

TRADITIONAL CHINESE CULTURE POSES DIFFICULTY FOR NEW ANIMAL WELFARE LAWS

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Few people in China care about the feelings of animals or possess the concept of animal welfare. Some traditional factors play a positive role in this field.

From childhood, anything about animals, most Chinese children get in touch with has undoubtedly put man above them. Even some of the children's songs have described the nature of animals as malicious, such as slippery fox and ruthless wolf and so on, which not only casts a dark shadow over their naïve hearts, but also leaves a wide gap between animals and children. It then appears in human ideology the discrimination of inferiority and superiority, eminence and humbleness, primary and secondary. These can all be taken in at a glance at the old saying: Man is the master of the universe. Disdain in spirit may lead to cruelty in action.

As a result, man endows himself the natural rights to dominate the universe at the thought of "Human rights is gifted by the God", and take the life of animals as trifling matters. Along with the continuous development of human "civilization", the global eco-environment worsens, and the number of species re-

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duces considerably. Over ten of them become extinct each day. Humans have at last woken to the reality that they will suffer the same ending if nothing is done to stop it. Consequently, the strategy of sustainable development was put forward. This is, however, not comforting, because while the same idea is contained in the current *Wildlife Protection Laws* (which is enacted to protect and save valuable wildlife in imminent danger, to protect, develop and reasonably exploit resources of wild animals, and to keep the balance of eco-system). But the law has turned out to be no more than the most recent and practical way humans have found to make “use” of natural resources for selfish reasons, and not for the long term well being of any of the animals.

The “Civilized” man always divides creatures into “mankind” and “animals”. The reason is no doubt that man thinks high of himself. Then is the deep-rooted human priority really true? Why should we insist on the inferiority of animals? Darwin has particularly compared the intellect of man and so-called lower orders animals. He hold the opinion that we now know that the sensory organs, intuition, all kinds of emotions and functions, such as, love, memory, attention, curiosity, imitating and reasoning abilities, etc. on which man keeps priding himself, can also be found on lower animals, some still in an embryonic stage, while some others have already been fully developed.

Scientists have proved that animals possess sense perception as man does, which makes us have to ask ourselves a question: in the past 200 years, why did men keep extending the idea of ethics from state to nation, then to race, and finally to all individuals? Because we found the former practice unfair. History shows that the category of ethical ideas is continuously expanding, and its extent keeps deepening. Man will finally break each kind of discovered unfairness, but we still exclude most perceptive species.

Of course, morality has economic limitation. The reason why we showed no moral care for nonhuman creatures before was the undeveloped economy, science and technology. Man could not communicate with animals in language, nor could they by other means. Therefore, man could not understand their agony and thereby took it as granted that animals could not sense pain. But now, man can measure whether an animal is suffering pain by some quantified standards. Experiments also proved the ability of animals to sense pain. If man still disregards their feelings in such a case, then it can by no means be considered a noble thing. A Chinese proverb says that never give anything to the others unless you like the thing. It may be changed into never give anything man dislike to them. Here, "them" stands for animals, not other men. Then how should we judge the suitable category of ethics at present level? I believe that the profit of each object involved in an action should all be considered, and enjoy equal importance. Therefore, we should extend the category of ethics to all species that are able to sense pain, joy and happiness.

As a matter of fact, man often unconsciously absorbs animals into ethical category. More and more animal stars appear in the screen, such as, lively Stuart Little, cartoon star Roger Rabbit, and so on. The audience love them warmly, and children are much more familiar with them. Man has unconsciously turned the escapism to the hope in the screen, wishing that a relatively more ideal life might be demonstrated in movies. The less man believes in himself, the more he turns to animals. As a result, the scene of man educated by man gradually fades out. Instead, man learns the essence of being a man from animals, and man is in the shine of their spirit.

But why cannot man recognize animals in real life? The reason is that morality also has limitation of society. In reality there are usually conflicts between man and animal. Once man thinks an animal is harmful to him, he will show defense and hostility, considering not at all its welfare. When there leaves nothing but

stark-naked conflict of interest between men, it is the time the selfishness of man is exposed. Humans treat other humans still like this, let alone towards animals incapable of communicating in human languages. Therefore, powerful binding force is needed to seek welfare for animals. Experience shows that in a society, the more advanced the economy, and the deeper the democratic idea goes into people's heart, the much easier the concept of animal welfare is popularized and accepted by its citizens. Whether a person owns a kind heart can also be judged by his treatment toward animals. It is said that some criminologists point out that the maltreatment toward animals in childhood is a sign of the risk of committing crimes after grown up.

Some people think that animal welfare is no more than a religious idea or the practice committed by the sensitive. It is not true. Animal welfare is a kind of rational science. It does not come out of any religious or emotional factors, but can be based upon scientific understanding of animals. Buddhism is particular about the decree of no killing, but it's opinion doesn't come from science and every citizen is free to profess it or not. The articles in the decree are not suited to all the masses. To care for animal welfare is not a commitment out of kindness. It is incorrect to think that you have done a great deed each time you protect the welfare of an animal. On the contrary, animal welfare is only a little compensation to the atrocities man has committed in a long time. Law is the minimal morality. The love and attention to animals should be from the bottom of hearts, instead of the regulation at legal levels. The existence of legislation will be unnecessary when the idea of animal welfare is improved to a certain level. By then, the concern about and sympathy to animals comes from the awakening of kindness deep in human hearts and the thorough understanding of the idea of equality; by then any literal restraint is not needed. Maybe when human society reaches the stage of, in the word of Confucius, every life being equal, it is the time that animals finally be liberated.

China, an ancient and civilized country, possesses profound culture of thousand years on Buddhism which insists on no killing and the idea of equality of all living things, i.e. all life should be treated kindly. Let us put aside the review on brilliant history, and turn to today when China has entered the 21st century. Now our eyes are lashed by animal-abusing events nearby: Liu Haiyang, a Qinghua University student, hurt bears by sulphuric acid; tigers in circus troupe died of tiredness; thousands upon thousands of pet dogs in Guangzhou have their vocal cords cut...there are still countless such examples too tragic to look upon. The lesson we learn from that is not the transaction to individual event, but the need of some deep-going thinking: why does China have no related laws to ban and penalize similar commitment, when our society is increasingly developed; and why can our citizens turn blind in front of such atrocities when they are kept in a nation with profound Buddhism origin. Universal love has no distinction between species. This is a world shared together by man and animals. Up till now, most countries have enacted related laws and regulations. China has started fairly late, but we may not escape or be absent in the trend of universal love. We can absorb their essence, and exclude the dregs as Chinese famous writer Lu Xun once said to bravely introduce advanced thoughts on animal welfare from the West and East.

From the legal point of view, the inheritance of excellent Chinese traditional morality should be absorbed by newly discussed *Chinese Animal Welfare Laws*. Although it is easy to learn from abroad, it still needs persevering efforts of several years to really make the idea of animal welfare go deep into the hearts of most Chinese citizens. Since China has now been one of the members of World Trade Organization, the legal system and civilization level must catch up with the steps of economy linked to international developed countries. Thus, the development is wholesome, up-going and full-scale. It will be a great victory of global animal welfare cause to realize its popular-

ization in China, a country that takes up one fifth of the world population.

The future is bright but the way is zigzag. I would like to cite this Chinese proverb to describe the situation of Animal Welfare Law in China and I hope all the animals live happier life in the future, in China.