

ANCIENT ASSUMPTIONS OF CONTEMPORARY CONSIDERATIONS OF NATURE, LIFE AND NON-HUMAN LIVING BEINGS

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Advocates of the questioning of the dominant anthropocentric perspective of the world have been increasingly strongly presenting (bio)ethical demands for a new solution of the relationship between humans and other beings, saying that adherence to the Western philosophical and theological traditions has caused the current environmental, and not just environmental, crisis. The attempts are being made to establish a new relationship by relativizing the differences between man and the non-human living beings, often by attributing specifically human traits and categories, such as dignity, moral status and rights to non-human living beings. The author explores antecedents of the standpoints that deviate from the mainstream Western philosophy, in terms of non-anthropocentric extension of ethics, and finds them in the fragments of first physicists, which emphasize kinship of all varieties of life. Pythagoras, Empedocles, Anaxagoras and Democritus, in this context, considered certain animals and plants as sacred, i.e. they believed that they are, in a sense, responsible for what they do and that they apart from being able to be driven by a natural desire, being able to breathe, feel, be sad and happy, also have a soul, power of discernment, awareness, the ability to think, understanding and mind. Finally, the author believes that solutions or mitigation of the mentioned crisis are not in the simple Aesopean levelling of animals and plants "upwards", but in an adequate paideutic approach which in humans will develop an inherent (bio)ethical model of accepting non-human living beings as creatures who deserve moral and decent treatment and respect.

Key words: Pre-Socratics, contemporary, kinship, humans, non-human living beings, protection, welfare.

АНТИЧНЫЕ ПРЕДПОСЫЛКИ СОВРЕМЕННЫХ ПРЕДСТАВЛЕНИЙ О ПРИРОДЕ, ЖИЗНИ И НЕЧЕЛОВЕЧЕСКИХ ЖИВЫХ СУЩЕСТВАХ

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Противники доминирующей антропоцентрической перспективы мира все более настойчиво предъявляют (био)этические требования к новому решению взаимоотношений человека и других существ, заявляя, что приверженность западным философским и теологическим традициям вызвала нынешний экологический, и не только экологический, кризис. Предпринимаются попытки установить новые отношения путем релятивизации различий между человеком и нечеловеческими живыми существами, часто путем приписывания нечеловеческим живым существам специфически человеческих черт и категорий, таких как достоинство, моральный статус и права. Автор исследует предпосылки точек зрения, отклоняющихся от господствующей западной философии, в терминах неантропоцентрического расширения этики, и находит их в фрагментах первых мыслителей, подчеркивавших родство всех разновидностей жизни. Пифагор, Эмпедокл, Анаксагор и Демокрит в этом контексте рассматривали некоторых животных и растения как священные, то есть они верили, что они в некотором смысле ответственны за то, что они делают, и что они не только могут быть движимы естественным желанием, могут дышать, чувствовать, быть печальными и счастливыми, но также имеют душу, силу различения, осознанность, способность думать, понимать и ум. Наконец, автор полагает, что разрешение или смягчение упомянутого кризиса заключается не в простом эзоповском нивелировании животных и растений «вверх», а в адекватном пайдеутическом подходе, который в человеке выработает присущую ему (био)этическую модель принятия нечеловеческих живых существ как существ, заслуживающих морального и достойного обращения и уважения.

Ключевые слова: досократики, современники, родство, люди, нечеловеческие живые существа, защита, благосостояние.

The dignity of an individual is usually viewed from the perspective of the reasonableness of one's nature, and such nature is attributed primarily to man. Only he is considered to be liberated from the empire of goals, while the so-called non-human living beings associated to relations and relationships that exist in nature. Only men are aware of themselves and able to distance themselves from themselves in favour of higher goals, to relativize their own interests, up to self-surrender [1, 2]. This gives him, as a moral being, an absolute status that justifies his characteristic dignity, which entitles him not to be "enslaved" by anyone and that as a moral person he is not deprived of his own goals.

His unique dignity also generates his unique rights. In that sense, Article 1 of the "Universal Declaration of Human Rights" from 1948 states: "All human

beings are born free and equal in dignity and rights" [3]. And in Article 23 of the „Устав Републике Србије” ("Constitution of the Republic of Serbia") the constitution-maker states: "Human dignity is inviolable and everyone is obliged to respect and protect it" [4]. This is not only an ontological statement, but at the same time a source of the law and therefore Article 3 of the Constitution stipulates: "Rule of law is a fundamental prerequisite for the Constitution which is based on inalienable human rights" [5]. The highest ranking legal act of Serbia seems to be written on the postulates of Kant's ethics, which strived to reach the highest ethics [6], while it developed the dignity of living beings and the rights stemming from it only for people, and thus indirectly contributed to the fact that until recently the "dignity" of animals [7] and "rights" [8] of animals were never mentioned.

The anthropocentricity [9] of this and such *Weltanschauung* is an important reason why our dominant technical civilization did not develop in harmony with nature, but much more often in opposition to it. No human act in the past was able to substantially affect the spontaneity of the existence of our planet. As much as man was changing the natural environment in which he lived, this did not leave a greater trace on Earth itself.

The rapid development of technique in the last century put man in a completely new moral situation. The new situation is reflected in the fact that modern man must assume responsibility [10] for the effects that are not the result of the actions of any individual, but represent the collective act, as Edmund Husserl would say, of an "anonymous subject". The effects of modern technique suggest a completely new situation for traditional social and humanistic sciences, since the postulate of an anthropocentric image of the world is essentially derogated in the sense that people as species are unquestionable in their existence on the Earth. Ensuring the survival of the human species in the foreseeable future is a task to whose achievement new knowledge in some of them should contribute, especially in ethics [11] or bioethics [12]. In order for this fact to be confirmed, they need to re-examine the power of technique, whose deeds thus acquire a philosophical sign, given the importance they have in the lives of the human species [13].

The advocates of questioning the dominant anthropocentric [14] view of the *cosmos* by non-anthropocentric expansion of ethics, are becoming increasingly louder in raising (bio)ethical requirements for a new resolution of the relation between humans and other living beings [15]. Attempts are being made to establish a new relationship by relativizing the differences between man and non-human living beings, i.e. by attributing specifically human qualities and categories, such as dignity, moral status and rights, to animals [16], but also, especially in regards to plants, of the ability of sight, feeling, memory, communication, consciousness and thinking. It seems just as inspiring today as it was in ancient times to ask and to look for the answer to the question of whether animals and plants are able and to what extent to develop their feelings. Can they memorize, and if so, which forms of memory they possess? What is their communication like and how sophisticated it is? Ultimately, are animals and plants conscious beings which can think distinguishingly, and can it be said to have a kind of neurology [17]?

If some of the answers to these questions are positive or positively inclined, we usually talk about a discovery of a surprising world, of animals (and plants) as complex beings that live rich and sensual lives, of their relation and analogy with humans, i.e. about a revolutionary concept that is not older than half a century. Leaving aside, for the moment, a deeper discussion about the meaning of certain terms, such

as "communication", "consciousness" and "opinion", in order to be able to talk about their truthfulness in regards to non-human living beings, the author of this paper believes that the departure from mainstream Western thought and philosophy is not a novelty of the second half of the XX century. Namely, different animal rights movements were organized in Europe much earlier. In London, for example, already in 1824 the first society for the prevention of cruelty to animals was established, whereas a regulation pertaining to animal welfare [18] in the UK was adopted in 1911, and, including numerous amendments, it is still in force today.

In a classic passage that Jeremy Bentham wrote even earlier, namely in 1780, it is asserted: *"The day may come when the non-human part of the animal creation will acquire the rights that never could have been withheld from them except by the hand of tyranny. The French have already discovered that the blackness of the skin is no reason why a human being should be abandoned without redress to the whims of a tormentor. Perhaps it will some day be recognised that the number of legs, the hairiness of the skin, or the possession of a tail, are equally insufficient reasons for abandoning to the same fate a creature that can feel? What else could be used to draw the line? Is it the faculty of reason or the possession of language? But a full-grown horse or dog is incomparably more rational and conversable than an infant of a day, or a week, or even a month old. Even if that were not so, what difference would that make? The question is not Can they reason? or Can they talk? but Can they suffer?"* [19].

The search of antecedents of levelling the differences between humans and other living beings, stems from the very origins of science i.e. from the first philosophers of nature, on the basis of whose extant fragmentary manuscripts it can be established that they anticipated most of the latter modalities of non-anthropocentric approaches. In order to understand the views of philosophers of nature who were active in the so-called cosmological period, it is necessary to leave aside dualistic conceptions, especially those that on the Cartesian trail emphasize the sharp distinction between matter and spirit. For early *physicists*, in particular, there was no inert matter that due to the logical necessity would require the division of the first principle into the material and efficient element. When accepting any principle as the sole source of origin, automatically, at least to the same extent, its inherent mobility was borne in mind as well.

In short, the standing point of the first philosophers still belonged to the age when there was no serious distinction between body and soul, organic and inorganic [20]. In their minds rather figured some kind of mixture of corporeal and mental elements, as this is the time when it was difficult to imagine the body without a soul or the soul without matter. The first philosophers, consequently, understood

thinking as something corporeal similar to sensation and generally understood that like is understood as well as perceived by like. The expected consequence of such approach is the assertion of some Presocratics that not only man but also all other beings have consciousness, thought and thinking.

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Indirectly preserved Pythagoras' views confirm a universally known fact that he was the first to bring to Greece the doctrine that all living beings that were born are kindred (*ὁμογενῆ*). The idea that all forms of life are kindred brought into connection not only humans with animals and plants, but also indicated that human soul, however the truth is only after purification, can achieve melding with eternal and divine soul, to which it belongs by its own nature [21]. This kinship of all varieties of life was a necessary prerequisite for the Pythagorean doctrine on the transmigration of souls (*παλιγγενεσία*) [22].

Xenophanes reports about *palingenesia* as the Pythagoras' doctrine by a well known statement that once when Pythagoras saw some people beating a dog and advised them to stop, since in the yelping of the dog he recognized the soul of his friend (DK21B7) [23]. This fragment shows that the Pythagorean belief in renewal or rebirth of the soul was already so widely known in the sixth century BC that it got parodied. Pythagoras' recognition of his friend's soul embodied in a dog illustrates, on the other hand, the transfer of personal identity on the *ψυχή*, which means that a personality somehow survives in the migrations of the soul and that there is a continuity of identity. The conclusion that can be derived, at least implicitly, is that ensouled beings, therefore animals, but also certain plants, in a sense, are conscious beings.

A structural difficulty of such a view is how to fit the kinship of entire nature with logical implications that thus plants should not be consumed either since they, according to Pythagoreans, are living beings and a part of the communion of nature. As Diogenes Laertius (VIII, 28) reports Alexander Polyhistor notes that in the *Memories of Pythagoras* he found the solution to the paradox. Pythagoreans believed that all things live which partake of heat, and this is why the plants are living beings (*ζῆα*), but not all have a soul (*ψυχὴν*). The soul is a detached fragment of ether (*αἰθήρ*), the one hot and the one cold. The soul is different from life [24], it is immortal [25] because immortal is also that from which it separated [26]. Plants, therefore, have a life, but not all of them have souls which means that some of them are suitable for consumption [27].

Pythagoras, however, believed that food helps in education of men, if it is of good quality and regular, so he consented to eating everything that leads to a healthy body and a keen mind. He was also convinced that adequate food favors the skill of prophecy, purity and chastity of the soul, i.e. of sobriety and virtue.

By putting human beings into the same rank with animals, Pythagoras demanded they must be viewed as kins and friends and not to be harmed under any circumstances [28]. He thought that this promotes peace, because if men started to abominate the slaughtering of animals as something illegal and unnatural, they would not regard killing of a human being as an honorable act either, and therefore would not initiate wars. This "indirect" duty towards animals was later recognized by Clement of Alexandria, Maimonides, Thomas Aquinas, Kant, and some modern philosophers, and is still today used as an argument why we should not carry out experiments on animals [29]. The reason is potential subsequent dehumanization of man himself [30].

Empedocles, a century later, says that all beings think (*πεφρόνηκεν*), i.e. that they have understanding or consciousness, and adds that this is so by the will of Fortune. Related to this is his claim from the end of fragment 110 (DK31B110), that everything can have thinking and have its share of thought [31]. In the introduction to this fragment it is even possible to find the thesis that all parts of fire, whether they are visible or not, can have thinking (*φρόνησιν*) and the ability to think (*γνώμην*), rather than a share of thought (*νόματος*). Sext Empiricus adds that it is even more astounding that Empedocles holds that everything has a discernment facility (*λογικὰ*), including plants. This view shows that according to Empedocles as well, who even more explicitly asserted it than Pythagoras, the idea of kinship of all living not only has a vital-animal meaning but to a certain extent the mental meaning.

In his verses Empedocles is also telling about the sacrifice by using water, honey, oil and wine, i.e. he sings about old times when love and compassion for the kin were above everything else, about absence of killing and the treatment of other living beings as one's own household members. Instead of living beings i.e. animals, people, according to him, tried to propitiate the queen Kupris (*Κύπρις βασίλεια*) (Aphrodite) by sacrificing [32] myrrh, frankincense and honey, statues and "with pictures of animals" (*γραπτοῖς τε ζώοισι*). In these times, according to the philosopher of Akragas, everything used to be tame and gentle towards man, including birds and wild animals. The sacrificing which Empedocles mentions did not include destruction of plants either, which also is probably due to the fact that in fragment 117 (DK31B117) he recorded that he had been a boy and a girl, a bird and a fish, even a plant i.e. a bush (*θάμνος*) [33].

Empedocles says (DK31A70) that trees represent a primordial form of life ("*first living things*" (*πρῶτα τὰ δένδρα τῶν ζώων*), which had survived even to his time. Moreover, they had existed even before the Sun spread and the day and night were distinguished [34]. Doxographer Aetius, who reports the thoughts of the Sicilian, indicates to the analogy of plant and animal life, confirming it by using the term life (*ζῆα*)

for the trees, the word that was usually restricted to animals. Empedocles, just as Pythagoras, if we use modern terminology, was convinced that there was no sharp genetic difference between plant and animal worlds [35].

Empedocles urges his disciples to abstain from eating all ensouled (living) beings (*ἐμψύχων*), since eaten bodies of living beings (*ζώων*) are where penalized souls reside. He believes that he himself is one of them, the one who has killed and eaten, and that it is by purification that prior sins in connection with food should be treated. Sacrificing a bull and eating his limbs, as this philosopher from Sicily says in part of the original fragments entitled as "Purification", was "the greatest abomination" (*μύσος ... μέγιστον*) for man. Anyone who gets his hands dirty by murder shall experience the fate of "evil demons" (*δαίμονες οἴτε*), that is for 30,000 years [36] he shall wander outcast far away from the blissful, leading a hard life and shall incarnate in the forms of many creatures. That is exactly what Empedocles claims about himself, that he is "banished by the god and a wanderer" (*φυγὰς θεόθεν καὶ ἀλήτης*). Subject of man's exile from the divine home is taken, then, by Plotinus and Porphyry, repeated in different contexts in the works of Aurelius Augustine, and used by Plutarch as a consolation for political persecution. Basically, according to Empedocles the sin that broke the golden era of tranquility and general leniency was killing and eating animals.

Empedocles' case shows that men are living beings that make mistakes and that they owe to animals the justice that is based on the mutual kinship. When Aristotle in *Rhetoric* (1373b6-17) talks about the special and general laws, the general laws he simply called natural laws. The explanation of natural laws is linked with general understandings of the just and unjust in harmony with nature [37], which, according to him, has been recognized by all nations. The Stagiritis believes that with Empedocles it is just that very kind of law, i.e. that the philosopher from Agrigento referred to that right when he was forbidding to kill living beings, [38] since it is impossible for ones to do that justly and the others to do that unjustly. Empedocles (and Pythagoras) claims (DK31B135) that for all living beings applies only one legal norm, and that those who had hurt a living creature shall receive punishments that cannot be redeemed.

Empedocles' (and Pythagoras') followers repeat that men are kin not only to each other or with the gods, but with living beings which do not have the gift of speech. Something common that connects them all is a breath (*πνεῦμα*), as a kind of soul (*ψυχή*), which extends throughout the entire *cosmos* and unites men with all of them. Therefore, if man would be killing or eating their flesh, they would commit injustice and sin towards deities (*ἀσεβήσομεν*) to the same extent as if they destroyed their relatives (*συγγενεῖς*). For that reason the Italian philosophers advised man to abstain from ensouled (living) beings (*ἐμψύχων*) arguing that it is

a sacrilege committed (*ἀσεβεῖν*) by "those who drench altars with warm blood of the blessed" (*βωμὸν ἐρέυθοντας μακάρων θερμοῖσι φόνοισιν*) (DK31B136). Transmigration, thought Empedocles, means that men are literally killing their relatives, i.e. that the man who eats meat can eat his son, as well as the son can eat his father, or that children can eat their mother because they changed form.

Anaxagoras, then, often cited the mind as the cause of what is good or right, while in other places he asserts that soul is the cause. The philosopher from Clazomenae asserts that the mind exists in all living beings (*ζώοις*), both large and small, in both the valuable and in those less valuable [39]. Anaxagoras did not always consider mind (*νοῦς*) as something that corresponded to thinking (*φρόνησιν*). Aristotle, however, believes that the mind is not equally inherent in all living beings, not even in all of the men, while in some Anaxagoras' fragments *νοῦς* simply means *ψυχή* in general. Somewhat later (*De An.* 405a13-14) the Stagiritis cautiously repeats that it seems to him that the philosopher from Clazomenae still distinguishes between the soul and the mind. The objection placed at the expense of Anaxagoras is that he treats soul and mind as having the same nature, regardless of the fact that he sets mind as a principle [40].

William K. C. Guthrie said that in Anaxagoras the degrees of reality showed that the soul at its lowest level is that what gives the living beings power of self-motion, while the ability of cognition of beings is at higher levels. When he postulated mind as the principle of all movement Anaxagoras linked all the layers of reality. For animate beings mind is an internal faculty but for inanimate things it is an external force [41]. Implicitly present in Empedocles, the idea of degrees of reality will be further elaborated by somewhat older philosopher, Anaxagoras, perhaps the first on in the long line of the history of theory of levels from Antiquity to Nicolai Hartmann [42]. It is not, therefore, surprising to find the places where it is stated that the plants also possess a certain degree of sensation and thought. In addition, Anaxagoras (and Empedocles) says that plants are driven by desire, that they have feelings, sadness and joy (DK59A117).

Anaxagoras also asserts that plants are animals (*ζῶα εἶναι*), and as evidence of his claim that plants can feel "sorrow and joy" (*λυπεῖσθαι καὶ ἡδεσθαι*), he mentions the changing of leaves. Despite the arguments of other ancient philosophers that plants and many animals do not breathe, the philosopher from Clazomenae was of the opinion that plants do breathe (*πνοήν*) [43]. Anaxagoras, moreover, in the (Pseudo) Aristotelian manuscript *De plantis* (*Περὶ φυτῶν*) was presented, together with Empedocles and Democritus, as the proponent of the thesis that plants have mind and ability to think. The mind is, according to Anaxagoras, present in all living beings (humans, animals and plants) and it is the same in all of them. The differences between these beings are not a consequence of essential

difference among their souls, but a consequence of differences among their bodies, which either facilitate or hinder fuller functioning of *Nous*.

The idea of kinship of entire nature was not an exclusive Italian paradigm but its traces can be found in the Ionian tradition as well. Anaxagoras adopted a widely spread notion that life was originally generated out of moisture, heat, and earth. He actually says that living beings were first created "in the humidity" (*ἐν ὑγρόδι*) and later from one another. Air for Anaxagoras contains seeds of all things, and they were brought down from *aer*, together with water, and they generated plants. To this Theophrastus' statement on Anaxagoras, a Christian thinker Irenaeus adds that previously said applies to animals as well, i.e. that "animals resulted from seeds that fell from heaven to earth" (*animalia decidentibus e caelo in terram seminibus*) (DK59A113). Irenaeus says about Anaxagoras that he was nicknamed an atheist (*atheus*), perhaps because for him the heaven is no longer the father who needs to fertilize the mother Earth by rain, in order for the rain, as his seed, then to grow in the warmth of the bosom of the Earth. Pericles' friend explains things by mimicking to a certain extent mythological forms, however in a rationalized discourse of his viewpoints the seed simply descends to Earth from heaven by rain and germinated with the aid of heat.

At the end of the series of Presocratics, whose views are relevant for the latter attempts to establish non-anthropocentrism, there is Democritus, who was about forty years younger than Anaxagoras. He is mentioned together with Empedocles as a proponent of the viewpoint that it is necessary to identify *φρόνησις* with *αἴσθησις* [44]. In the manuscript *On the Soul* (404a27-29) it is said that for the philosopher from Abdera soul and mind are the same things, since the phenomenon (*φαινόμενον*) is the truth [45]. In the following part of this manuscript the thesis about the identity of soul and mind in Democritus is repeated, together with the claim that he does not consider the mind as a kind of power to achieve the truth [46].

Democritus (and Parmenides and Empedocles) argued that animals have a kind of ability to think. He believed that animals are responsible for what they do, and that they can be the subject of a just punishment. In fragment 257 (DK68B257), the Abderite writes that only some i.e. certain animals may be killed. The following fragment specifies that unpunished shall remain the one who kills the animals that cause harm and which want (*θέλοντα*) to cause harm. Now the question is raised what are these "some" animals that may be killed? What are the animals that cause harm and can act intentionally? Democritus may have invoked the distinction, which was attributed to Pythagoras, among wild animals like foxes, reptiles, lions or wolves that could be killed without any fear and farm animals, cattle or horses, which should not be killed, because they probably belonged to someone and were subject to standardized care. Wild animals

are *ἀδικεῖν* which means "behave badly" or simply "harm", while the term *δίκαιος* implies that domestic animals are "as they should be", or that they behave "appropriately" and "trained". In the following fragment 258 (DK68B258) Democritus said that everything that unfairly (*παρὰ δίκην*) causes harm should be killed. Are there any creatures that do harm fairly (*κατὰ δίκην*)? A potential positive answer lies in the early understanding of the noun *δίκη* as "something normal", what is "normal", and therefore also "right". Wolves and foxes which ravage forests do not behave *παρὰ δίκην*. They do it when they break into corrals with sheep or yards with chicken, so they should be killed at all costs because then they "cause unjust harm". The fragment 259 (DK68B259), finally, refers to the fact that the ferocious beasts and reptiles should be killed because they are enemies in any framework [47].

The philosopher from Abdera believed, similarly to Parmenides and Empedocles, that there is a small part of the soul in all things, and therefore in plants as well [48]. Given that he derived thinking (*φρονεῖν*) from the composition of the body, Democritus (DK68A135 (58) simply says that it occurs when the soul is in a suitable condition with respect to its mixture. Plutarch reports that Democritus' disciples thought that a plant is an animal that grows from the soil (*ζῷα ἔρρεια*) [49]. Unnamed disciples of the philosopher from Abdera believed, in other words, that there was no substantial difference between plants and animals, except that the plants are rooted in the soil [50].

Some Presocratics were, if we would review what was previously stated, convinced that there was an intrinsic affinity of the entire nature, so without a lot of normative acts but on the basis of a deep belief in their own closeness with other living beings they refused to harm them and use them as food. By leveling animals "upwards" [51], i.e. by attributing similar or identical emotional and intellectual characteristics to all living beings, the first Greek philosophers paved the way for subsequent attempts at scientific, philosophical but also legal modifications of their status, which culminated in the last century.

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The last around fifty years on the European continent were marked by dramatic changes in the area of ethical-moral and legal-political regulation of the protection and welfare of animals. They are the result of legislative activities of individual states [52] as well as of the transposition into the national legislation of a large number of relevant documents adopted under the auspices of the European Council and the various decisions of the bodies of European Union, and of the standardizing of the legislations of European countries [53].

The majority of the adopted laws and regulations reflect the predominantly practical-ethical or bioethical understanding of animals, i.e. the evolution of attitudes

of legislators towards the environment, animal life as its integral part, and even towards animals as individual beings or creatures by themselves, their overall integrity and well-being. The meaning of such animal protection was, and still is anthropocentric in nature, since in its center are not animals as such, but different interests of man and society as a whole, such as the protection of human health, economic development and development of various economic branches, animal husbandry, hunting, fishing, protection of public morality, order and good practice and feelings of man towards animals [54] as well as the economic interests of animal owners [55].

When the second point of Article 4 of the „Закон о добробити животиња Републике Србије” (“Law on Animal Welfare of the Republic of Serbia”) stipulates that the principle of caring for animals: *“Implies a moral obligation and the duty of man to respect the animals and take care of the life and welfare of animals”* [56], it only shows that it is the obligation of man to protect animals, and it does not entitle the animals the “right” to that protection. This, therefore, refers to the moral duty of man, and not to the “right” of the animals [57]. The rights holder can only be a man, because he alone has the dignity of personality, which is an attitude that is in accordance with the usual anthropocentric theses, and it does not differ much from the majority of similar norms in other European countries [58].

Article 6, paragraph 1 of the “Law” states that the owner or holder of the animal is obliged to: *“Treat the animal with the care of a prudent owner and to provide conditions for keeping and care of animals that correspond to the species, breed, sex, age, as well as physical, biological and production specifics and characteristics of the behaviour and health of the animal; ... The owner or keeper of the animal is responsible for the life, health and welfare of the animal and must take all necessary measures to ensure that no unnecessary pain, suffering, fear and stress or injury is inflicted on the animals”* [59]. Despite this very well-conceived and harmonized with the highest European standards text, the life of animals in the stays or their position during transport is still quite poor [60]. The answer to why this is so partly lies in the fact that there is no concretization of general legal norms of such laws in the legislation, and partly because the adopted regulations limit the minimum standards that are not consistent with the high goals that are postulated by such laws. The rest happens simply because the state control is weak and/or because of the logic of capital, namely these things happen because it is necessary to produce as much meat as possible with as little cost as possible.

Regardless of the fact that the “Law on Animal Welfare” is “a matter of general interest”, in itself it does not prohibit any injury or damage to animal

health, but only prohibits: *“Stunning, or depriving the animal of life contrary to the provisions of this Law”* [61]. After all, Article 15 of the “Law” sets out the nine bases on which an animal may be deprived of life *“in a human manner”*. These include points 3 and 4, according to which an animal can be slaughtered if it is to be used for food, and if it is used for scientific and biomedical purposes. In the collision of rights, traders of cattle and scientific institutions are favoured, since they can rely on their basic rights to freely exercise their own profession, as well as to the freedom of scientific research [62], namely to the rights guaranteed to them by the highest legal act of the state, the Constitution, while the “Law on Animal Welfare” is an act of a lower ontological rank, that is, a derived act.

As long as modern societies remain largely associated with the consumption of meat, the basic “right” of animals to life may be only gradually implemented, and therefore anchored to the very fence of more specific legal regulations, of course with different programming of dietary and other habits of the new generations of man.

It is highly unlikely that in the foreseeable future man will stop eating animals, i.e. that he will accept this fundamental “right” of animals [63], however that does not mean that we should not continue to work on deepening the protection of non-human living beings.

In other words, in order for the sensibility of animals and plants to be adequately internalized it should become an integral part of the education and upbringing of all from the earliest days. It is very important that the different authorities and the citizens themselves in their knowledge and insights do not go below achieved civilized standards of ethical-moral culture and to reflect on different topics concerning the relationship towards animals and plants with due caution and awareness about the dilemmas they may encounter in their professional work and life.

A suitable interdisciplinary, multidisciplinary, transdisciplinary and pluriperspective approach, as well as awareness about responsibility, should result in a more delicate and responsible treatment of non-human living beings by all mentioned.

Finally, a reasonable care of the protection and welfare of animals does not mean that the author of this paper believes that animals should be entitled to a kind of “moral status”, which would be in conformity with human moral phenomenon.

He, moreover, follows the traditional ethical view that moral status can belong only to man, since he is the only natural being that can act morally.

After all, taking care of the “dignity” and all present and future “rights” and status of animals, as well as of deepening of their protection, is basically man’s task [64].

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