

The Great Ape Project – and Beyond

PAOLA CAVALIERI & PETER SINGER

Why the Project?

Aristotle refers to human slaves as 'animated property'. The phrase exactly describes the current status of nonhuman animals. Human slavery therefore presents an enlightening parallel to this situation. We shall explore this parallel in order to single out a past response to human slavery that may suggest a suitable way of responding to present-day animal slavery.

Not long ago such a parallel would have been considered outrageous. Recently, however, there has been growing recognition of the claim that a sound ethic must be free of bias or arbitrary discrimination based in favour of our own species. This recognition makes possible a more impartial appraisal of the exploitative practices that mark our civilisation.

Slavery in the ancient world has been the subject of a lively debate among historians. How did it arise? Why did it end? Was there a characteristic 'slave mode of production'? We do not need to go into all these disputes. We shall focus instead on the distinctive element of slavery: the fact that the human being becomes property in the strict sense of the term. This is sometimes referred to as 'chattel slavery' - a term that stresses the parallel between the human institution, and the ownership of animals, for the term 'cattle' is derived from 'chattel'. Slave societies are those societies of which chattel slavery is a major feature. They are relatively rare in human history. The best known examples existed in the ancient world, and in North and Central America after European colonisation.

We shall focus on slavery in classical Greece and Italy, because there is a sense in which the perspective of that period is nearer to our own. In ancient times, the idea that some human beings should be under the absolute subjection of others was so much taken for granted that it went virtually unquestioned. In this respect slavery in the classical period differs from the more recent institution of slavery in America, which was criticised from the beginning. True, Aristotle refers to some opponents of slavery, but they left so slight a trace that it is hard even to identify them; and the rare critical tones that we find over a span of many centuries, whether they come from Sophists, Stoics or Cynics, are either ambiguous or inconsequential.¹ They are confined to the abstract claim that no one was born a slave, or to the interpretation of slavery as 'a condition of the soul'. The actual practice was in fact so widely accepted and so pervasive that it has been claimed that 'There was no action or belief or institution in Graeco-Roman antiquity that was not one way or other affected by the possibility that someone involved might be a slave.'² There is an evident parallel here with the way in which most people still take for granted the absolute subjection of animals by human beings.

What then did it mean, for a human being, to be a piece of property in classical Athens or Rome? Obviously much depended on the particular times and circumstances in which the slave lived, but a few generalisations can be made. Slaves did not occupy any definite place in the social scale, nor in the economy. Chattel slaves could be peasants, miners, tutors, herdsmen, wet-nurses or artisans. They might live in twos and threes with a small farmer, or be part of large gangs attached to the estate of a great landowner. They might also share the urban life of an aristocratic family in whose service they were. Because of these differences, there are

¹ In PAOLA CAVALIERI & PETER SINGER (eds.), *The Great Ape Project* (New York: St. Martin's Griffin, 1993), pp. 304-312.

² See Giuseppe Cambiano, 'Aristotle and the anonymous opponents of slavery', in Moses I. Finley (ed.), *Classical Slavery* (Frank Cass, London, 1987); see also Robert Schlaifer, 'Greek theories of slavery from Homer to Aristotle', in Moses I. Finley (ed.), *Slavery in Classical Antiquity* (Heffer, Cambridge, 1960), in particular pp. 199-201; and, for a general survey of the voices of protest, Zvi Yavetz, *Slaves and Slavery in Ancient Rome* (Transaction Books, New Brunswick, NJ, 1988), pp. 115-18.

² Moses I. Finley, *Ancient Slavery and Modern Ideology* (Penguin, Harmondsworth, 1980), p. 65.

wide variations in opinion among historians about the extent to which the lot of the slave was a miserable one. Some have emphasised the appalling situation of the slaves working in the Greek silver mines of Laurion, from where no fewer than twenty thousand escaped during the Peloponnesian war. Equally harsh was the treatment of the chain-gangs employed to cultivate the huge farms of Sicily, where during the late second century BC rebellion was endemic. Other scholars, more prone to defend the reputation of classical civilisation, point instead to the bonds of affection that could tie the family slaves to their master, evidence of which is to be found in a number of funeral inscriptions, and in the many tales about the loyalty and affection of slaves.

Such disputes, and the wide range of possibilities that they reveal, make it difficult to grasp what the situation of the slave really was. If, however, we look behind the variety of external forms, we find one stable element: a condition of powerlessness. The treatment that the slave is accorded depends solely on the master. As a chattel, slaves have lost control over their own selves. And at the root of the master's power over the slave is the fact that the slave is not acknowledged by the community. Slave status is characterised by what the slave is not: slaves are not free, they cannot determine how to use their own labour, they cannot own property, they generally cannot testify in court, or if they can, it is usually under torture; even their family is not their own, for although family ties may be recognised in practice, slaves have no rights as parents and their children belong to their master. Bought and sold as objects, liable to corporal punishment and sexual exploitation, they stand outside the protective moral realm of the classical community.

All this confirms the parallel we suggested at the outset. As with slaves in ancient times, so with animals today, treatment varies - from the affectionate care of the 'pet-owner' to the naked exploitation of the factory farmer concerned only with maximising profits. The common thread, again, is that the animals have suffered a total loss of control over their own lives. The difference in interests and capacities of human and animal slaves does not affect their fundamental identity of status. Like chattel slaves, nonhuman animals stand outside the protective moral realm of the modern community.

Political action on behalf of animals today focuses on abolishing practices, such as the bullfight or the keeping of hens in battery cages; or on changing forms of treatment - for example, replacing hot-iron branding with less painful ways of identifying bovines, or using local anaesthetics when performing mutilating operations such as castration and tail-docking in pigs, bovines and sheep. A look at the history of slavery shows that this type of approach had only a marginal impact. Gladiatorial games were abolished, but this did not influence the general condition of slaves. Neither was this condition fundamentally changed by the undoubtedly desirable regulations that ruled out the most blatant forms of mistreatment, for example branding on the face or castration.

Slaves did, however, have one resource that animals do not have: they could rebel. This might seem to mark an important difference, but it had little effect. Although the debate on the reasons for the end of classical slavery is lively and still unresolved, no scholar regards slave rebellions as a significant factor in ending slavery.³ The explanations offered vary, and may give prominence to economic, political, religious or sociological causes, but as far as slave rebellions are concerned, the thousands of crosses that bordered the road from Capua to Rome after the defeat of Spartacus still serve as a symbol of the normal outcome of these events. On the other hand, the few instances of briefly successful rebellions did nothing but confirm the exclusion of slaves from the community, for they left behind bands of outlaws who survived at the boundaries of inhabited areas, more or less as feral animals do in the modern world.

³ For the debate about the end of classical slavery, see, for example, Finley, *Ancient Slavery*, pp. 11-66; Yvon Garlan, *Les esclaves en Grèce ancienne* (Editions La Découverte, Paris, 1984), pp. 13-26; Jean Christian Dumont, *Servus: Rome et l'esclavage sous la République* (Ecole Franchise de Rome, Rome, 1987), pp. 1-20; Zvi Yavetz, *Slaves and Slavery*, pp. 115-53.

In antiquity there was one way to leave the no man's land of the slave: manumission. The term, which means literally to emit or release from one's hand, vividly conveys the sense of giving up control over something. It was, once again, the unilateral act of the master. By giving up his dominion through an act that could be religious or civil, formal or informal, the master sanctioned for the slave the end of her or his condition as property and the beginning of some form of recognition within the moral community.⁴ In republican Rome the change was even more radical: together with freedom, the slave received citizenship, thus passing in one step from the status of absolute outsider to that of full member of the dominant group.

One objection that has frequently been raised against the idea of animal liberation is that animals cannot fight for themselves. They can only be liberated by others. Yet in this respect too the parallel with ancient slavery holds in practice, because slave rebellions had so little effect on the institution as a whole. Moreover, just as manumission was the only way out for slaves, so it appears to be the kind of response needed for animals. Not only does it address directly the question of status; it is also a long-standing and well-known instrument for the bestowal of freedom on those who cannot win it for themselves. When applied to animals, moreover, manumission has a further advantage. Though it cannot be used for all animals at once (for practical reasons, and also because it is of its nature a reformist measure) it can still create a precedent. As a tool for systematic intervention, each use invites us to consider the possibility of applying the tool in another situation.

Some problems remain. Even when manumission was applied to large groups of slaves, the freeing of each slave was, legally speaking, an individual event. What is needed for animals seems instead to be a distinct, more symbolic grant of freedom and moral status. Did this ever occur in Greco-Roman antiquity? There is at least one instance of this, although it concerns not chattel slavery, but a different institution, sometimes referred to as 'collective bondage'. Sparta's helots are the best-known example. Both the origins and the details of the status of the helots are somewhat obscure and still under discussion, but helots appear to have been the class of producers on the exploitation of whom the highly hierarchical Spartan society was based. The helots were employed mainly in agriculture, and so normally lived apart from the ruling group and were allowed to have a family and some sort of community life. Their situation, however, wasn't much better than that of chattel slaves. (It is enough to note that their subjection was annually reaffirmed through ritual activities that differed from modern sport hunting mainly in the fact that the prey was human.⁵)

Because the helots lived together, they were more dangerous to their masters, and many helot rebellions shook Spartan society. In 369 BC, however, during a war between the Spartans and the Thebans, something exceptional happened: after defeating the Spartans at Leuctra, Epaminondas, leader of the Theban forces, manumitted *en bloc* the helots of Messenia. This act allowed the rebirth of a whole people, with the ready return of its diaspora from all over the Greek Mediterranean; it also had the effect of transforming the ancient social structure on which Sparta had been based. In the hands of the victorious Thebans, a *collective* manumission had become a political instrument with momentous consequences.

The impact that the first nonhuman manumission could have would be much greater. The same holds, however, for the difficulties that beset it. To appreciate this, it is enough to recall that during the 2,300 years that have elapsed since Epaminondas' gesture, forms of human bondage

⁴ On manumission in Greece, see Aristide Calderini, *La manomissione e la condizione dei liberti in Grecia* (Hoepli, Milan, 1908); and for Rome, W.W. Buckland, *The Roman Law of Slavery* (Cambridge University Press, Cambridge, 1908), Part II. For more recent surveys of manumission in Greece and Rome, see William L. Westermann, *The Slave Systems of Greek and Roman Antiquity* (American Philosophical Society, Philadelphia, 1955), *passim* and, in particular, pp. 18ff., 89-90; and Thomas Wiedemann, *Greek and Roman Slavery* (Groom Helm, London, 1981), Ch. 3.

⁵ On this institution, called 'krypteia', see the essay by Pierre Vidal-Naquet, 'Le chasseur noir et l'origine de l'épébie athénienne', in P. Vidal-Naquet, *Le chasseur noir: Formes de pens. ee et formes de société dans le monde grec* (Librairie Francois Maspero, Paris, 1981).

have persisted around the world, reaching their peak in the slave societies of the New World, and coming to their official end as recently as 1962, in the Arabian Peninsula.⁶ If it has taken so long to make a reality of the idea that no member of our species can be an item of property, to bestow freedom and equality on members of a species other than our own will seem an arduous and improbable enterprise.

Granted, this enterprise of expanding the moral community beyond the species boundary has on its side the power of the rational challenge that, starting with the Enlightenment, if not before, has provided the theoretical basis for so many struggles for justice and has undermined all the attempted justifications put up in defence of the exclusion of some human beings from the moral community. Indeed, the need to push the egalitarian stance beyond the boundaries of the human species appears to be built into the Enlightenment dream of a universal rationality. But this alone is not enough to ensure the success of the enterprise. The history of other social movements shows that we require a conscious strategy to achieve what Darwin refers to as 'the gradual illumination of men's minds'.⁷ For those who aim at change, it is vital to understand the framework in which one has to act, and to take advantage of the contradictions in the positions of one's opponents.

Why the Great Apes?

A solid barrier serves to keep nonhumans outside the protective moral realm of our community. By virtue of this barrier, in the influential words of Thomas Aquinas, 'it is not wrong for man to use them, either by killing or in any other way whatever'.⁸ Does this barrier have a weak link on which we can concentrate our efforts? Is there any grey area where the certainties of human chauvinism begin to fade and an uneasy ambivalence makes recourse to a collective animal manumission politically feasible? As the philosophers, zoologists, ethologists, anthropologists, lawyers, psychologists, educationalists and other scholars who have chosen to support this project show, this grey area does exist. It is the sphere that includes the branches closest to us in the evolutionary tree. In the case of the other great apes, the chimpanzee, the gorilla and the orang-utan, some of the notions used to restrict equality and other moral privileges to human beings instead of extending them to all sentient creatures can cut the other way. When radical enfranchisement is being demanded for our fellow apes, the very arguments usually offered to defend the special moral status of human beings *vis-a-vis* nonhuman animals - arguments based on biological bondedness or, more significant still, on the possession of some specific characteristics or abilities - can be turned against the status quo.

Chimpanzees, gorillas and orang-utans occupy a particular position from another perspective, too. The appearance of apes who can communicate in a human language marks a turning-point in human/animal relationships. Granted, Washoe, Loulis, Koko, Michael, Chantek and all their fellow great apes cannot directly demand their general enfranchisement -although they can demand to be let out of their cages, as Washoe once did⁹ - but they can convey to us, in more detail than any nonhuman animals have ever done before, a nonhuman viewpoint on the world. This viewpoint can no longer be dismissed. Its bearers have unwittingly become a vanguard, not only for their own kin, but for all nonhuman animals.

⁶ 'Slavery in Saudi Arabia ended by Faisal edict', *New York Times*, 7 November 1962. See also the answer of Saudi Arabia to the first question of the UN Questionnaire on Slavery, in Mohamed Awad, *Rapport sur l'esclavage* (United Nations, New York, 1967), pp. 126-9.

⁷ From a letter by Darwin, supposedly written to Karl Marx, but probably to Marx's son-in-law, Edward Aveling, published in Erhard Lucas, 'Marx und Engels: Auseinandersetzung mit Darwin zur Differenz zwischen Marx und Engels', *International Review of Social History*, vol. 9 (1964) pp. 433-69, quoted in James Rachels, *Created from Animals* (Oxford University Press, Oxford, 1990), p. 101.

⁸ Thomas Aquinas, *Summa Contra Gentiles* (Benziger Brothers, Chicago, 1928), Book 3, Part II, Ch. CXII, reprinted in T. Regan and P. Singer (eds), *Animal Rights and Human Obligations*, 2nd edn (Prentice-Hall, Englewood Cliffs, NJ, 1989), p. 8.

⁹ Eugene Linden, *Silent Partners* (Times Books, New York, 1986), p. 30.

Nevertheless, it might be said that in focusing on beings as richly endowed as the great apes we are setting too high a standard for admission to the community of equals, and in so doing we could preclude, or make more difficult, any further progress for animals whose endowments are less like our own. No standard, however, can be fixed forever. 'The notion of equality is a tool for rectifying injustices ... As is often necessary for reform, it works on a limited scale.'¹⁰ Reformers can only start from a given situation, and work from there; once they have made some gains, their next starting-point will be a little further advanced, and when they are strong enough they can bring pressure to bear from that point.

How can we advocate inclusion or exclusion for whole species, when the whole approach of animal liberationist ethics has been to deny the validity of species boundaries, and to emphasise the overlap in characteristics between members of our own species and members of other species? Have we not always said that the boundary of species is a morally irrelevant distinction, based on mere biological data? Are we not in danger of reverting to a new form of speciesism?

This is a problem that has to do with boundaries, and boundaries are here tied up with the *collective* feature of the proposed manumission. What, then, can be said in favour of such a collective manumission, apart from recognition of its obvious symbolic value? We think that a direction can be found, once more, in history. It is already clear that in classical antiquity, while the collective emancipation of Messenian helots led to some dramatic social changes, the random manumission of individual human slaves never led to any noteworthy social progress. Even in more recent times, when a conscious political design was not only feasible, but was actually pursued - namely, during the first stages of the anti-slavery struggle in nineteenth-century United States - the freeing of individual slaves, or even the setting free by an enlightened plantation owner of all the slaves on his plantation, did little good for the anti-slavery side as a whole. Given that the global admission of nonhuman animals to the community of equals seems out of the question for the moment, one way to avoid a parallel failure is to focus on the species as a collectivity, and to opt for (otherwise questionable) rigid boundaries.

Finally, we cannot ignore doubts about the practical feasibility of the project, and the concrete implications of admitting chimpanzees, gorillas and orang-utans into the community of equals. Quite novel problems are likely to arise, but they will not be insuperable, and as we overcome each one, we will reveal the spurious nature of the alleged obstacles to overcoming the boundaries between species. In fact, difficulties also occurred in similar situations involving humans, but this was no reason to abandon the overall plan of emancipation. Readers will not need to be reminded that the liberation of the American slaves after the Civil War was not sufficient to achieve equal civil rights for them. Instead, a new set of obstacles to equality arose, some of which were overcome only by the civil rights movement of the 1960s, while others remain a problem today.

For the idea of providing a restitution of orang-utans, gorillas and chimpanzees to their lands of origin, in particular, we can even identify a precise historical antecedent: the creation in Africa of the state of Liberia, which the American colonisation movement dreamt would be a new homeland for those humans who had been enslaved and transported across the ocean by other members of their species. The fact that an independent nation called Liberia still exists shows that the project was feasible, and if there were things that went wrong, they were, significantly enough, related to typically human questions, for example, the discrimination against the native inhabitants of the area that the immigrants soon practised.¹¹

¹⁰ Mary Midgley, *Animals and Why They Matter* (University of Georgia Press, Athens, GA, 1983), p. 67.

¹¹ On the differences in the way in which the 'Americo-Liberians' and the indigenous inhabitants of Liberia were treated, see F.J. Pedler, *West Africa* (Methuen, Birkenhead, 1959), pp. 134-6; and C.S. Clapham, *Liberia and Sierra Leone* (Cambridge University Press, Cambridge, 1976), pp. 8-9, 17ff.

Certainly, with regard to nonhumans, one can point to additional problems. They will not be able to participate in the political structure of the community. Unlike the descendants of the American slaves, they will be unable to stand up in defence of their own rights, or of any territory that they are granted, whether in Africa or in other countries as well. How then is it going to be possible to ensure for them the same protection afforded to full members of our community? Here the analogy with the emancipation of slaves breaks down; but to some extent we can draw on two further models, depending on the kind of situation in which the liberated apes will be. If they are living in natural conditions in their own territories, whether in their homelands or in the countries to which they have been coercively transported, they will have no need of our assistance; they will need only to be left alone. We do have world institutions – though imperfect ones – that exist in order to protect weaker countries from stronger ones. We also have considerable historical experience with the United Nations acting as a protector of non-autonomous human regions, known as United Nations Trust Territories. It is to an international body of this kind that the defence of the first nonhuman independent territories and a role in the regulation of mixed human and nonhuman territories could be entrusted.

Where, on the other hand, individuals have become so habituated to life within our societies that it would not be in their own interests to be returned to wild habitats, their status, and the protection to be afforded them, could be just the same as that which we grant to non-autonomous beings of our own species. As in the case of children and the intellectually disabled, the basic protection ensured by national laws could be supplemented by specially appointed guardians. In fact, it is not only animals and non-autonomous humans who are unable to stand up in defence of their own rights; often normal adult humans have been in need of protection. This is the *raison d'être* of many international organisations, such as the venerable Anti-Slavery Society for the Protection of Human Rights or the Federation International des Droits de L'Homme, created after the Dreyfus Affair, or the more recently founded Amnesty International, an organisation that makes the 'guardian' nature of its work clear by speaking of the 'adoption' of a political prisoner, when a local group takes up that prisoner's cause. These nongovernmental organisations oversee, within the constraints of their moral influence and any political power or sanctions that they are able to wield, the realisation of the various international declarations of human rights in signatory nations. Their work is further evidence for the necessity of creating the world institution that we have envisaged. By combining some of the functions of existing models, such a body could be in a position to carry on the complex task of monitoring the implementation of a declaration of rights for the great apes - wherever they may be.

The creation of such an international body for the extension of the moral community to all great apes will not be an easy task. If it can be accomplished it will have an immediate practical value for chimpanzees, gorillas and orang-utans all over the world. Perhaps even more significant, however, will be its symbolic value as a concrete representation of the first breach in the species barrier.