

The Price of Animal's Soul: Late-Stage Capitalism, Animal Welfare and the Law

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Abstract

The current epoch of capitalism creates more distinct issues, and one of its conflicts is the class struggle of animal workers. This paper begins by inquiring how much is the price of an animal's soul? – and further, it situates the Indonesian laws in the effort to accommodate the animal's protection and their welfare. The features of late-stage capitalism indicate the conflict of class struggle for animal workers. The assessment is more than an economic perspective, but human and non-human animal intra-action nexus, legal standpoint, and socio-cultural point of views. This research uses secondary data analysis to refer to late-stage capitalism theory, Indonesian laws and other related regulations concerning animal protection, and comparative cases of animal welfare in Indonesia and Thailand. Late-stage capitalism urges the existence of animal welfare laws in Indonesia for better improvement to cover both legal and ethical concerns comprehensively – while it is also a big challenge to have religious and socio-culturally-rooted values to address animal welfare. This paper provides an overview of the role of law in providing an understanding of animals as sentient beings rather than property.

Keywords: animal welfare; animal rights; animal workers; capitalism

1. Introduction

Late-stage capitalism is not merely about economic perspective but also scrutinizes human activities that predispose the environmental condition. Therefore, it requires holistic assessment for considering who are the players and victims. Unlike the capitalist system in its first arrival and establishment, the analysis of non-human animal workers in current age capitalism focuses on how this system is not merely stressed on the economic settings, but also with nature (and its earthling) operation. Following Patel and Moore, (Patel & Moore, 2018) (Patel & Moore, 2018) the latest era of capitalism operates nature as trumpery as possible, to satisfy human needs. In this vein, this paper will firstly depart from the transition of the capitalist system over time. The 21st century of capitalism now entwines with the more diverse classification and alienation that are experienced by nature as well, particularly animal workers. Secondly, the discussion on moral obligation and animal welfare also will bolster to further highlight this vital issue.

Essentially, capitalism under Karl Marx (Marxism) verily attributes the term “base-superstructure” as an array of bourgeois and proletariat classes. Both classes refer to human classification in social and economic structure. (Ritzer & Stepnisky, 2013) Marx's study

encompasses the human dimension that leads to human alienation tendency referring to capitalism, and its scope will also extend to animal workers. Capitalism can dissociate between non-human animals and their high-yielding nature activity in their habitat, potential, fellow species, and outcomes (the product) that they made at work as a laborer. Animal workers are entangled in rights issues in wildlife tourist attractions (WTAs),(Moorhouse et al., 2017) agriculture and laboratory experiments, an example revealed in July 2020 of monkey labor in Thailand. This case was investigated by the People for the Ethical Treatment of Animals (PETA) Asia in eight coconut plantations located in Surat Thani Province, Southern Thailand. According to their finding, these farms are using long-tailed macaque (*Macaca fascicularis*) as their daily laborers to pick coconuts to be distributed toward coconut-based product factories, one of them is "Chaokoh," a coconut-derived brand under Theppadungporn Coconut Co., Ltd.(*PETA Exposés and Undercover Investigations*, 2021)

The animal issue in Indonesia is crucial, assessed from a socio-cultural, religious, and legal perspective. The 2020 report from Animal Protection Index(*Animal Protection Index*, 2020) explains that there is a political will from the Indonesian Government for updating its legal system concerning animals - however, the law application is still sporadic. The existing culture, the needs of animal food sources/food industry, transportation, and entertainment become subjects to animal welfare are hard to comply with. There is a set of Indonesian regulations and embedded cultural, religious, and capitalist perspectives as well. This paper contends the resemblance between human and animal proletariat in their work for late-stage capitalism. It analyzes the superiority of humans, and the subordination of non-human animals (speciesism). The analysis will draw on the works of scholars including Karl Marx, René Descartes, Peter Singer, and Tom Regan to meet the objectives of this study. The need to highlight the use of non-human animals in late-stage capitalism is not limited to solely the stratification and alienation. However, the effect of overused and uncontrolled operation will lead to the "more" exploitative relationship, property status over non-human animals as sentient beings. In addition to this, late-stage capitalism will allow us to identify what kind of world we will inhabit in the future.

2. Discussion and Analysis

2.1. Non-human Animal in Capitalism: A Class Struggle and Legal Norms

"Lower animals do not have selves, nor do human infants at birth."

– Mead's theory of social behaviorism (Ritzer & Stepnisky, 2013, p. 362)

The capitalist form is expanding and getting varied, but the operation remains the same.(Painter, 2016, p. 324) In nature, the core of capitalism is how to produce multiple capitals, to satisfy the needs of humans regardless of how it can be achieved by executing labor exploitation.(Ritzer & Stepnisky, 2013, p. 55) It is also undeniable that Marx distinguished the 'actors' of capitalism into three: *capitalist*, *proletariat*, and *capital*. In social life, Marx also mentioned the so-called "reserve army" mentioned by Marx, who has a role as unemployment.(Ritzer & Stepnisky, 2013, p. 61) This situation also leads to class conflict and can be an issue in the work environment or society. The influence of the economic and political system that transforms into culture became one of the principal reasons.

The reserve army somehow is perceived as a weakness of humans. However, it is different with animal workers—where this labeled status signifies that they are free from human interventions. *Inter alia*, the elephants, lions, dolphins are free from the circus or an

object of WTAs. The monkeys finally climb the coconut palm trees for themselves, not for manufacture. The bears do not have to sacrifice their bladder extractions for medicinal purposes, where their status belongs to themselves, as sentient beings.

Table 1.

Non-human animal workers in late-stage capitalism operation

No .	Sector of Capitalism	Non-Human Animals (workers)	Examples of Service/Product(s)
1.	Animal Husbandry for Food Manufacturing	Chicken, cow, fish, pig	Chicken nugget, beef meatball, dairy milk, sausage, spam
2.	Agribusiness and transportation	Buffalo, horse, donkey, monkey	Plow buffalo for wet paddy field, donkey and horse-drawn vehicle, monkey-picked coconut
3.	Biopharmaceutica l/ Cosmetics	Bear, snails, snake	Bear gladder for traditional medicine, snail mucus-based skincare products, snake massage therapy
4.	Clothing and Fashion Industry	Crocodile, fox, rabbit, wolve	Fur coat, leather bag
5.	Ecotourism and Entertainment	Elephant, lion, dolphin, seals, turtle	Wildlife tourism attractions (WTAs), zoo, circus

– How much is the price for an animal's soul?

Under intrinsic values,¹ (Attfield, 1998) they are not property owned by humans. In reference to late-stage capitalism, animal control over the body and life is under human decisions – to multiply the capitals. This phenomenon can be firmly claimed as part of animal classification and alienation. In other words, the non-human animals' workers are also part of the proletariat class. Aside from being sequestered from their basic rights and nature, they are also divided with their soul – their life. In reference to animal cognition, (Animal Cognition, 2021) nonhuman animals are entitled to receive similar treatment as humans – physically and mentally. The ability of nonhuman animals to feel pain, to feel fear, to feel pleasure, to be able to respond to what they receive indicates their capacity to express and depict what they need as sentient beings. Under legal welfarism, the treatment for nonhuman animals can be standardized more "humanely." Legal aspects will bring more epistemological insight in bringing people's way of thinking, defining, and treating nonhuman animals. Legal formality and its power will navigate the uniformity in shaping and receiving the comprehension,

¹ The value represents the value of a thing – as it is. The animal has value because they are valuable – as they are. It is opposed to the "instrumental" value that puts a price towards a thing. A simple example, people will give value to the chicken because it can be transformed into a chicken nugget.

including where humans placed the ground understanding of nonhuman animals and their intrinsic values. Regardless, the laws can define nonhuman animals as sentient beings or property. (Animal Cognition, 2021)

What makes it distinct from human workers in this capitalist-spawned maltreatment? For most people, non-human animal workers are similar to human infants, particularly in terms of the ability to do self-defense. (Singer, 1987) The statement leads to the assumption that animals are not able to do self-defense. However, the matter is more than that, where the intrinsic value of a sentient being, human moral obligation, and quality of sympathy are also some of several rationales. (Rees, 2017) The use of non-human animal workers in late-stage capitalism brings pros and cons, shaping the low, moderate up to orthodox responses. The most vocal and royal echo has been coming from animal welfare, and rights activists who assess the (intrinsic) value of both human and non-human animal workers are in the same position. They are opposed to the utilitarianism of non-human animals in each purpose, including in operating late-stage capitalism (see table 1).

Table 2.

Human and Non-human animal workers in capitalism structure

No.	Type of Alienation	Human	Non-Human Animal	Remark
1.	Potential	✓	✓	Non-human animals also have nature to live in their original habitat.
.	Self	✓	✓	Similar to humans, non-human animal workers count as "things" - where their soul and body are separated. In several cases, they receive mistreatment - if what they do <i>is not aligned</i> with what they must do.
3.	Fellow co-workers/species	✓	✓	In doing their work, humans may seem to be alienated from their co-workers. However, non-human animal workers are even worse. They are detached from their family members.
4.	Outcomes of production (product)	✓	✓	For humans, they may be estranged from their labor's products, and have to do transactions in order to obtain and own the goods. But it is not similar to non-human animals. What they do is free, intended for humans' needs and satisfaction. For the food, water, cages they received are basic items that they will discover as they live as a wildlife animal. For example monkey-picked coconut in Thailand.

There is a set of Indonesian regulations and embedded cultural, religious, and capitalist perspectives as well – for instance, Indonesia has cow race (particularly in Madura) and cockfighting (particularly in Bali) as part of culture but can also be the prize competition – where the “owner” will be benefited: “cultured-covered” business. In terms of religious aspect, Indonesians moslem have *Eid Al Adha* (animal slaughtering animal for sharing), and “*Rambu Solo*” for funeral in Toraja, where it requires at least 24 (twenty four) buffalos. In addition, by 2020, it is estimated that Indonesia has 13.56 million livestock. (Badan Pusat Statistik, 2020) Aside from those mentioned reasons under cultural and religious perspectives, nonhuman animals in Indonesia are still valued as property. It shows that the interdependence of humans to animals within the capitalist context is quite high. Indonesia has Law Number 18 of 2009 concerning Husbandry and Animal, Law Number 5 of 1990 concerning Conservation of Biological Resources and their Ecosystem, and Government Regulations Number 95 of 2012 concerning Public Health and Animal Welfare (discussed further below).

2.2. Invisible Structure: The Need of Capitalism's Redefinition or Law Reformation?

“Attributing rights to animals is not, of course, the only way of changing their moral status. One can also ground the case for change on the fact that animals have interests.”

- Animal Liberation or Animal Rights? (Singer, 1987, p. 5)

Singer, as an American philosopher and animal rights activist, indicates that there must be a point of view that can be considered and taken to respond to the rights attachment for nonhuman animals. However, instead of thinking about the interest of nonhuman animals themselves, *we* humans tend to appraise more on what *we* need - by utilizing the nonhuman human animals as a capital multiplier. As long as capitalist activities can be executed and redoubled the profits, the nonhuman animals will remain in the subaltern level to “support” late-stage capitalism.

To ensure the operation of capitalism, it requires the capitalist to control, and the proletariat to be controlled. This is underscored by Marx's concept of base-superstructure – where the proletariat also becomes the bottom line and buffer of capitalists, while the bourgeoisie is on the top point of controlling the system. (Ritzer & Stepnisky, 2013, p. 65) This raises the question – can this concept be transformed and will lead to another (better) dimension? To the creation of labor freedom – to human and non-human animals relationship equilibrium? Or is there anything that people have missed concerning structure with capitalism and law reformation?

Non-human animal workers are everywhere, living on the landscapes, waterscapes, and airscares. (Nibert, 2017) They are utilized and killed to fulfill humans' needs, whether for food consumption, entertainment, sport, hunting, medicinal, etc. The effects of this immense phenomenon are not measured only for current situations – but beyond this, what would be the prolonged effect of this late-stage capitalism? Lately, we are so familiar and have been adjusting ourselves in the ill-world, climate change and now climate crisis, the number of greenhouse gases (GHGs) volume, the methane and nitrous oxide from animal livestock, and even chicken bones as one of fossil material. (Grossi et al., 2018) These horrific facts are heavily entangled with late-stage capitalism – such as the high rate of human overconsumption, human “superiority” and/or human exceptionalism.

This analysis indicates a new acknowledgment of a new cluster in late-stage capitalism structure: non-human animal workers. It might be invisible or might be visible, but we do not want to realize it. Each type of alienation experienced by humans also can be encountered by non-humans (See Table 2). Most of us deny animal workers' existence to defend human needs.

Late-stage capitalism and non-human animal workers navigate to the new consideration that should be measured as "part of the structure." This system will represent a way to comprehend capitalism distinctively. Unlike the common understanding of capitalism, the current epoch of capitalism states that there is more than an economic system; a human and nature interaction nexus, operating nature as cheaply as possible, or the so-called "Cheap Nature." (Patel & Moore, 2018, p. 23)

For Indonesia, unfortunately, there is a less likely indication that shows those animal-concerned regulations comply with the five freedoms (Rees, 2017, p. 315) for animals as an effort to meet with animals' intrinsic values. The five freedoms were coined and published in the United Kingdom, where captive animals are particular subjects (Brambell Committee, 1965), they are:

- a. freedom from hunger and thirst;
- b. freedom from discomfort;
- c. freedom from pain, injury or disease;
- d. freedom to express normal behaviour; and
- e. freedom from fear and distress.

The vitality of animal welfare strictly entwines the current phenomena on Earth. By giving proper treatment for animals will help to tackle (partially, not completely) the issue of the pandemic, climate crisis, and other environmental concerns. (Burrell, 2002) Indonesia has a number of laws and regulations concerning animal welfare – consisting of animal suffering concerns, animal farming, animal captivity, companion animals protection, animals for scientific research and wild animals. (*Animal Protection Index*, 2020) For example, according to Law Number 18 of 2009 concerning Husbandry and Animal Health, Article 1 (42) which recognizes the physical and mental aspects of animals; Government Regulations Number 95 of 2012 concerning Veterinary Public Health and Animal Welfare; the Penal Code of Indonesia – particularly Article 303; the Instruction of the Minister of Home Affairs Number 35 of 1997 concerning the Cultivation and Management of Flora and Fauna Gardens in Local Regions and Decision Letter of the Minister of Forestry and Estate Crops Number 479 of 1998 concerning Conservation Bodies Plants; and Wildlife. Even though those regulations have been accommodating several needs of animals, the interconnection of late-stage capitalism is strictly interlinked with how the animals are treated as a means of capital multiplier and capital accumulator. Referring to that, the law improvement is needed in the context of animal welfare – in particular, and within the context of capitalist-related activities.

2.3. Late-Stage Capitalism versus Animal Rights

Cow, chicken, pig, rabbit, and other non-human animals that we (humans) utilize to fulfill our needs – they are being commodified, manufactured, and exploited as a machine and or raw materials. (Foster, 2019) Under the Cartesian dualism perspective, (non-human) animals are machines for humans. (Patel & Moore, 2018, p. 64) Whereby solidarity is required as a balanced life manifestation between humans, non-human animals, and other beings. This issue is getting wider, as late-stage capitalism and non-human animals also have a causal effect

with other aspects, including, but not limited, to animal welfare and rights concepts.(Morton, 2017, p. 11)

Animal rights against late-stage capitalism is an (indirect) radical resistance. For animal rights activists, there is no possibility to use animals for food, clothing, entertainment, laboratory experiments, or other related purposes that involve non-human animals; utilitarianism is not acceptable. They all are biocentric egalitarianism. Why (indirect) resistance? Essentially, this movement is based on moral guidance under intrinsic values.(Rees, 2017, p. 59) Their path is not to battle against late-stage capitalism but to accommodate the value of (non-human) animals that are not supposed to be “priced” by humans, for example, the movement by PETA (People for the Ethical Treatment of Animals). However, it is undeniable that the work of this activism creates a domino effect on late-stage capitalism.

In July 2020, PETA Asia successfully investigated and found the long-tailed macaque is used to harvest coconut in eight coconut plantations, in Surat Thani Province, Southern Thailand.(Arranz, 2020) According to PETA's findings, these monkeys were forced to be the coconut pickers, to twist 800-1000 coconuts for six to seven hours every day. Their investigation revealed that monkeys are treated abusively, chained, and if monkeys do not follow the command from their trainers, they will receive cruel treatment—for instance, the fangs can be pulled out. After their findings were widely publicized, approximately 17,000 the UK, USA, and European-based retailers chose to boycott Thai coconut-derived products (particularly “Chaokoh”). It indicates that the driven-moral obligations can be a dangerous rival for non-human animals' utilization in late-stage capitalism. In Indonesia, there is a “school” for long-tailed macaques (*Baruak*) located in Padang Pariaman, West Sumatra. The monkeys are trained to pick the coconuts as the palm trees are high, and it is “reasonable” to use them for harvesting. However, instead of seeing this phenomenon as nonhuman labor, it is categorized as unique due to the human's “ability” to train the monkeys.

Late-stage capitalism is the extension of the previous capitalist system. Nonetheless, nowadays, challenges are still circulating and getting more complicated. In the prior explanation, the concept of late-stage capitalism includes an economic and environmental operation (and oppression)- to lead to the future, mass destruction of the earth.(Foster, 2019) However, there are things more difficult to handle and conceptually reconstruct. The control of non-human animal utilization will be challenged by social, cultural, and religious perspectives—where these are socially valued and cannot be ruptured. To exemplify this perspective, this analysis will take the Islamic perspective, Indonesia, and Thailand's cultural practices on how to cope with non-human animals' concerns as now interlink with late-stage capitalism. As stated in Al-Quran, Surah *Al-An'am* (The Cattle): 142:

“And of the cattle (are some) for burden (like camels etc.) and (some are) small (unable to carry burden like sheep, goats etc. for food, meat, milk, wool etc.). Eat of what Allah has provided for you, and follow not the footsteps of Shaitan (Satan). Surely he is to you an open enemy.”

While the use of non-human animals in cultural practice can be found formerly under the Cruelty Prevention and Welfare of Animal Act, B.E. 2557, under Chapter V, Section 21:

“The following shall not be deemed cruelty to the animal under section 20; [...];

(9) local traditional animal fight;

(10) any other act which is specifically permitted by the law”

It renders that regardless of how massive the effect of non-human animal workers are in late-stage capitalism, this matter has been rooted robustly within society through cultural and religious views. Moreover, it will be getting more difficult for people who rely heavily on animal livestock as their main livelihood. For instance, in Indonesia, where most of the population is Muslim, it will be hard to control the consumption of *halal* non-human animals as one of their protein sources. In addition, as another example, both Indonesia and Thailand have similar shared values in the use of non-human animals. For instance, elephants and monkeys are the main object of ecotourism in both countries and become life sustenance for many people.

3. Conclusion

The non-human animals in late-stage capitalism have a very crucial path. The use of non-human animals as invisible class structures yet contributes to a huge present and future economic and environmental crisis. On the other hand, the animal rights movement emerges to control and cease the non-human animals' involvement within late-stage capitalism. They demand animal liberation following human moral obligations, such as ecotourism, even food products. For some references, animal rights aim to eradicate human exceptionalism, speciesism, Cartesian dualism perspective, as they consider both human and non-human animals to have and share similar intrinsic values. However, this matter will encounter several challenges, such as social, cultural, and religious overview towards the utilization of non-human animals daily.

It requires a holistic alternative to address non-human animal workers in late-stage capitalism. The demand of comprehensive laws and regulations as the role of government, to address the urgency of this focus – to put a different approach for different values (social, cultural, and religious facets) also required. Not to mention that this issue is attributed to the patriarchal system between humans and non-human animals within a similar space, and capitalist-related activities. The price of an animal's soul can be measured from the given treatment, the provided protection, the flexibility to transform into a better situation, and the moral obligation – putting the intrinsic values over instrumental value.

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