negotiating and protecting it.

The special issue kicks off with Delia Langestone's article "Here's Looking at You, Kid: Nonhuman and Human Privacy Entanglements in the Surveillant Assemblage."²⁰ It serves as an ideal starting point for the goal of fostering dialogue between animal studies and privacy studies, as Langestone proposes to apply Daniel Solove's typology of privacy and taxonomy of invasions of privacy to explore the 'privacy' of nonhuman animals. Langestone outlines the use of biometric surveillance technologies to render animals visible and trackable to humans and examines the implications that such technology has for animal privacy and humans' power over animals. In focusing on technology, Langestone points to wider debates about tools such as AI and facial recognition, which thus far have largely focused on their implications for human privacy while ignoring the concomitant animal-related debate. The discussion here also gestures towards the ways in which technology—and humans' use of it—transforms animals from living individuals into little

19 Jacques Derrida and David Wills, "The Animal That Therefore I Am (More to Follow)," *Critical Inquiry* 28, no. 2 (2002): 392.

20 An error in this title has been corrected since the publication of this article.

more than data to be used for human-centred purposes, codifying other species' experiences into human approaches and sensibilities.

In "The Ethics of Privacy and Consent in Anthrozoological Investigations," Michelle Szydłowski, Jes Hooper, Sarah Oxley Heaney, and Kristine Hill employ animal-centred approaches to examine privacy concerns in animal research. While GDPR (General Data Protection Regulation) laws regarding privacy protection in scientific environments have been analyzed carefully in legal, ethical, and social studies, the extent to which animals should be incorporated into this discussion has not entered the debate. Moreover, ethical considerations over the presence of animals in scientific studies rarely include privacy concerns. Authored by a team of anthrozoologists, committed to acknowledging the agency and experiences of otherthanhuman animals, this article explores methods for protecting the privacy of non-human research informants while also identifying necessary ethical considerations. At the core, the authors propose methods to identify otherthanhuman boundaries and to find ways of garnering consent from all species involved in studies.

Andrea Ringer's article, "Baby Watch: Capitalism, Technology, and the History of Maternal Privacy and Livestreamed Surveillance in Captive Animal Spaces," carries on the theme of technological surveillance and control of animals through poignant examples of captive zoo animals. Ringer focuses on zoos' practices of monetizing animal behaviours that might otherwise deserve privacy. That is, while zoos may now be more attentive to the privacy-related welfare needs of animals—especially at particular moments, such as giving birth—webcams and CCTV replace in-person privacy contraventions with technologized ones. While maintaining the public's interest in animals is argued by zoos to be important for conservation-awareness work, Ringer also situates this use of technology within capitalist contexts, whereby visual access to certain animals ensures that zoos maintain relationships with visitors-as-consumers.

Zahid Zamri's article, "The Constitutional Monarch and His Mini Zoo: The Case of Sultan Abdul Halim Mu'adzam Shah," similarly centres on zoo animals, in this case, focusing on the relationship between the Sultan as zoo owner and the animals he kept in his curated environment. Animal privacy here emerges as a multispecies construct, with the seclusion needs of captive animals intricately intertwined with those of the Sultan, whose own privacy was restricted by his role as a constitutional monarch. Sultan Abdul Halim Mu'adzam Shah was the Sultan of Kedah in the Malay Archipelago, who reigned between 1959 and 2017. The article demonstrates how his sovereign privacy was made possible through caring for his private menagerie.²¹ While the Sultan and his zoo animals resembled each other in that both lacked privacy, the former was able to carve out his privacy and define his public image as a merciful ruler by keeping the latter as 'pets'.²² This

21 Jacques Derrida, *The Beast and the Sovereign*, eds. Michel Lisse, Marie-Louise Mallet, and Ginette Michaud, trans. Geoffrey Bennington, vol. 1 (University of Chicago Press, 2009).

22 'Pets' is a highly problematic term, embedded in regimes of interspecies power; see Yi-Fu Tuan, *Dominance and Affection: The Making of Pets* (Yale University Press, 1984). The use of it here does not indicate acceptance of the term or its consequences; rather it is intended to acknowledge that practices being referred to are ones in which animals are turned by humans into pets, the word making clear the enactment and normalisation of species-based hierarchies.

contribution also shows how the question of animal privacy is embedded in societal, cultural, and religious structures, providing insights into how Islamic principles informed the relationship between the Sultan and the animals in his enclosed environment, as well as how it shaped the public perception of that relationship.

The issue of animal privacy is inseparably linked to the history of colonialism and the wildlife trade, as evidenced by the recurring presence of captive exotic animals throughout this special issue. Matthew Whittle's article, "Settler Colonial Intrusion, Tasmanian Tiger Extinction, and Animal Privacy in Walton Ford's *The Undead*," powerfully draws attention to this connection and its continuing legacies. It centres on the analysis of Walton Ford's *The Undead* (2008); the painting depicts the encounter between a lamb and a Tasmanian Tiger – arguably a private moment of eco-kinship, to be intruded upon by settler hunters who justified the destruction of the Tasmanian tigers as savage predators. Whittle goes on to dissect how settler colonialism, extinction, and genetic developments interact in our attempts to cope with the human impact on the environment using the example of the Tasmanian Tiger. In his analysis, the author also sheds new light on the issues of genetic privacy and who is entitled to ownership of the DNA of different species.

The special issue closes with Christine Jeanneret's article "Animal Soundscapes and Early Modern Privacy in the Danish Court." It reconstructs the sonic ecology of the animals kept at the Danish court by closely analyzing textual and material sources. Jeanneret vividly presents the court as a bustling hub of animal sounds while exploring the complex interplay between privacy and various forms of human-animal relationships through these sounds. Her invitation to listen to the animals enables rethinking of the issue of animal privacy, which is more usually theorized through animals as images. As various animals in court, both dead and alive, make sounds – marking privacy spatially through echoing and overlapping sonic boundaries – we are again reminded of the history of colonialism, as the Danish court was filled with exotic animals. And if animal studies teaches humans to respect each species' unique world, it is important to learn to imagine both the soundscapes that matter to other animals and how human sounds impinge upon their spheres, and therefore their privacy.

The interplay of privacy studies and animal studies fostered by the articles in this special issue opens up multiple avenues of thought and research that respond to contemporary debates about human-animal relations and societies of surveillance. Surveillance has been positioned as a valuable tool for animal rights advocates, given that it can be used to track wild animal populations or as evidence of abuse in factory farms.²³ Yet what this primarily illustrates is the extent to which what happens to animals is invisible to the majority of humans. In fact, the gulf between what happens to animals and its visibility to humans is such that technology must be employed for it to become apparent. Within the context of the climate crisis, where animals are positioned—and how this intersects with where humans are—is likely to become even more problematic than at present, with

23 Anders Herlin, Emma Brunberg, Jan Hultgren, Niclas Högberg, Anna Rydberg, and Anna Skarin, "Animal Welfare Implications of Digital Tools for Monitoring and Management of Cattle and Sheep on Pasture," *Animals* 11, no. 3 (2021): 829; Scott W. Yanco et al. "Tracking Individual Animals Can Reveal the Mechanisms of Species Loss," *Trends in Ecology & Evolution* 40, no. 1 (2025).

animals no doubt emerging as the major losers. Critically examining notions of animal privacy helps remind human cultures that animals are living subjects who are rendered as objects through a human lens. Reflecting on how humans understand, ignore, and/or invade animals' right to go unnoticed—and to remain enigmas to regimes of human knowledge—offers tools necessary to tackle the issue of privacy within contemporary socio-political contexts.

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