Can Animals Attain Membership Within a Human Social/Moral Group?

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ABSTRACT

Justice is illustrated by how humans treat others. Human society can no longer be considered just if it continues to treat animals instrumentally, disregarding the moral worth of each individual creature. Emile Durkheim's division of labor theory offers a groundwork for providing animals limited rights within a human-dominated society. Solidarity can be fostered between animals and humans by internalizing the principle that all organisms are interdependent. This principle is the foundation for granting animals moral status. By recognizing the role animals play in our society, we can acknowledge our obligations to them. Utilizing a mechaorganic solidarity, humans can establish justification for moral treatment of animals.

INTRODUCTION.

As long as non-human animals remain outside the limits of human animal social/moral groups, they will be subjected to less than humane treatment. But can animals join the group? The benefit of group membership is that it implies entitlement to moral treatment by all group members or, more specifically, membership entails rights. The implication of rights is that others are obligated to respect them, which is why many humans do not want to grant animals rights. This essay will attempt to ease a tension between granting animals a right to moral treatment and the view that human needs come before animal needs. In considering the middle ground, I will claim the feasibility of animal membership, albeit with limited rights, within the human social/moral group. Emile Durkheim's Division of Labor in Society will be utilized in determining the limits of social/moral group membership and the method of bonding humans to animals into an interdependent social group.

One objection to granting animals rights through membership in a human social/moral group is the common assumption that eligibility should be based upon the individual's ability, or potential, to abide by the social norms of the group. In other words, members must be able to conform to the group's norms. If it is determined that one cannot (and never will) adhere to the rules, then membership is denied. Children are granted provisional membership because it is believed that once a child is appropriately socialized and apprised of the goals of the group she will adopt both the norms and the goals. Mentally impaired children are deemed capable of limited participation in both norms and goals and granted a moderate membership. So it seems that being capable of adopting the group's norms is necessary for inclusion.

The usual basis of denying animal membership is the claim that animals do not possess the potential to adopt human social mores. The ability to work within a group is enhanced by adhering to the
rules the group has adopted. Thus it seems apparent that animals can never be granted membership based upon this one standard. However, some animals are capable of adhering to a limited understanding of group norms and behave accordingly. Some animals are trained to obey their masters. Could these animals be granted membership? This would be a very small group indeed; animals in the wild would certainly never receive membership and most domesticated animals exhibit very limited training. Many humans consider animals to be incapable of conscious, intentional behavior. Instead their mannerisms are viewed as mere instinctual responses to their environment. Yet it seems that the same case could be made for humans. When a person merely adheres to norms due to socialization, he or she is not unlike the animal trained to behave in a manner that is approved by its owner. Therefore, membership based merely upon the capability of adhering to rules does not seem fully adequate for determining membership for animals, much less humans. There must be an additional consideration that binds a group together, something beyond the instances of shared social/moral norms.

DIVISION OF LABOR.

Durkheim's suggestion that groups are bound together by the division of labor (DOL) might provide a better ground for membership, applying to both humans and animals. According to Durkheim, DOL is a natural law, a phenomenon that occurs within organisms. Organisms participate in an outward instantiation of this same phenomenon. Consider the human body. Its various systems operate interdependently toward a successful goal; i.e., the survival of the organism. Humans also work cooperatively towards a larger goal—the survival of society. As society requires more specialization to accomplish its goals, the bond between individuals becomes more necessary and harder to break. At one time in history, social goals were limited to mere survival, which utilized a very limited DOL. All members essentially carried out the same task of providing food and shelter. Although there was inevitably some gender-based DOL, labor was nevertheless towards the same goal. Men were concerned with providing protection and hunting meat. Women were restricted to gathering other foods and rearing the very young. This illustrates the interdependence required for the successful attainment of societal goals. As societal goals are now more sophisticated, DOL is no longer based upon gender but instead upon education. The more complicated the goals, the more specialized the roles become among group members. If everyone carries out the exact same task, progress is slow. If labor is divided, granting equal importance to the various chores, a goal becomes not only more likely, but more quickly attainable.

Allowing Durkheim's claim that DOL is a natural law is not too difficult, since it does appear that organisms function through interdependent systems. It also seems that current societies function upon a wide DOL, whereas older human societies operated upon a very narrow DOL. What are the implications of DOL? Why is it important and how does it relate to social/moral group membership? The concept of DOL is important for Durkheim, because it is that which determines the method of solidarity within a group. Groups are bound by their norms or rules. The rules provide a framework for both society and individuals to interact. They inform the individual of what are acceptable and unacceptable methods of interrelating. Without rules, there is no cohesion among group members, disallowing one to know how to act. The nature of norms and their enforcement vary according to Durkheim. Some rules are repressive, restricting certain behaviors; others are merely restitutory in that they are applicable only when needed to reestablish the status quo. In
order to work together, rules must be in place that permit or restrict behaviors.

Without restrictions or agreed upon ways of doing things, societal goals cannot be reached. As goals become more intricate, so too norms. When survival was the only goal, the rules were solely concerned with promoting survival. Once society adopted more goals that were difficult to attain, rules increased in number and complexity. For example, Durkheim suggests a continuum between mechanical and organic solidarity. The following chart will clarify the attributes of both forms of solidarity. It seems plausible to assume that Durkheim viewed society evolving from a completely mechanical mode of solidarity into a completely organically bound mode. The majority of current social/moral groups reside somewhere between the two extremes of the continuum.

Mechanical Solidarity

- Individuals are more homogenous.
- There is less DOL among members.
- It is easier for an individual to attain membership.
- Group solidarity is more easily lost.
- Group norms are more repressive, utilizing punishment to ensure adherence.

Organic Solidarity

- Individuals are more diversified.
- There is more DOL among members.
- It is more difficult for an individual to attain membership.
- Group solidarity is at its strongest.
- Group norms are less repressive and maintained in strictly restitutory manner with more voluntary compliance.

MECHANICAL SOLIDARITY.

At first glance it seems that animal membership cannot be accomplished utilizing Durkheim's DOL and its influence upon group solidarity. However, closer scrutiny reveals that provisional membership can and has occurred. Durkheim's consideration of primitive groups in *The Elementary Forms of Religious Life* illustrates that while animals were sometimes killed to feed humans, it was still done with moral consideration. Without delving too deeply into his analysis of primitive groups, it is important to consider some key points. Animals were considered part of the clan; the totem animal was usually revered and eaten only in sacred ceremonies (if at all). However, contact between humans and animals was limited, making the rules regarding animals at this level very simplistic¾eat or do not eat. Additionally, other animals were seen as part of the clan. Non-totem animals were often granted special treatment, since they were viewed as members of other clans. Animals used towards the goal of survival were often treated with respect for their function. Thus, mass slaughter did not occur, nor was any part wasted. The group took life only when necessary and utilized every scrap. An animal was seen as sacrificing itself for the others¾humans.

If one examines the above list in the context of mechanical solidarity, it is possible to see that animals were seen as homogenous with humans. Ancient human cosmology included all of nature...
within the system, with humans occupying a small portion of the whole. Animals worked with humans toward the same goal—survival. Animals could be members despite their inability to consciously participate within the group norms, although many of the group norms were reflective of the totem animal's natural behavior. Under mechanistic solidarity, the norms were restrictive, concerned with what could and could not be eaten, touched, or utilized. The punishment for not adhering to these norms was repressive, resulting in censure, banishment or even death, if the offence was particularly severe. It was quite possible for an animal to adhere to the norms, with or without conscious effort on its part. It seems that if an animal were found guilty of eating a taboo plant or fellow creature, it could be punished. Yet it is clear that animals were not knowingly adhering to group norms. It was coincidence and instinct that gave early humans the impression that their animal clan members were conforming to their rules.

It is also possible under this mode of solidarity for an animal to have a limited role within the group. Dogs, for example, helped protect the clan. Horses helped in transportation. Other creatures served as sacred objects, which allowed the group to focus its energy towards the societal goal.

However, one problem in appealing to mechanical solidarity as the method to bind humans to animals is that Durkheim dismisses primitive cosmology as erroneous in *The Elementary Forms of Religious Life*. The primitive group's way of carving up the universe was based upon bad science or false notions. This error is the primitives' belief that an external force provides the method for determining membership and that this same force authors norms for the group. Durkheim claims that the group itself is responsible for both effects; thus the force is internal regardless of the appearance that societal constraints are external. The constraint is from within the group itself, and not suprahuman. Durkheim thus argues that the source of the norms and the method for determining clan membership were misunderstood. Yet it does not necessarily follow that mechanical solidarity has lost its usefulness. Current understanding of the world will allow the claim that the resources of this planet are limited. If resources are not carefully utilized, the survival of the human species is at risk. So we could create a cosmology that recognizes the interdependence of humans and animals, without making reference to external divine beings. Such a cosmology is based upon a pragmatic observation: humans must conserve the world's resources, including animals, in order to survive.

The other difficulty in an appeal to mechanical solidarity is the objection mentioned at the beginning of this essay. Animals cannot knowingly adhere to group norms, particularly today's social/moral norms. The question that must be answered is: must one know that she is following norms in order to be a member of the group, or is mere adherence to norms sufficient? Mechanical solidarity between humans and animals is possible only if we allow the following three concepts to be equivalent.

C1. I do this because it is a rule.
C2. I do this because I get punished (or rewarded).
C3. I do this because I am forced (or trained).

Norms, particularly in a mechanical society, are constructed to repress certain behaviors in individuals. The rules are in place to stop such behavior. Enforcement of rules is through a punishment/reward system. Many human members adhere to rules in order to avoid punishment or be rewarded. It is possible, though, that individuals may not consciously acknowledge that their
behavior is based upon rule-adherence. If C1, C2 and C3 are allowed to be interchangeable, then animals can adhere to rules, albeit unknowingly. Animals' limited capacity for understanding why they follow rules would not undermine their membership. They would be expected to work within the system established by humans, and their acceptance of the system would be exhibited by their seeking reward over punishment. They would have a limited capacity to share in shaping group goals and norms, and they would also have limited gains from these goals, corresponding to their limited ability to adhere to norms. The rights animals gain would be reflective of their participation in helping the group meet its goals.

ORGANIC SOLIDARITY.

Under an organic system sameness is not prized; difference is the key to successful attainment. This solidarity is maintained through restitutory—not repressive—laws. Thus, interdependence is contractual. As each individual becomes more specialized, the need for others is enhanced. One agrees to participate within the group because doing so ensures success for the individual, as well as the group. Organic solidarity is stronger due to the interdependence of group members. How could animals find a place within such a group?

The dependence upon animals is clear. They are a resource, as well as a delight to humans. We utilize them to meet many of our goals. Such solidarity might prove useful in binding humans to norms that respect the rights of animals, but it would be a one-sided interaction. Animals could not adhere to the pure organic method of rule adherence. They cannot bargain, nor contract. But they can serve a specialized function; they can provide humans with food, clothing and companionship. So an organic solidarity would provide a method of reparations to which humans could be subject if they failed to acknowledge the moral worth of animal members. This would allow fines and confiscation against humans if they proved themselves incapable of adhering to the norms that protect animals. While organic solidarity will not provide an avenue for animals to participate within norms, it does provide a method of affording animals more protection from inhumane treatment. Thus it is possible for animals to be members of the group, based solely upon their participation in the DOL.

OBJECTIONS AND REPLIES.

Membership within a social/moral group does carry rights as well as responsibilities. An objection could be raised that it is unfair to obligate animals in this way, as they cannot knowingly participate within the social/moral group. While it is true that they are unaware of the functions they serve, it is also true that without participating in the social/moral structure in some sense, they will not be ensured humane/moral treatment.

Animal social membership is not fully robust. It seems that membership is a matter of degree—a strong objection to tying moral worth to group membership, or DOL. Degrees of moral worth have traditionally been rejected. Moral worth, or membership within a moral group, is considered by traditionalists to be an either-or proposition, not a matter of degree. Acceptance of variances within moral worth, or a hierarchical approach to moral worth, is necessary to adopting membership based upon DOL. If one's social worth were determined by one's role within an interdependent society, it would be possible to account for limited and non-limited membership within the group.
If some functions are determined to be higher functioning, does it follow that humans could also be assigned a lower moral status, like that of animals? Can humans be sacrificed to serve the greater good? This is problematic. It seems quite easy to deny animals full-fledged membership, since they do not have the capacity to recognize that they are members. Yet can we deny humans full-fledged membership based upon this same criterion? Would mentally impaired members not be entitled to full moral worth? Can they receive the rights without the responsibilities of repressive laws? If an Alzheimer's patient failed to honor a norm that was deemed punishable, would they be subject to punishment? No they would not, yet animals can be. It seems that the Alzheimer's victim is not functioning within society, while animals are. Perhaps a case could be made for past functioning. When someone (human or animal) can no longer serve her role, it does not follow that she is no longer deemed of moral worth; she is deemed merely incapable of participating within the norms. It is clear that this is still problematic, but the mentally diminished person would be entitled to rights without responsibilities.

What about humans who have never functioned within the group, those born with mental incapacities who have never worked for social goals or were socialized to follow group norms? A case could be made that these humans serve an indirect function toward society in that they teach us to be benevolent without requiring anything in return. While this would free us from excluding any non-functioning humans from social/moral group membership, it weakens the claim that animals belong only because they can serve a function.

Why not define their function as teaching humans to be benevolent? Many would find this convincing, believing that the manner in which one treats animals is symptomatic of how one treats humans. This would free animals from seeking membership by functioning directly in attainment of societal goals and, instead, receiving their membership through an indirect function, like teaching humans how to be benevolent. It is quite a difficult problem allowing humans to have indirect function, while insisting that animals serve directly. It seems inconsistent, but perhaps it could be resolved by stipulating that if a member can serve a direct function they should do so and, if not then, an indirect function will serve to provide them with membership. This would apply to both humans and animals. Both would be subjected to limited rights in accordance with their limited responsibilities.

CONCLUSION.

While this solution to the tension between animal rights and human needs superceding animal needs is not satisfactory, it is plausible. The same is true for the overall project of utilizing Durkheim's DOL to establish moral worthiness within a human dominated social construction. While it is not a complete picture, it does suggest a better method of handling the distinction between that which is and that which is not a member of the social/moral group. It provides a larger membership while considering the limits of some of its members. Rights and responsibilities are matters of degree, which makes an unequal but fairer distribution of human treatment for both humans and animals. It can be claimed that membership based upon DOL is a kinder, gentler inhumanity to animals. But it seems that this is better than naively ignoring two facts: (1) humans do dominate the world at this time, and (2) through this dominance, it is possible for animals to be regarded as not worthy of moral treatment. Within a mechaorganic society, the proposed solution to providing solidarity between animals and humans requires that animals receive some rights, but also responsibilities,
without the animal's awareness. At the same time, humans will receive benefits from the animals participating within DOL, but will also be held to stricter laws and punishments concerning their treatment of these animal members.

This solution recognizes that animals should not be made to suffer, but it also recognizes that human needs will outweigh animal needs. We cannot ignore that we are human, and that we will promote the human species. But we also cannot ignore that the promotion of the human species is interdependent upon the successful propagation of other species. There is an interdependence between humans and the world around them. Humans will not survive if the planet does not survive. Without animals, human goals will not be met, and without moral treatment animals will be used as a mere means in support of our goals. We can no longer disallow membership of animals within our social/moral group and still be considered a just society.

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ENDNOTES

1. The remainder of this paper will utilize the terminology of animal and human where animal means non-human animal and human means human animal. This usage does not assume bias in favor of either group; it is used merely to ease readability.


4. I have dubbed this mechaorganic solidarity.

5. Ibid, p. 102.