



A Rite of Passage

BEING SHIPWRECKED in a strange land and facing a hostile reception from the natives is not the best perspective from which to appreciate inter-societal paradigm clashes first-hand. Especially if you are a Monkey suspected of being a French spy. But this was the prospect faced by a certain individual washed ashore on the east coast of England during the Napoleonic wars. According to legend, he was captured, condemned as a spy, and hanged.

Today the summary execution of a harmless mammal would cause outrage. The Monkey would surely be accorded some minimum care as a potentially endangered species (or, at least, as an asylum seeker), and have access to a good animal rights lawyer.

And yet, the basis for inter-species rights is not necessarily established or even obvious from first principles.

Animal welfare activists take justifiable care in defending so-called animal rights - rights such as freedom from anxiety, pain and a nasty death. But we can't really say these are animal rights - that is, non-human animal rights - because we don't know what rights the non-human animals would assert

or negotiate for themselves. When people talk of 'animal rights', what they seem to refer to is the unilateral bestowal upon animals of what are human rights.

But animals can't really have human rights, unless the animals are able to guarantee reciprocal 'animal rights' for humans. Lions don't have human rights because humans don't have lion rights - the right for a life among lions that is free from anxiety, pain and a nasty death.

By the same token, there can't be 'animal rights' as such - in the sense of rights bestowed collectively by animals upon other animals. This is because animals are no more in agreement about their mutual rights than different human societies are agreed on each others' - otherwise there would be a single World Law and Bill of Rights. Unless all animals were bound by a collectively agreed and enforced societal contract, then universal animal rights are a non-starter.

In any case, 'animal rights' - such as they are recognised by humans - tend only to be bestowed upon a few favoured species, mostly mammals. But even these are not so much rights residing in the animals themselves, as constraints placed on human behaviour (Thou Shalt Not Kick the Cat; Thou Shalt Not Covet Thy Ox).

Talking with the animals

It seems that a pre-requisite for non-human animals to have human rights would be if they could communicate with us. Only then could we have a

mutually agreed 'contract' between the species. Gorillas, say, would agree not to harm humans, and vice versa. Even then, this would only be possible if all concerned could both establish a common communication system, and have the remotest possibility of agreeing a common ethical code.

In the absence of any such reciprocal deal, each species would lie outside the justice system of each other species - which is more or less the way it's always been. A lion that eats its trainer may well be put to death, but this is not as part of the human criminal justice system. And even if it were, the judge, jury and executioner would all be humans, with the lion hardly in a position to plead its innocence under the Law of the Jungle.

A twist of fortune

What is disturbing about the Monkey-hanging incident is not only the extermination of an 'innocent creature', but the seeming unfairness of subjecting it to human laws and prejudices.

Not least, the charge against the Monkey is principally based on it being a foreigner - which would be considered an unfair and indefensible charge were it to be levelled against a human.

For the Monkey, any hope of a defence case would have to rest on being able to communicate: firstly to understand the charges against him, and secondly to demonstrate his innocence by answering convincingly in English.

The chances of a Francophone monkey conversing fluently in English may seem far-fetched. But in this 21st Century version of an old tale, the Monkey's peculiarly unfortunate predicament may be redeemed by an equally serendipitous twist of fortune. The Monkey happens to be called Marc, and so simply answering his name aloud will be sufficient to assuage suspicion that he is a French spy. And by this slender chance, he is spared the gallows.

Finally free

The story of the Monkey illustrates a damning cocktail of ignorance, insularity and xenophobia. But it is also an indictment of the locals' inhumanity. Their inability to recognise a monkey casts doubt on their own grasp of what it is to be human.

Conversely, the Monkey, in having the courtesy of being accorded a formal trial, has been implicitly accorded recognition of being a Person.

So our hero not only escapes to live another day, but is now a free citizen. And with that, Marc is now free to face an all too 'human' condition: of being marooned, alone in an alien society.

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