

HUMANE TREATMENT OF ANIMALS AS A MARKER OF CIVILIZED SOCIETY

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Annotation. In today's conditions, social relations concerning animals have become particularly relevant and require increased attention. In Ukrainian scientific doctrine, research on this issue is fragmentary since the humanistic approach to animals in domestic theory and practice only began at the beginning of the 21st century.

With the intensification of agriculture, the emergence of large-scale agriculture, and the use of animals for research, society's interest in improving breeding conditions, keeping them, and reducing their suffering has increased. Public attention and scientific progress refuted the argument about animals' lack of consciousness and sensations. This approach to animals, which generates certain moral obligations of humans, requires the introduction of tools to ensure the observance of the rights of "smaller friends".

Humane treatment of animals, ensuring their welfare, is considered an essential criterion for belonging to a European civilization. The solution to this issue depends on various aspects, including the country's economic development level. Mahatma Gandhi stated that the moral development of the nation is evidenced by the methods of society's treatment of animals. Attitude to animals is a marker of the civilization of society.

Standards of humane treatment of animals are one of the European values, the perception and implementation of which is a mandatory requirement, taking into account the European integration processes in Ukraine, its sustainable development. The goal of this study is to search for effective methods that are adapted to the realities of animal treatment in Ukraine. Conducting the analysis will allow forming a new perspective on the established social approaches to the treatment of animals.

Key words: living things, experimental animals, humane treatment, sustainable development, nature-centered worldview.

1. Statement of the problem.

The future fate of not only animals but also people depend on the awareness of our own nature and place in the world. "Awareness of the welcome kinship of man and animal contributes to the development of deep thinking, which recognizes the value of every living being, regardless of its utilitarian (useful for people's needs) significance. The relevance of such thinking is determined not only by the sphere of morality but also by the need to improve society. Human rights as the core concept of modern civilized humanity should be complemented by recognizing the right to life and the absence of animal suffering" [1].

Since ancient times, animals have been understood as objects of human rights. Animals, depending on the socio-historical period, were treated differently. The first human companion was a wolf, the breeding subspecies of which is a dog. The process of changing the cat population occurred 5 thousand years later. Dogs helped people in hunting and home security, and cats – in the fight against rodents. Animals began to be kept for communication, receiving additional positive emotions, and becoming full family members. Under the influence of a person, their behavior and appearance changed. Humans gave the animal the status of an animate creature, depicted it side by side, as a similar creature. At different stages of the development of society, the animal

acquired the status of a deity, an object of worship [2]. The image of gods in the image of an animal takes place in the mythology of many countries. Evidence of identification, similarity of a human and animal, and awareness of unity are images, from rock paintings to modern photos in social networks.

The beginning of European animal welfare protection can be traced back to the 18th and 19th centuries. Along with the emergence of attention to human well-being, there was a growing interest in animal welfare. The spread of new philosophical schools in the second half of the 18th century contributed to the creation of a relatively large number of works devoted to the responsibility of humans to animals. In those days, the use of animals in scientific research, agriculture, or for "entertainment" in the form of dog fights and bull chases was already criticized.

The development of human-animal relations changes the emphasis from the primary perception of moral differences between living beings, which consisted in the inability of animals to think and use language, to the similarity in the ability to feel pain and suffer. The understanding of animals as objects of rights has reached the level that animals are recognized as living beings who share their history of development with people and serve as a source of food, a means of transportation, and tools for work or leisure objects.

For the first time, lawsuits against animals occurred in the 13th century. Living things were recognized as having the right to exist. Only in the case of abuse and harm to a person, they could be deprived of such a right [9, p.49]. In Ukraine, on the territory of the Carpathians, there were trials against bears. The bear was actually recognized as a subject. The local population believed that each bear had the right to kill ten heads of cattle. If there were less than ten heads of cattle, then such a bear was not killed [1].

2. Analysis of scientific sources.

Determination of the status of animals in law has been a debatable topic for a long time. The issue of animals as a special object of civil rights has been studied in the works of such scientists as V.I. Borysova, N.V. Voronina, O.V. Dzero, Y.O. Zaika, N.S. Kuznetsova, V.V. Luts, R.A. Maydanyk, N.I. Maydanyk, O.A. Pidopryhora, Z.V. Romovska, I.V. Spasibo-Fateva, N.V. Tereshchenko, E.O. Kharitonov, Y.M. Shevchenko, R.B. Shyshka and others. The need for a critical analysis and the formation of a new view on the established civilistic approaches to animals as objects of civil legal relations has been formed.

3. The purpose of the study is a consideration of issues related to the treatment of animals, clarification of international approaches in the field of animal welfare as one of the most important aspects of sustainable development of a country, formulation of theoretical provisions and practical conclusions aimed at developing the humanization of society.

4. Review and discussion.

The first laws in the English-speaking world for the protection of animals were passed in Ireland in 1635. They forbade pulling the wool out of sheep and attaching the plow to the tails of horses because such behavior "causes them suffering" [4]. In 1641, the Massachusetts Bay Colony adopted the first code for protecting farm animals in North America. No human being should practice tyranny or cruelty against any creature of God ordinarily used for the benefit of a human [4].

At the end of the 17th century in Japan, Shogun Tsunayoshi, nicknamed "Inu Kubo" ("dog Shogun"), issued several decrees prohibiting cruelty to animals. The objects of the documents were dogs, horses, cows, cats, chickens, turtles, snakes, and fish that were forbidden to be sold in the markets. Severe punishments included expulsion, imprisonment, and the death penalty imposed for killing animals. A network of shelters was created for dogs. However, such rules were repealed ten days after Tsunayoshi's death [4].

The level of development of society and the process of humanization determines the attitude of humanity toward animals. About twelve EU countries classify animals as subjects [5]. In particular, Germany has recognized since 1990 that animals are not things [6]. Based on a referendum held in Switzerland in 1994, the position of animals was changed from a thing to “sensing creatures” [7]. In January 2015, the French parliament recognized animals as living beings capable of feeling, endowed with sensitivity [8]. India became the country that first gave dolphins the status of “non-human individuals”. Thus, the unique intelligence and self-understanding of representatives of aquatic mammals are recognized. Dolphins choose their own unique names from a combination of complex audio signals. Bulgarian legislation has strengthened criminal liability for illegal actions against dolphins. Thus, killing a dolphin is considered a crime.

At the conference of the American Association for the Advancement of Science in Canada, the issue of the need to adopt the “Declaration of the Rights of Cetaceans: Whales and Dolphins” was discussed; in particular, “each individual cetacean has the right to life”, “no cetacean should be kept in captive or captive, not to be subjected to cruel treatment or to be removed from the natural environment”, “no cetacean is the property of any state, corporation, group of people or individual” [9].

The concept of animal rights, based on the works of foreign scientists, recognizes the rights of animals due to their ability to sense pain. The opinion of the well-known animal defender and author of the “Animal Law Info” project, D. Favre, is of interest. A professor at the University of Michigan claims that animals can have their own rights. The existence of criminal prosecution for animal cruelty confirms this stance. D. Favre suggests introducing into civil circulation the so-called fourth category of property – “living property”, which would consolidate the rights of animals [10].

The concept of “animals” is given in the law of Ukraine on the Protection of Animals Against Cruelty. These are biological objects that are related to fauna: agricultural, domestic, wild, including domestic and wild birds, fur, laboratory, zoo, circus [11]. Recognizing an animal as a thing is extremely difficult. Thus, in scientific discussions, the issue of the certainty of the subject of creativity has been repeatedly raised. For example, repeated exhibitions of fine works created by the animals themselves [12].

The Law of Ukraine on Veterinary Medicine calls animals as “goods”. It provides for their identification for large and small cattle, horses, pigs, dogs, and cats – universal identification and accounting in an individual manner using a unique identifier; for poultry, birds, bees, insects, fish, crustaceans, mollusks, frogs, amphibians and reptiles – collective identification by epidemiological unit or belonging group using a unique group identifier; for other goods – the presence of marking [13]. The identification of animals is carried out by assigning a unique number, which is indicated on the chip, tag using a tattoo, as well as in the paper individual passport of the animal. Depending on the species and breeding value of the animal, the passport may contain information about the animal, including its place of birth, date of birth, breed, gender, owner, veterinary marks regarding vaccinations, health status, as well as the animal’s ear tag number and its mother’s ear tag number, or token number. National legislation obligates persons who keep a pet to ensure it has a collar with identifying marks [11].

Since the requirement to establish rules for keeping pets is imposed on local self-government bodies. Each territorial community approaches registration differently. Such rules are not always adopted. In Ukraine, there are no unified approaches to the registration of pets at the national level.

Cruelty to animals creates a sense of indifference in offenders regarding the suffering of living beings and generates aggressiveness and violence toward others. This behavior impacts the consciousness of the offenders and those who witness such acts. This opinion is supported by the results of the study “Refining the Link between Animal Abuse and Subsequent Violence”. The analysis of the behavior of forty-four serial killers allowed drawing the following conclusions: 73% injured or killed animals in childhood or adolescence, 55% tortured animals [14].

Thus, Ukraine has chosen the European vector of development, so animal welfare should be considered as one of the essential aspects of sustainable development. Any animal with a nervous system is granted special rights. Neglect and disregard for natural rights cause significant harm to nature and provoke the commission of crimes against animals. Respect for animals is an integral part of human respect for humans [15].

Handling of animals characterizes the moral, ethical, social, cultural, legal, and economic level of development of society. It is important to remember that animals, as natural objects of the material world, should be protected as biological entities (living organisms), creatures that are integral to the environment. In our country, the sphere of use of animals in scientific and research activities remains the least regulated in Europe.

Ukraine has not ratified the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes, adopted on 18 March 1986 [16]. This Convention lays down the basic principles of the following: the moral obligation of people to respect all animals and to give due consideration to their capacity to suffer and to remember; recognition that it is necessary for man in quest for knowledge, health, and safety to use animals where there are reasonable grounds for believing that doing so will advance knowledge or be in the general interest of man or animal, just as he uses them to provide food, clothing, including as beasts of burden; restricting the use of animals for research and other scientific purposes to replace such use, where practicable, in particular with alternative measures and incentives for the use of alternative measures, etc. [16].

Taking into account significant achievements in the field of animal treatment, welfare, and protection from cruelty, these provisions are based on the principle of use of living beings by humans for their own good. At the same time, a person has a moral obligation to ensure the health and welfare of animals within reasonable limits and not to expose them to additional risks. Accordingly, the "humane" use of animal life for the human good is permissible. In the modern world, a person is not only a friend who lives close to animals and actively uses them in life. They are used as models, actors, bodyguards, for research, experiments, etc.

Special attention should be paid to the use of animals for testing various products: cosmetics, tobacco goods, medicinal products, etc. Animals of various species are used in experiments. As a rule, the objects of experiments are frogs, cats, rabbits, mice, dogs, primates, and rats.

The concept of "ethical cosmetics" emerged as a natural continuation of the trend of caring for the environment. The label "cruelty-free" indicates that no components, including the finished product, were tested on animals during production. Conducting this type of testing on animals is not a humane approach. For each test (individual components, ready-made formula), a sample of 100+ individuals are required for representativeness. The tests do not differ in reliable effectiveness since different animal species react differently to the substance. For example, asbestos causes cancer in humans, although an animal test does not detect a danger since mice do not respond to asbestos [17].

A study by the pharmaceutical company Pfizer revealed the unreliability of the results of animal experiments, especially when determining the carcinogenicity of medicines. When comparing data obtained from animal experiments and the results of exposure to the same drug in humans, it turned out that the match is observed only in 50% of cases. Many drugs that were considered safe based on animal experiments caused dangerous side effects and complications in humans [18].

Every year, about 115 million animals suffer and die in the laboratories of the chemical and pharmaceutical industries, laboratories of universities, and research institutes. Living things are degraded by humans to the level of "measuring devices" and "models of organisms" that can be used [18].

"Almost all the external signs that appear in humans when they experience pain can be seen in the species most closely related to us – mammals and birds. Behavioral signs – snags, facial spasms, moans, screams, or other forms of external manifestations, attempts to avoid the source of pain, external manifestations of fear at the prospect of its repetition – are present. In addition, it is known that these animals have a similar nervous system to ours, which also reacts like ours when the animal is in similar circumstances in which we would feel pain: increased blood pressure, dilated pupils, increased pulse rate, and brain spasm. Although humans have a more developed cerebral cortex than animals, this part of the brain is responsible for more thinking functions than basic reflexes, emotions, and feelings. Humanity must let animals into the sphere of its morality and stop using their lives for any trivial purpose [19].

Since 2013, importing and selling cosmetics tested on animals has been prohibited in the EU. There are more effective alternative options for in vivo testing: laboratory, artificial skin, computer modeling,

no re-testing for components that were tested earlier, groups of volunteers, etc. In Ukraine, there are no approved methodologies for alternative cosmetics safety tests.

The basis of human-animal interaction is the awareness of the latter as a living being capable of feeling that it deserves special treatment and respect. The principle of treatment of animals depends on the concept of worldview. Modern attitudes are more anthropocentric. A person is considered the center of the universe and is the goal of all events that occur within; their needs are in the first place, and a person has the right to take everything necessary from the environment. The change of values, awareness of the place and responsibility of a person implies a nature-centric vector [20] of the development of society, a harmonious combination of social, economic and ecological relations, taking into account the goals of sustainable development.

The axiological basis of relations with animals must have an imperative – the suffering of any being is a moral evil. This approach should establish a general principle of humane treatment of animals and be ethical. The source of treatment of animals is the attitude of a person imbued with morality. “I like the humanism thesis, according to which all living things (plants and animals) should be treated as a person. And the fact that a person should live as a small universe. Thus, that everything in the universe is in a human” [21].

Today, the Ukrainian scientific doctrine, public position, and human rights movement are gradually introducing the concept of animal welfare; they are moving away from cruelty, the so-called anthropocentric principle of animal welfare. We are convinced that animals should have proper humane treatment. We would like to draw attention to the need to establish more stringent requirements for conducting laboratory tests and animal experiments. Take into account the ability of animals to experience pain, fear, discomfort, and suffering. Introduction at the state level of educational and educational programs aimed at forming a humane, responsible attitude towards pets. Involving animal owners and young people in education will significantly influence the correction of the situation in the future. Various pet treatment programs have proven themselves in many countries as an effective tool for education in this area.

We are convinced that the solution to these problems will be possible only with a comprehensive approach and systematic work, both at the state and local levels. Standards of humane treatment of animals are one of the world values, the perception and implementation of which are necessary given the European integration processes in Ukraine.

5. Conclusions.

The treatment of animals has a moral and ethical character, which is determined by the level of development of society. Animals are living beings, natural objects of the material world. Their dual nature should be the basis of interaction between man and animal, the awareness of the latter as a living creature capable of feeling that it deserves special treatment and respect. The article draws attention to the need to establish more stringent requirements in the field of laboratory research and animal experiments. It is necessary to recognize the general principle of humane treatment of animals, taking into account ethical requirements.

The principle of treatment of animals depends on the concept of worldview. The development of society, the change of values, the awareness of the place and responsibility of a person presupposes a nature-centric approach to the worldview, which consists in a balanced and harmonious relationship between a person and the environment. at the state level, aimed at forming a humane, responsible attitude and involving animal owners and youth in education, will significantly affect the correction of the situation in the future.

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