

Between the Moment and Eternity: How Schillerian Play Can Establish Animals as Moral Agents

Jaime Denison
 Department of Philosophy
 University of New Mexico, Albuquerque
 denisonj@unm.edu

Abstract

While concerned with how man achieves his status as a moral being, Friedrich Schiller develops a concept of play that serves as a bridge between our sensuous existence to the rational, realizing moral freedom. In what ways might we extend this concept to the non-human animal? Current research by play theorists and ethologists has shown that play behaviour in animals is both complex and crucial in determining social patterns, and Schiller's account may have anticipated these observations. I argue that through Schiller's theory of play and our current research on animal play, it is possible to undermine the systematic removal of the animal from the moral realm that happens in modern philosophy. Through play theory, there is a possible way to undermine the assumption that animals are incapable of achieving the status of moral agents, providing an alternate route to the standard view of animals as moral patients.

Introduction

In Friedrich Schiller's *On the Aesthetic Education of Man*, he states "man only plays when he is in the fullest sense of the word a human being, and he is only fully a human being when he plays" (Schiller 1968, 107). While concerned as to how man achieves his status as a moral being, Schiller develops a concept of play that is to serve as a bridge between our sensuous existence to the rational. It is in this realm of play that we realize our moral freedom. In what ways might we extend this concept into the realm of the non-human animal? It has often been assumed, especially in the Eighteenth- and Nineteenth-Century, that the mechanisms by which we achieve morality would be exclusively human. For example, Kant argues in *Critique of Practical Reason* that rational beings cannot determine their will in a maxim based in the maxim's content, but rather in the form, thus excluding our sensuous existence in the phenomenal world that is often associated with our animal bodies. If such

determinations occur, such acts have no moral worth (Kant 2007). Current research by play theorists and ethologists have shown that play behaviour in animals is both very complex and very crucial in determining social patterns, and thus Schiller's account of moral agency may have anticipated these current observations in biology and psychology. In this paper, I argue that through Schiller's theory of play and our current research on animal play, it is possible to undermine the systematic removal of the animal from the moral realm that takes place in "modern" philosophical systems. First, I discuss more in detail Schiller's development of play as a means to achieve morality before moving to contemporary research regarding animal play. Then I discuss how this will be a possible way to undermine the assumption that animals are incapable of achieving the status of moral agents, leaving it open as to whether our current stance on animals and morality implicitly condemns them to a lower rank and dismisses the interests that they can generate on their own.

Schiller's Account of Play and Morality

In Schiller's discussion of play, what emerges is that man is unable to achieve freedom as long as he is divided between his animal and rational nature. As the contemporary thinker Giorgio Agamben points out in *The Open*, our human history has been built upon the quest of finding the characteristic or quality that separates man from the animal, an operation which he coins as the "Anthropological Machine". Through critical analysis, these "distinctively human" qualities often dissolve into being arbitrarily identified, and only maintain themselves by selectively ignoring problem cases. By Schiller's time, language was considered to be the component that could carry out this separation (Agamben 2004), which linking to *logos*, we can see connects back to our rational capabilities.

Schiller adopts this divide by identifying two seemingly opposing drives: the sensuous drive and the formal drive. The sensuous drive is what is derived from our physical existence, that part of us that is aware of only the moment and represents our animal side. The sensuous drive is considered to be passive in that it is to be open to

receiving matter, which is content that changes, from nature. The formal drive “proceeds from the absolute existence of man, or from his rational nature” (Schiller 1968, 81), where man exists as eternal and is held together by the laws provided actively by form. At first, it appears that these drives are diametrically opposed to each other in that they both demand that the individual follow its directive. The sensuous drive provides content and demands change while the formal drive provides laws and demands consistency through rules. Yet if one drive is stronger than the other, we arrive at a dysfunctional individual. When the sensuous drive is stronger, man is well versed in his material existence, but is also naïve and capricious because he is more so momentary and blind to potentials in his perception of the world that would direct his behaviour towards future projects. When the formal drive is dominant, we arrive at the barbaric individual who either is lethargic, and does not interact with his environment, or is myopic, and attempts to force his laws upon a reality that is not willing to conform. In that state of imbalance, man is unable to achieve moral freedom because there is a need for the function of both drives in order to carry out moral action. We need moral laws to direct our will and behaviours, since the self is a product of a coherent narrative of moments in time. Yet we also need concrete situations in order to display that will; otherwise all appeals to a self composed of actions will merely be an imaginary one. Thus, while one is imbalanced between these two drives, the individual is just driven blindly by physical impulses or remains an empty person who never realizes itself in the material world.

It is at this point that Schiller introduces the play drive, the third drive that operates over the first two to bring about harmony. Although the drives appear to oppose each other, Schiller points out that they are actually dependent upon each other to operate, since matter needs consistency in the background in order to be perceivable as change, while form needs content to make it efficacious. Therefore, play brings about this harmony of the drives by suspending their necessity to be dominant, while preserving the necessity of their function. Both are in a sense taken seriously, as one

tends to do in one's own play activities, but neither is taken so seriously that they take over the activity. It is within this realm that beauty is realized (Schiller 1968).

The concept of aesthetic semblance is then later developed in the Twenty-Sixth Letter in order to give more depth and detail to this operation of play. What is characteristic of aesthetic semblance is that we approach our phenomenal existence with a degree of seriousness, but at the same time not so serious that we insist on a deeper truth to that phenomenon (as the play drive approaches the sensuous drive and formal drive). We take delight in semblance and we remain open to what it presents, but we also are able to interact with it based on the possibilities that particular semblance presents. Although some may interpret this as a form of relativism or proto-phenomenology, which this paper does not need to address here given the topic, the important aspect of this concept is that it insists on an openness to one's condition without demanding a radical justification of it. Those who approach semblance by applying some theodicy or theoretical abstraction to provide justification for the current condition are guilty of what Schiller calls "logical semblance", which deviates from play and falls into deception due to its insistence of consistency and form that does not take content and matter into account. Such accounts of experience move away from what is presented, and thus lose all chances of explaining reality based on the fact that it has pushed out what is to be explained. Yet when form and matter are approached together without a necessity of either, play allows us to act and find meaning in that act. It is this way of using both the sensuous and formal drives that we achieve moral freedom, where we carry out the moral law in a concrete situation, which in turn gives an actual meaning to the law being followed (as opposed to a formal law that is stated but never acted upon).

The question that arises from looking at Schiller's account of moral agency is whether or not we could apply this theory to animals. It could be said that Schiller is not directly interested in whether or not animals can be moral agents. However, the sensuous

drive gets associated with “the animal” and “nature” in his scheme, indicating that Schiller indirectly assumes that animals lack the formal unity that humans have. As Schiller breaks it down in the Eleventh Letter, our experience of time as humans is quite complicated because our experience of time is a combination of “Person” and “Condition”, that which endures and that which changes. Our person is what we consider to be the self, that which links together our experiences into something that is unchanging and is indifferent to what occurs outside of it, thus being grounded in absolute freedom. Our condition is the circumstance that determines who we are as a concrete individual, and even though he refers to the condition as a monolithic category, it is actually a massive collection of particular contents from the sensuous drive that are never actually linked together cognitively except through the form of personhood. Nevertheless, transcendently, all conditions are grounded in the larger condition of Time, the “condition of all becoming” (Schiller 1968, 75). This says nothing other than “the sequence is the condition that something happens” (“die Folge ist die Bedingung, dass etwas erfolgt” (Schiller 1968, 74: My translation from the German), removing all necessity that is determined by the formal drive that allows cognition and semblance. Therefore, without the formal drive, which is the necessary component for experiencing ourselves as free persons in time, we also lose cognition of time as a connected sequence of events, even though there is a sequence there. This would mean that an animal’s sense of time is only momentary, while current research in animal behaviour proves that this is not the case, given that they do demonstrate memory of events that have occurred in the past.

Thus, given that Schiller attempts to open up a new realm with aesthetics and play that negotiates between our momentary and eternal existence, there is little argumentation that can prove that Schiller’s system would become inconsistent or anthropomorphic if we were to apply it to non-human animals. What I would like to take from Schiller’s account is that play is a necessary component to how we realize moral freedom and become moral persons, since the realm

of play and the aesthetic is where we can negotiate between the abstract principles that hold a person together with the constant becoming that we are confronted with at the moment. Although there are a number of play theorists who are not at all interested in establishing morality through play, even in humans, Schiller is one notable thinker who tries to establish a systematic connection between these two concepts. If Schiller is correct in asserting that play is how we ultimately achieve moral freedom, then the discovery of play in animals alongside with this theory could serve to undermine our modernist assumption that animals are incapable of being moral agents.

Play Theory and Contemporary Animal Studies

In contemporary play theory and animal studies, theorists and researchers have discussed three qualities of play that would, I argue, help establish a moral order among animals, including humans: 1) play introduces the “negative” that could be an early formation of normative thinking, 2) it conditions the social behaviour of animals when they reach adulthood, and 3) it is a behaviour that requires the negotiation with others on rules to follow and what is just. We need to explore these qualities in more detail.

In *The Ambiguity of Play*, Brian Sutton-Smith discusses the theoretical background of animal play, and indicates that play does provide a pre-linguistic form of the negative. What we mean here by “the negative” is the awareness of something absent or lacking, thus comparing the experience to an ideal, possibility, or other moment. Normally, we associate the negative as a function of language because we can indicate the absence of something or point out what we are not doing through speech or writing. I can say, “This circle is imperfect because not every point is the same distance from the centre point” and mean something due to the linguistic definition we assign to circle and the object’s deficiency to fit that expected definition. Yet play is a specific behaviour that emphasizes what is *not* being done, where the act of fighting is not really fighting or a nip is carried out *instead* of a serious bite. “It says no by saying

yes” (Sutton-Smith 2001, 22) in that the aggressiveness of certain behaviours become suspended, allowing for the action to be practiced itself without serious consequences that would normally follow.

As Sutton-Smith argues, this reveals a much more complex cognitive process than psychologists and philosophers have previously attributed to play, since negation, the awareness of absence and what is not the case, reveals a sense of reflection in animals that cannot be interpreted as instinctive and discontinuous. Both temporally and cognitively, the animal is able to indicate something that is above the experience itself, thus undermining the assumption that animals live only a momentary existence. Given that play itself is a very ambiguous behaviour, it does at least open up the possibility for normative thinking, since normative thinking focuses on what should be, yet is not always, the case. Although we often have a difficult time explaining “normative force” or justification for following a certain normative system, normativity itself is the formation of expectations outside given experience, to expect something else to occur in reality outside its description. Activities such as play fighting indicate such forms of thinking, where a narrative is placed over the actual set of events, no longer describing them but rather indicating what one’s real actions are to signify in a fictional framework.

Robert Fagen, on the other hand, uses current research in ethology and play theory to reveal a strong correlation between play behaviour and social behaviour in his essay “Animal Play, Games of Angels, Biology, and Brian”. Usually, sporadic play behaviour that we associate with child animals tends to cease in adult animals, but Fagen argues that play behaviour still exists in adult animals through their social bonding functions. Specifically, there are two contexts: 1) parents still play with their children and 2) adults also tend to play with their mates through affection. Thus, although this play behaviour is more isolated and controlled, it still serves the function of bringing individuals together. For example, it has been observed that adult lowland gorillas have a similar process of selecting social

partners as they did when they selected their play partners as juveniles, and so one can often predict the social patterns of a group based on their interactions as children (Fagan 1995). However, there also seems to be a strong correlation between play and how animals respond to stimuli: “Rats that play less are inept at judging when to feel threatened by a situation and at judging when a situation does not call for defensive actions. Defensive behavior of rats with little or no play experience is seldom appropriate to the situation” (Fagan 1995, 35). Rats who did not play as much while in infancy tended to either overreact or failed to respond to stimuli, and this translated into how they would treat other rats when placed in the same cage. In an extensive study conducted by Michael Potegal and Dorothy Einon between play histories and adult rate behaviour, rats that were socialized through organized playfighting, were less likely to engage in shock-induced fighting than rats who were isolated during development or socialized in pairs. Rats who were isolated and never played with other rats tended to overreact by attacking its partner rat, thus misidentifying the source of the shock. Rats who were socialized through daily playfighting were also more likely to carry mice placed in its cage, as opposed to killing it, which the latter behaviour seemed to be less affected by the three possible conditions of rearing (Potegal and Einon 1989). In addition, some rats that lacked a traceable play history would develop an aggressive personality, and would bully other rats, while others developed a more submissive personality and would allow themselves to be bullied without much resistance (Fagen 1995). From this, we can certainly see that play does have some effect upon our actions and our judgment of both personal and social situations, which is a central component of moral freedom.

In “Wild Justice and Fair Play: Cooperation, Forgiveness, and Morality in Animals”, Marc Bekoff highlights how play is an important realm of moral development due to the necessary construction and flexible application of rules that takes place between animals during play behaviour. He states that: “Incorporated into many explanations of social play are such notions as making a deal, trusting, behaving fairly, forgiving, apologizing, and perhaps justice,

behavioural attributes that underlie social morality and moral agency” (Bekoff 2007, 78). In order to avoid one’s actions from being misinterpreted as aggressive, it is necessary that animals establish customs and rules that help signal when play is taking place. Dogs, for example, engage in a series of bows that signal the desire to play and, subsequently, the acceptance of the invitation to play. Otherwise, the intention to play could degenerate into a disastrous fight, but Bekoff points out that such confrontational developments are rare. Animals also display a great deal of flexibility about rules, as indicated by their ability to forgive certain breaches of rules or miscommunications. When an animal is not necessarily well versed in the rules of the group, more experienced players will correct the inexperienced ones, while refraining from shunning them from the game. Yet this exercise of forgiveness does not mean that the rules are not taken seriously. Case studies have shown, such as with dogs, that animals will ostracize continual cheaters and will not even engage with them in play once it becomes clear that the cheater is intentionally violating the rules of the game to “win”. Therefore, these animals consider the game to be quite serious in the end, and will not allow constant rule breaking to dissolve their play activities.

This idea of fairness and cooperation then stretches out beyond the play sphere and is applied to social contexts. For example, Bekoff points out that wolves form packs based on playmates, even though earlier researchers thought that the formation of packs depended more on food-related factors. Wolves who did not play with others tend to be alone as adults and could at times be viciously attacked if they attempted to go into a pack’s territory (Bekoff 2007). Stuart Brown points out also that wolves neurologically become set in their social behaviours once they develop past adolescence, and therefore the neural plasticity present in their younger years, in which they engage in play quite frequently, ceases. At the adult stage, wolves become more concerned with status within the pack and the territory of the pack, the boundaries and dynamics of which are established in their earlier years of play. Dogs, on the other hand, often remain in this stage of adolescence where their neural structures remain plastic,

and therefore are more capable of learning and modifying behaviours. A similar trend can be seen between chimpanzees and humans, where chimpanzees cease being playful in their adult stage and become rigid in their behaviour, whereas humans remain physiologically in a “youthful stage” for most of their life (Brown 2009).

Moral Agents vs. Moral Patients

Some may wonder what would be the value of establishing animals as moral agents, given that some philosophers have already established a moral value for animals by categorizing them as moral patients. However, I take issue with this manner of bestowing moral worth to non-human animals. Tom Regan is one prominent philosopher who articulates this distinction between moral agents and moral patients. Moral agents are those who have a “variety of sophisticated abilities, including in particular the ability to bring impartial moral principles to bear on the determination of what, all considered, morally ought to be done and, having made this determination, to freely choose or fail to choose to act as morality, as they conceive it, requires” (Regan 1983, 151). Therefore, they are much more active when considering morality, and we hold moral agents responsible for their actions because we see them as directing their own behaviour. More specifically, we see moral agents as possessing some quality that makes them capable of engaging with moral systems. We also acknowledge them as equals, and there is a demand of reciprocity that goes along with the respect amongst moral agents. Moral patients, on the other hand, “lack the prerequisites that would enable them to control their own behaviour in ways that would make them morally accountable for what they do” (Regan 1983, 152). Animals are often classified as moral patients, and thus cannot have their actions be evaluated in terms of being morally wrong or right, yet we still say that they deserve to be morally considered when we act towards them.

Although one can appreciate Regan’s attempt to incorporate animals into the moral realm, this concept of moral patient

establishes an extremely passive role, and it reveals the modern bias that relegates animals to the sensuous realm. In designating them as moral patients, we imply that they are incapable of engaging in any moral system whatsoever, and their interests thus become visible only through our own moral system. Animals are seen as not directing their own behaviour, yet the research above does show that they are in fact capable of regulating their own actions and social interactions (and perhaps better than humans, given some case studies). In *The Case for Animals Rights*, Regan tries to take the animal's interest into consideration based on the principle that interest is the very thing that directs our behaviours, yet it seems problematic if we were to take an animal's interest seriously but not its actions. Thus, the danger of Regan's system, as well as any other who classify non-human animals as moral patients, is that they become highly anthropocentric. The value that we can derive for animals do not really generate from their own interests, even though we may be able to recognize them as having such, but rather their value is generated through the structure and content of our own moral system. This completely ignores the fact that animals do construct their own social behaviours based on their own norms rather than ours, which their play behaviour demonstrates. If we fail to acknowledge these moral systems that are constructed, and thus fail to see animals as moral agents within their own horizon of interests, we will never be able to really take into account the animal in any real moral light. In failing to embrace the alterity of the non-human animals on its own terms, we fail to establish any substantial moral worth them.

Conclusions

Although these points derived from current research on animals does not conclusively show us that animals do have a specific moral system, or even how we can interact with that moral system to see them as moral agents, it does open up questions that undermine the early modern assumption that it is simply out of the question that animals could be moral agents. As Schiller's account suggests, if we

realize our status as moral agents through play, then the observation that other animals play points to the possibility that moral agency is not an exclusively human way of living. In fact, as we begin to take non-human animals more seriously, we see unfolding a complex structure of social and personal relationships that are not ruled by instinct. As Fagen points out in his essay, evolutionary biologists have started researching how aesthetics may have contributed to the biodiversity we see today, and they suddenly have made great progress in explaining certain puzzling parts of Darwin's theory of evolution (Fagen 1995). Thus, with further research, we may find out that seeing animals as moral agents is not so ridiculous after all, and it is in fact incredulous to think that non-human animal behaviour should lack the coherency that we see behind our actions.

Establishing animals as moral agents, entities that can establish and govern themselves by rules, both calls into question how we categorize animals and where we place ourselves in relation to the "moral realm". If we are to interact seriously with animals, we need to cease placing ourselves in completely different realms of existence, and acknowledge that both man and the animal exist somewhere between the moment and the eternal.

References

- Agamben, Giorgio. 2004. *The Open: Man and Animal*, trans. Kevin Attell. Stanford: Stanford University Press.
- Brown, Stuart. 2009. *Play: How It Shapes the Brain, Opens the Imagination, and Invigorates the Soul*. New York: Avery (Penguin Group).
- Bekoff, Marc. 2007. Wild justice and fair play: Cooperation, forgiveness, and morality in animals. In *The Animals Reader: The Essential Classic and Contemporary Writings*, ed. Linda Kalof and Amy Fitzgerald. New York: Berg.
- Fagan, Robert. 1995. Animal play, games of angels, biology, and brian. In *The Future of Play Theory: A Multidisciplinary Inquiry into the Contributions of Brian Sutton-Smith*, ed. Anthony D. Pellegrini. Albany, NY: State University of New York Press.

- Kant, Immanuel. 2007. *Critique of Practical Reason*, trans. Mary Gregor. New York: Cambridge University Press.
- Potegal, Michael and Dorothy Einon. 1989. Aggressive behaviors in adult rats deprived of playfighting experience as juveniles. *Developmental Psychobiology*, 22: 159-72.
- Regan, Tom. 1983. *The Case for Animal Rights*. Berkeley: University of California Press.
- Schiller, Friedrich. 1968. *On the Aesthetic Education of Man*, In a Series of Letters, trans. Elizabeth M. Wilkenson and L.A. Willoughby. Oxford, England: Clarendon Press.
- Sutton-Smith, Brian. 2001. *The Ambiguity of Play*. Cambridge, MA: Harvard University Press.