

ON THE SOUL OF ANIMALS AND THEIR RIGHTS - RIGOROUS SUPPORT IN THE ACTION HUMANKIND OWES

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Abstract: The understanding that a person is required or expected to have of themselves must inevitably be linked to their presence in the world as an individual. This sense of self has traditionally remained distant for *anthropos*, but this existing distance does not eliminate the biological reality or the moral responsibility faced by everyone in the human world. All this is reinforced by the fact that the emergence of humankind, and probably its extinction too, are merely stages in the development of nature, independent of its subjective will or interests. This is why what comes to the fore are not so much the differences between members of the fauna, which are obvious and easily discernible, as the similarities, whose apparent clarity often leads to their underestimation and conceptual neglect.

This article examines an ecosophical problem concerning animal rights - viewed not so much as a legal fiction, but as an ethical duty that binds the human animal to responsibility within its creative actions and the rational morality from which they stem.

Keywords: Norms, ethics, ethical, virtue, morality, significance.

Theoretical dynamics

Quite naturally, in the context of the intermingling of similarities and differences, priority must be given to human creative nature, since it is precisely the one that is inevitably bound to create the rules for the harmonious world it inhabits, or at least for that part of it which it believes it could control. The compartmentalisation of the world is not a modern or postmodern privilege, nor is it their fantasy; it is present in the mythological world, where the gods are the bearers of the rules and, respectively, the sanctions.

A key characteristic of humanised harmony, as a cultural construct and a virtue, is tolerance, without which social interactions could not take place in that moral manner inherent in every idea of the *πολιτεία*, by virtue of which man makes his claims. It is precisely the degree of tolerance that is one of the factors determining intelligence. Such a claim is based on the need to view tolerance as a virtue attainable through upbringing, whilst intelligence carries within it certain genetic predispositions that upbringing can either develop or suppress. However, when speaking of tolerance, it is essential to distinguish between it and the required, legally protected social acceptance, because tolerance is an understanding of the grounds for differences, not a forced acceptance of vice and moral decay. Acceptance of everything that does not fit within the views of the Self is the very essence of rational presence amidst diversity. This acceptance is not forced, but empathetic, dictated by the meanings of presence, rather than by demonstrations of opportunistic or conventional predetermination. Acceptance often exists without the presence of tolerance. And true tolerance does not tolerate acceptance in its spineless and weak-willed sense. It is a manifestation of principle, adherence to rules and discipline of the spirit – qualities that

elevate the Self to the point of realising them. They are attributes of self-awareness, not as moral upbringing, but as a deep inner conviction, a sense and intuitive self-realisation, and an admission of worldly realisation.

Naturally, this places the foundations of human presence within the context of its uniqueness or essence, and it is precisely through this prism that this presence becomes linked to *the world-creation of the human topos*. Consequently, this is *a result of ...*, rather than *a cause of ...*, which to a large extent equates the status of everything present with that of human beings.

It is precisely this conclusion that directs the exposition towards the natural and social regulation of the co-participants in the world – equally dependent on it and equally helpless before it. The reasons for this interconnectedness and the deterministic perspective are entirely dictated by empirical and philosophical facts, which provide grounds for the inevitable symbiosis between the various manifestations in nature – conclusions that existed long before the wisdom of natural philosophy.

Analytical adjustments

Of fundamental importance, within the context of the theoretical framework, is the need to examine the formal aspect of the issues surrounding the topic.

It is evident that in a world where rules, termed *laws*, serve solely as deterrents and, less frequently, as preventative measures, regulation is viewed as a form of violence which the Self finds difficult to bear, yet must recognise as a necessity. How does the law evolve? Is the artefact capable of imposing harmony in a place where it becomes impossible? Are there other methods of enforcement? The questions posed do not allow for unambiguous answers, which often has two consequences: on the one hand, the inability to articulate an answer, and on the other, a reluctance to do so.

The extent of a law's impact depends on the people who created it. As Bentham puts it, *'reasons which have for their object the causing them to be adopted and made law by the persons to whom, in the several communities, the power of determining on every occasion what shall be taken for law, and have the force of law, depends...'* (Bentham 1830, Section II) This insurmountable subjectivism, though 'cloaked' in liberal utilitarianism, does not fundamentally resolve the crucial problem linking human presence with human responsibility. Bentham himself acknowledges this weakness - *... a positive description must have been found by law, fixing, or rather superseding, the moral one.* (Bentham 1787, Letter II). For unlike all other beings, man possesses a variability of action that is not dictated by instincts but by interests. This points to the possibility of the world receiving a moral evaluation that divides humans into the well-intentioned and the ill-intentioned. The former are inclined to show benevolence towards all beings - the objects of this benevolence, such as the Supreme Being, human beings and animals. The latter are inclined to show malice towards all beings capable of feeling pain, namely human beings and animals. (Bentham 1823, Ch. V, § X, § XI). It is striking that although morality has its socio-human roots, it inevitably reflects upon the world surrounding humankind and its hierarchy, which is independent of humankind. Moreover, this reflection on the world places all

that exists on a common level – that of what *bears* the impact – an approach that discreetly recalls the unity within the landscape of creation.

The roots of this merging, of this co-participation between the elements of existence, have been the subject of such profound reflection that regulations have been devised in which equality and the possibility of experiencing happiness are evident. According to Bentham, there are two groups of beings in existence: other human beings, who are styled persons, and animals, which, because their interests have been neglected due to the insensibility of the ancient jurists, have been reduced to the class of things. *Other human beings who are styled persons. 2. Other animals, which, on account of their interests having been neglected by the insensibility of the ancient jurists, stand degraded into the class of things.* (Bentham 1823, Ch. XVII, § I: IV).

The history of care for animals and humans can be traced back to the ideas of the Pythagoreans. They categorically rejected the necessity ... *to feed our flesh with flesh* (Ovid, *Metamorphoses*: Book 15: [80]-[90]), because the act of inflicting harm is, in fact, a sign of moral decline, turning humans into monstrous Cyclops who derive pleasure from the suffering of living beings.

According to Porphyry in *On the Abstinence of Eating Animals*, animals possess souls of a different kind, which may explain the differences between them; however, it is essential that, if they possess souls, this makes them similar to humans, because the parents of all living things - Heaven and Earth - are the same. The Pythagoreans believed that animals, too, are endowed with the same soul as humans. In itself, this conclusion, though it may sound naïve, sets a completely different direction regarding human behaviour towards animals, behaviour that is linked not merely to ethos (*ἦθος*), understood as differences in character, but to the need to regulate that behaviour. Dishonourable is he who does not refrain from unjust actions towards his kind, and the fact that ... *some animals are savage, is their alliance to us to be on this account absconded.* (Porphyry, Book III, §25 - §26).

According to Aristotle, Pythagoras does not fully exhaust the question of the soul of animals, because he omits an important detail, namely that it is not clear how the soul chooses its body. Can every soul be in every body? Of course, it is striking that once Aristotle engages with such a question, he is not faced with the dilemma of whether living beings have a soul or not. Its existence is a necessary condition for explaining subsequent existence. (Aristotle, *On the Soul*: Book I, Part 3). At the same time, according to Pythagoras, the soul is both the underlying meaning and the driver of all that exists - a *sine qua non* for its existence. (Aristotle, *On the Soul*, Book I, Part 2).

This line of reasoning leads to the possibility that the human soul might synchronise with the soul of an animal, for it is precisely then that a person would preserve their dignity. The harmony that must be achieved elevates the human being, rather than equating them with something inferior.

The edicts of Emperor Ashoka the Great (King Piyadasi - Ashoka, was the third ruler of the Mauryan Empire (304 - 232 BCE)), also known as the Beloved of God, set a new model for this relationship. In the 3rd century BCE, the ruler issued decrees with the force of law concerning the cultivation of virtues among his subjects, and rules for moral conduct towards both people and animals. He established the first hospitals for sick animals and humans, thereby

laying the foundations of veterinary medicine and promoting the humane art of healing: ... *made provision for two types of medical treatment: medical treatment for humans and medical treatment for animals. Wherever medical herbs suitable for humans or animals are not available, I have had them imported and grown. Wherever medical roots or fruits are not available I have had them imported and grown. Along roads I have had wells dug and trees planted for the benefit of humans and animals.* (Ashoka, *The Fourteen Rock Edicts*, Ed. 2).

This impressive care for living beings is, in fact, a demonstration of reverence for life – that magnificent, joyful life which, in order to be such for everyone, requires those in power to be committed, empathetic and responsible. This is an entirely new social projection of human responsibility. The sovereign, in his capacity as a social authority, has a duty to demonstrate his functions in every possible way in order to achieve order in his state. It is entirely understandable that elements of order include education, support, setting a good example, and compassion. In the name of this common good, education must foster qualities that guarantee high moral standards – ‘*The Rules ... which I have laid down are that the various animals must be protected.*’ (Ashoka, *The Seven Pillar Edicts*, Ed. 7). But this does not remain merely aspirational; it is not in the realm of ‘should be done’, but is an example of active participation, of actions understood as *dutiful*, as pre-determined and declared. For everything the ruler must do is a commandment of the moral law, *the Dhamma*. In its essence, *the Dhamma* is the guiding principle embodying ... *little evil, much good, kindness, generosity, truthfulness and purity* (Ashoka, *The Seven Pillar Edicts*, Ed. 2), and these qualities are demonstrated in relations between people, but also in attitude towards animals. Treatment, care for a peaceful existence, a commitment to providing food and water, regulated castration, care for pregnant animals, protection from forest fires to safeguard animal species, prohibitions on the killing or torture of animals, and a list of protected animals. *Twenty-six years after my coronation, various animals were declared to be protected – parrots, mainas, aruna, ruddy geese, wild ducks, nandimukhas, gelatas, bats, queen ants, terrapins, boneless fish, vedareyaka, gangapuputaka, sankiya fish, tortoises, porcupines, squirrels, deer, bulls, okapinda, wild asses, wild pigeons, domestic pigeons and all four-footed creatures that are neither useful nor edible. Those nanny goats, ewes and sows which are with young or giving milk to their young are protected, and so are young ones less than six months old. Cocks are not to be castrated, husks concealing living beings are not to be burnt, and forests are not to be burnt either without reason or to kill creatures. One animal is not to be fed to another* – everything points to a strict policy of organisation and control in the enforcement of these provisions. (Ashoka, *The Seven Pillar Edicts*, Ed. 5).

For this to come about, however, it is essential to exert control ... *Thus, the brute and the natural lust to kill in man were fortified and rendered inflexible to pity, whilst gentleness was, for the most part, deadened.* (Plutarch, Part I: 1.2.). The origins of this decline date back to the time when ... *the first man to kill a bear or a wolf won praise* (Plutarch, Part I: 1.2.). The display of admiration for the one who, through a specific act, gains the illusion of being a conqueror over something more majestic than himself - *Nature*, entirely in the spirit of human primitivism, led to envy and a desire for competition. Thus, the number of those wishing to overcome nature increased until the mass consciousness gained a civilisational sense of self-worth based precisely on destruction. Of course, this pattern of behaviour applies not only to the unequal struggle with

Nature, but also to the similarly unjust struggles between people themselves. And whilst what happens in nature cannot carry a moral weight, what happens in the human world must necessarily be linked to virtues. Viewed in this way, the situation suggests that, in essence, the pretentious human being is entirely incapable of creating a world of their own that is better than the one they inhabit, which existed before humanity; moreover, these pretensions are bound up with the illusion of a high degree of worth, a self-deception that determines educational processes and transforms them into forces that distort one's presence in the world. The reflection of this suggestion yields its results both in the lack of self-respect and dignity, and in a social positioning that is entirely among *the lowest* (Nietzsche).

The theme of preserving life, including the lives of animals, is emblematically portrayed in *the Hebrew Bible*. The parable of Noah and the plan of salvation concern not only individual human survival, but the obligatory connection of that survival with the entire fauna of which man is a part. In the King James Version of the Bible, where the instructions given to Noah specify and describe a floating vessel as a box-shaped and a house-like structure, a place of refuge. (Ivanov 2026, 90)

20. *Of birds after their kind, and of cattle after their kind, of every creeping thing of the earth after its kind, two of every sort shall come unto thee to keep them alive. (Hebrew Bible, Genesis: Ch. 6)*

21. *And take thou unto thee of all food that is eaten, and thou shalt gather it to thee; and it shall be food for thee and for them. (Hebrew Bible, Genesis: Ch. 6)*

And in *the Book of Leviticus, Chapters 11 and 14*, a detailed distinction is made between the animals that are permissible to hunt and kill for food and those that must not be used as food. (*Hebrew Bible, Leviticus: Ch. 11: 2-47; Ch. 14: 4-20*)

In *the Hebrew Bible, Ecclesiastes*, it is written:

19. *For that which befalleth the sons of men befalleth beasts; even one thing befalleth them: as the one dieth, so dieth the other. Yea, they have all one breath, so that man hath no preeminence above a beast, for all is vanity. (Hebrew Bible, Ecclesiastes, Ch. 3: 19)*

The obvious reason for the unity of these passages lies in the fact that the ultimate goal of education is moderation in behaviour, and the recommendation to practise virtues that are universal, as they apply both to animals and to the whole of Nature. Thus, in *the Hebrew Bible tradition*, attitudes towards animals are not merely recommended; they are obligatory in nature, imposing responsibility and sanctions on the offender - the human being.

5. *If thou see the ass of him that hateth thee lying under his burden, and wouldest forbear to help him, thou shalt surely help him. (Hebrew Bible, Exodus, Ch. 23);*

12. *Six days thou shalt do thy work, and on the seventh day thou shalt rest, that thine ox and thine ass may rest, and the son of thy handmaid and the stranger may be refreshed. (Hebrew Bible, Exodus, Ch. 23);*

4. *If the thief is found with the stolen goods in his possession, whether it be an ox, a donkey or a sheep, he shall make double restitution. (Hebrew Bible, Deuteronomy, Ch. 22)*

In the context of the examples cited, it becomes clear what the attitude towards all living creatures ought to be. This in itself is not dissimilar to the attitude one ought to have towards the Other. The principle of mutual aid is deeply rooted in the commandment of the Supreme Being.

The assumption that a person can exist without the presence of other beings is absurd and should not be accepted. The self-sacrifice that everyone is obliged to demonstrate does not depend on whether someone is currently an enemy or a friend. In this case, mutual aid is important, and it includes the animal that accompanies the person.

This necessitates the creation of strict regulations in eras distant in time and mindset from the time of Emperor Ashoka.

Tokugawa Tsunayoshi (1646–1709), is the fifth shogun of Japan during the Edo period (1603 - 1876). He was mockingly called the ‘Dog Shogun’ because of the laws he imposed to protect animal life. In economic and cultural terms, his reign was characterised by prosperity.

As a ruler, he demanded that people show compassion towards all who were suffering and helpless and subsequently issued laws prohibiting the harming of any living creature, particularly with regard to the mistreatment of dogs. As this led to an increase in their population, Shogun Tsunayoshi ordered the construction of special dog kennels where the animals could be sheltered and cared for. The kennels were of an urban type but were also built in smaller settlements. (Bodart-Bailey 2006, 159), and officials responsible for falconry were reassigned to work in the kennels. (Bodart-Bailey 2006, 150). Interestingly, this was regarded as a demotion, a form of humiliation, but regardless of the sense of wounded pride, the orders were obeyed. Whatever Tsunayoshi’s motives may have been (due to differing interpretations in cultural and political contexts, he has critics who do not accept that he placed animals and humans on an equal footing) (Paramore, 2016: in *Early Japan*), this does not negate the fact that he demanded a demonstration of commitment on the part of humans towards other beings, because it is precisely if there is such compassion towards the lower beings that it could serve as a guarantee of nobility in interpersonal relations as well, since he evidently adhered to the Confucian principle “*Harmony is to be valued, and contentiousness avoided*” (Paramore 2016, in *Early Japan*), since, ultimately, *Trust is the basis of justice... if there is trust between sovereign and vassal then nothing cannot be achieved, if there is no trust then all will be destroyed (Ibidem)*. Of course, regardless of the era, one will always seek grounds in the historical context for one or another form of royal behaviour. One will always look for flaws in the sovereign’s actions, no matter what positive contributions they may have made. But this, in any case, remains a typical human trait – to criticise past events, perhaps out of a desire to learn lessons, or perhaps because of an inability to understand the past.

Discussion questions

It is natural that the historicity of events determines all subsequent eras, periods or civilisational changes. In this context and following the ‘leap in time’ into the Modern Era, it is necessary, building on the classics of wisdom, to focus attention on a modern interpretation of the problem.

It is no coincidence that, amongst the constellation of significant views, Descartes’ perspective stands out in the foreground. As a serious counterpoint to the classical views on the soul and its place in living beings, Descartes introduces a discordant thesis.

Descartes classifies man as part of the animal world in terms of his physical nature, yet at the same time seeks to give the human individual a distinct advantage through *the rational soul: I passed to animals, and particularly to man*. Initially, the idea is put forward that nature is the connecting element; even if it is the work of a higher power, the general foundations of existence are nevertheless established – in the beginning, beings possessed no Rational Soul, ... *placed in it no Rational Soul, nor any other principle, in room of the Vegetative or Sensitive Soul* (Descartes 1850, Ch. V: 88), but in the human heart there was ‘kindled’ *a fire without light*; bearing in mind that only the human being possesses this fire, this leads to the idea that this is in fact the moment of distinction between man and animal, for prior to this moment they are identical in their corporeality, which eliminates the possibility of conceiving of man in his fundamental nature as something superior *functions in which the animals void of Reason may be said wholly to resemble us*. (Descartes 1850, Ch. V: 88). But thereafter *God to have created a Rational Soul, and to have annexed it to this body in a particular manner which I described*. It is precisely here that Descartes draws the distinction between man and animal. Here lies the elevation of man and his spiritualisation. Corporeality does not constitute the difference, for it is a mechanical unity of elements present in all bodies; what gives meaning to human corporeality is the Rational Soul. When did this happen? The question of the exact moment remains open.

Based on these Cartesian reflections, one might be inclined to conclude that *man is more perfect than the animal*, but the true meaning of this assertion must be linked precisely to perfection. For a perfect species of living being must necessarily demonstrate its perfection not only through physical domination or expedient interests, but also through an intellectual presence that creates virtuous benchmarks to elevate and *sustain* humanity at the height of its aspirations. The primitive display of strength is characteristic of the animal; if man remains ‘there’ with it, he diminishes his own dignity – a fall that is not typical of the animal, precisely because of its imperfection, and which is at odds with man’s self-esteem, because of his self-respect.

In his letter from *Egmond near D’Alkmaar, 5 February 1649* to Henry More, Descartes explains his view of animals and humans. According to him, the body is *an ‘extended substance’*, not a *‘perceptible, tangible or impenetrable substance’*, because *‘perceptible’* means only that it is accessible to the senses, but this characteristic does not exhaust the nature of the body. What is essential to the body is that it also has a non-sensory nature; therefore, protraction is its essential characteristic. It is a prejudice to believe that animals have a soul, because humans ‘bestow’ it upon them by analogy with their own soul. The soul moves the body and the mind, which gives grounds to assume the same of animals. On this basis, Descartes derives two principles causing motion: a mechanical one, dependent on the structure of the human organs, called *the corporeal soul*, and an incorporeal principle, called *the thinking substance*. (Descartes, (5)). The key assertion reached by the philosopher, after empirically confirming his thesis - since he claims to have observed many animals - is that in animals only the mechanical principle is at work: ... *So, I investigated carefully whether the movements of animals originated from both these principles or from one only*. At the same time, however, Descartes notes: *But though I regard it as established that we cannot prove there is any thought in animals, I do not think we can prove that there is not, since the human mind does not reach into their hearts*. (Descartes, (5)). Following such a statement, the argument naturally develops in a mechanical direction: *since art copies nature* (the

argument approximates or fully corresponds to Plato's *mimesis*), ... *since art copies nature, and people can make various automata that move without thought, it seems reasonable that nature should produce its own automata, much more splendid than artificial ones - namely the animals.* The creation of an animal is an act similar to the act of man creating a machine. One cannot expect a machine to have a mind, just as one does not expect an animal to have one. At the same time: *Within a single species, including our own, some individuals are more perfect than others.* (Descartes, (5)).

Of course, the contradiction in these statements is evident, as is the attempt to rehabilitate man, for he often performs acts that distance him from what is human. This is probably why Descartes resorts to the final argument in favour of human reason - the existence of speech - man's unique creative ability to convey his thoughts. And since he could not contradict the commandments of *the Hebrew Bible*, he gives man a chance, saying: ... *Thus, my opinion is not as hard on animals as it is kind to human beings - at least to those who are not given to the superstitions of Pythagoras - because it clears them of even a suspicion of crime when they eat or kill animals.*

The distances between man and nature; and man, and animal, as set out by Descartes, are a demonstration of an attempt to elevate man by demeaning everything that surrounds him. Although man's goals are knowledge, scientific discoveries or modernisation - the starting points for the 17th - 18th centuries - it is precisely their escalation that leads to irreversible moral crises - the contrast is exaggerated to such an extent that it leads to the delusion of modern man regarding his significance and power. The thought that is the starting point of '*Cogito, ergo sum*' and which elevates man simultaneously isolates him from the world. Somehow, man easily forgets that, apart from himself, everything else exists. We shall not comment here on the illusory nature of the world or its eidetic nature, but it is necessary to clarify man's place, his role, his functions and, most importantly, his responsibility, which underpins morality.

This discourse requires us to turn our attention to Albert Schweitzer.

In his *Civilization and Ethics*, Schweitzer presents a counterpoint to Descartes's attitude towards animals. Man must accept his dethronement from the centre of the world and restore the world to the centre of his thinking, not by regarding himself as a magnificent creation, but by critically analysing the shortcomings in his morality that are reflected in his behaviour. This process is difficult because deeply ingrained prejudicial superiority clouds self-assessment and determines one's perspective in a negative direction. Schweitzer's advice, therefore, is that our attitude towards animals should be consistent with the fact that they may lack reason, but they have feelings. The person who possesses reason can demonstrate this through an expression of generosity and nobility towards those who cannot express them. (Schweitzer, 2008: Part II, Ch. X). Schweitzer is challenged by Kant's assertion that, in fact, cruel treatment of irrational creatures is a demonstration of a person's capacity to act cruelly towards their fellow human beings as well, because cruelty suppresses natural compassion, and this prevents a person from fulfilling their moral duty towards others. (Kant 1886, Book IV, Part I: §17). According to Schweitzer's interpretation of Kant's assertion, one must be moral towards animals for one's own sake, and not because they too are living beings. It is precisely the latter that carries a significant emphasis in human morality and the complex of virtues. According to Schweitzer, Kant *does not*

include the relations of man to non-human existence. It is only indirectly that he finds room for the prohibition of cruelty to animals, placing this among the duties of man to himself (Schweitzer 2008, Part II, Ch. XIV). It should be noted here that, in his endeavour to respect life in all its manifestations, Schweitzer seems to overlook an important detail - a person must first have a sense of their own worth, love themselves as a living being, and be capable of loving at all, and this is always linked to an initial love for one's own kind. Not least because every human being, upon coming into the world, first encounters their fellow human beings. It is entirely natural to love them above all else, whilst love for other living beings is a consequence of the development of morality and the cultivation of virtues. In this context, Kant's idea cannot be overlooked, for it is precisely the imperative that demands self-evaluation and the attribution of value to the Other, which in turn could explain the pursuit of upbringing and education. Once the individual has received this cultural gift, they can now extend this love and these virtues to their world. In this sense, Kant provides the method for extending love to the world beyond the Self. And this is not sensual love; it is love as a duty, which also guarantees one's attitude towards the world.

Self-discipline: From Dhamma to the Categorical Imperative

However significant apathy may be in philosophical discourse, the inevitability of the comparative method compels the observer to 'take sides' impulsively, which in turn brings them closer to animals. The display of emotions and feelings in animals is not dictated by self-interest or morality; this observation in itself elevates the animal, if only because it does not practise hypocrisy in the presence of humans. Therefore, one cannot overlook the comparison between what Ashoka created and what Kant theorised. Two eras, two figures of differing social status, yet a single idea in the name of life and humanity.

Undoubtedly, the authoritarian imposition of absolute power on the one hand and the intellectual presence in philosophy on the other are incomparable, and this paper will not focus on them. Of essential importance are the ideas that carry a universal meaning regardless of historical and geographical distances.

Ashoka's pragmatism leads to a distinctive code of ethics, understood in a contemporary sense as a set of regulated behaviours. At the forefront of this stands the necessity to co-exist with Nature; the one who co-exists is guided by a supreme principle. The principle applies to all of nature; it *is* Nature itself. Shared habitation imposes obligations. Those who inhabit it are guided by this principle, whilst the state (the ruler) is merely the expression of this supreme principle. The imperative, by its very nature, presupposes the same - the existence of a higher principle, the universality of the principle. Imperativeness commands the required action in the same way as in Ashoka's edicts. The difference is that in imperative rules, the principle is derived from the Self in order to be constituted for the Other. The maxim, valid for the Self, also has universal validity. Thus, the community could regard its actions as a product of the Self's maxims. Moreover, it is obliged to regard them thus.

It is obvious and inevitable to note that law-making, be it an 'edict' or a 'moral law', becomes a necessity. The time when the law has only indicative functions and a utopian presence in the ideal world is distinct from the reality of living. In the ideal world, the law exists not to

control - for there is no one to control and nothing to control - but to *shape* the state. In the political world, the law already regulates, sanctions and intrudes into daily life with the full weight of violence upon individuals. Moral law, despite its apparent abstractness, also has a binding foundation; it is even more imposing and stricter than positive law. The reason lies in its subjective presence. And this, in turn, is a rational indicator.

In both normative acts, one can trace the same underlying force - domination through spirituality. It is only through this that the elevation of the human becomes possible, not in contrast to the animal, but in the symbiosis of coexistence. And here, there is no point in even arguing about whether animals have a soul or not. For such a question is already a sign of disrupted harmony. It already distances man, dividing his world into 'this side' - the place where he lives - and 'the other side' - the place where Nature *lives*. A boundary which, in itself, would not pose a problem were it not misinterpreted by the mind.

The necessary self-discipline would 'lift' man out of his temporality, an advantage he has over the animal but which he does not make full use of. The level of instinctive need for survival 'holds' the animal in the moment, whilst man ought to understand that 'presence' in this moment is merely the beginning of the path he has taken, and he has no right to make mistakes. Self-reassurance is a form of compromise inherent to man, but one which renders him weak, spineless and insignificant. The animal possesses no such compromise - a superiority measurable only by man. Consequently, the value of the animal is visible only to the mind, and this is the splendour of human life.

The animal – a constitutional subject

Man betrays his natural nature, and this is one of the greatest paradoxes of his existence, evident in every sphere of his life. On the one hand, he is part of Nature; on the other, through his reason and culture, he constantly strives to rise 'above Nature' or to subjugate it. In nature, instinct and survival reign supreme. There is no positive law there. When man began to exploit animals industrially, he set in motion a specific moral decline, manifested in a betrayal of his symbiotic nature - that primal connection in which the ancient hunter felt awe and gratitude towards his prey, prayed for its soul, and thus, having sought permission from Nature, allowed himself to kill in order to feed himself. This act, a combination of devotion and reverence, was a living example of submission and obedience to the most majestic force, of which he felt himself to be an inseparable part. This is the origin of totem and taboo practices, animism and magical rituals. Subsequently, feeling stronger, more significant and confident in his regulatory functions, man gained the courage to alter the existing order, to adapt it to himself, abandoning the need to adapt himself to what was available. The process continued long enough to consign the awe of the majestic to oblivion, in exchange for reckless courage and adventurism.

Regulation is evidently becoming mandatory, and it is dictated by the legitimisation of Nature. Not as 'something, out there somewhere', but as a living substrate whose value lends value to humankind as well. Plutarch had already observed that tenderness had been dulled. And if this was true of an era without technological wonders, without digital devices and artificial intelligence, which somehow 'distract' the mind and dilute moral standards, today the problem is

hundreds of times more serious precisely because of the presence of these very attributes of progress. It is now evident that the distance between man and animal throughout the ages is, on the one hand, invisible, and on the other, akin to an insurmountable chasm. This ambiguous situation stems from man's fear of admitting to himself that he is sufficiently powerless and, at the same time, from the seductive display of superiority that increasingly possesses his mind. "*A thinking reed*" (Pascal) has a mission: to use the capacity for thought in the context of its own insignificance.

Although civilisation is far from unanimous on the subject, one cannot overlook the present day, in which the first steps towards change have been taken. In fact, these contemporary first steps are a rediscovery of what was explored in *the Hebrew Bible*, in the edicts of Ashoka, in Pythagoras or Plutarch. The world seems to be rediscovering long-forgotten truths, emerging from the oblivion of indifference, and although it is learning slowly, it nevertheless acknowledges the existence of an unbroken connection between humans and animals. It has been ignored, but it is impossible to destroy, and this discovery gives new impetus to its stability.

No details are needed regarding the role of animals in psychotherapy, police work, the daily management of stress, compensatory mutual aid for people from marginalised groups, education in a spirit of patience and tenderness, and other human activities accompanied by animals.

What gives the exposition its true meaning is formal normativity, because through it the human-animal bond becomes publicly visible, leaving behind subjective bias to become an embodiment – a symbol of correctness.

A few examples to support this argument.

Germany

Basic Law for the Federal Republic of Germany, Article 20a [Protection of the natural foundations of life and animals]

Australia

Animal Welfare Act 1992

United Kingdom

A comparison of the definitions of 'animal' in UK animal welfare legislation

Ecuador

Constitution of the Republic of Ecuador, (Pacha Mama) Articles 71–74

Switzerland

Federal Constitution of the Swiss Confederation, Art. 120

New Zealand

Animal Welfare Act 1999 New Zealand

India

The Prevention of Cruelty to Animals Act, 1960, Chapter III Cruelty to Animals Generally, Sec. 11.

France

Civil Code, Article 515-14

The legal facts reveal several key points. First and foremost, in various parts of the world, amongst nations with different histories and traditions, religions and ways of life, a common thread can be observed – respect for and a desire to connect with nature and, in particular, animals. Furthermore, one can trace transitions towards the ideas of Ashoka, Kant, Bentham, Pascal, Schweitzer; and although each has its own specific character, they are all unequivocal in their message: the animal is not a mechanism; Nature is not a mechanism; it is: *‘I am life which wills to live, in the midst of life which wills to live’* (Schweitzer), and the Self is a part of this will and this living. Furthermore, nuances can be observed in the cited legal documents: from *a law against cruelty* to *a law on welfare*, from *a movable object* to *a living being*; the animal has dignity, Nature has dignity, animals have rights, animals have feelings, Mother Nature must be protected, the transformation of the Animal Kingdom into a legal entity, and so on, which symbolise humanity’s return to itself.

Closing remarks

The natural consequence of the development of human self-importance is a distortion of our attitude towards the world, life, others and ourselves. This is a fact that intelligence, in particular, must recognise and take action to correct. Animal rights are not something they must ‘fight for’, but a reflection of human virtues. If humans claim to be *superior beings*, this is not proven through domination, but through responsibility. It is precisely through acting in accordance with duty that a person demonstrates their duty to themselves - in order to remain human, one must not be cruel. According to Fukuzawa, *‘Meibun’ (moral subservience)* and *‘shokubun’ (one’s duty)* may look alike in written characters, but they are completely different in meaning. *Scholars should not misunderstand this distinction. Meibun is a Confucian idea of moral obligation according to one’s ‘name’ or station. The original Chinese character shokubun literally means ‘one’s (professional) duty’ (Fukuzawa 2012, Sec. 11).*

Morality is a matter of dignity; it is not cultivated and practised to correct the world, but to suggest that one must not betray oneself. Any attempts at universal moral salvation are futile, because a subjective lack of virtue cannot compensate for collective failings, but may contribute to their deepening. It is no coincidence that Plato considered escape from the cave to be a subjective act. The cave, as a space from which human subjectivity must free itself, is in fact an escape from the illusion that one can be saved collectively through laws, technologies or global policies. All of the above would be rendered meaningless if there were no regard for nature and harmony with it, and would suggest doom if rationality did not take precedence over the common good or common interests; in such a situation, subjective virtues become the sole form of resistance against the imbalance in the human world.

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