



General Attitude towards Animals in Japan

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ABSTRACT:

1. Legal history of the protection of animals

Emperor Tenmu first issued the Animal Protection Law in 657 AD under Buddhism in Japan, which prohibited the consumption of cattle, horses, dogs, monkeys, and chickens. Similar laws were enforced with the limited time offer, having been established every three years between 675 and 910 AD, a total of 78 times. This trend continued in the warrior age such that a series of laws concerning compassion toward animals was enforced after 1685, such as prohibitions against deserting sick people, cattle, and horses; protection for dogs and birds; prohibitions against rearing fish and birds as food animals; the elimination of the nests of black kites and crows because of their tendency to attack other birds; a prohibition against falconry; a prohibition against killing little birds, and so on. The imperial power established in 1868 rejected Buddhism and adopted Shintoism. The Imperial Rescript on Education was set forth in 1890, one of whose ethical articles stated that people should have a philanthropic attitude toward humans and all living things. After World War II, the minor offense law of 1948 prohibited cruelty toward animals. In 1973, the “Act on ‘Aigo’ (loving and not killing animals in Japanese) and the Management of Animals” was passed. This law emphasizing only to cultivate this mindset, has been revised every five years since 1999. In 2012, animal welfare was adopted as a basic provision in addition to cultivating citizens' respect for animals.

2. Citizen and government interest in animal welfare

The Japanese mindset toward animals is shaped by the long history of rice culture in which cattle and horses were valued as draft animals—a mindset supported by Buddhism. Thus, the general interest in the welfare of animals is biased in favor of pet animals, which

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were legally required to be reared throughout their natural lifespan. The Japanese mindset is not only set against hurting animals or causing them suffering, but also against killing living things. There are many memorials any place in Japan for lab animals, hunted animals, fur and draft animals, pets, food animals, and even weeded plants. In Japan, life and death are the most important issue. Therefore, Japanese consumers do not want to consider *aigo* with regard to farmed animals that are slaughtered for human use. An inquiry by Ministry of Environment in Japan (2011) showed that 82% of citizens did not know farmed animal welfare. Consumers having the Japanese mindset toward animals may not encourage farmers to improve farmed animal welfare.

On the other hand, the Japanese government wishes to be in harmony with the international community. In 2011, a private body supported by Ministry of Agriculture, Forestry and Fisheries in Japan established “The Care and Handling Guideline for Beef Cattle, Dairy Cattle, Pigs, Laying Hens, and Broilers for Animal Welfare” under a committee of producers, consumers, animal welfare activists, officers and scientists. This provision is very similar to the OIE codes for farm animal welfare adopted in 2012 and 2013. In 2013, the government will promote this guideline among farmers under the revised Act on *Aigo* and the Management of Animals.

Keywords: *Aigo* ethics, law, sympathy, altruistic behavior, farmed animal

日本對待動物的態度概說

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摘要

1. 動物保護法制史

西元 657 年，日本天武天皇依於佛法精神，首度頒布動物保護法，禁止食用牛、馬、狗、猴、雞等動物；此後於 675 至 910 年，短短時間內陸續頒布相關法令，每三年一次共計 78 次，此一傳統一直延續到幕府時代。

1685 年以後，日本政府制訂了一系列的關懷動物規範，例如嚴禁遺棄染病的人、牛與馬；保護狗及鳥類；禁止為食用目的飼養魚類及鳥類；為免其他鳥類受到攻擊而移除鷹巢與烏鴉巢；禁止鷹獵活動以及嚴禁殺害小型鳥類等。

1868 年，日本明治維新，頒布「神佛分離」令，改採神道教為國教；1890 年，日本天皇頒佈教育敕語 (The Imperial Rescript on Education)，而其中道德條款之一即

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「應對人類及一切生靈萬物施予慈愛」；二次大戰結束，1948年頒布輕微罪刑法 (the minor offense law)嚴禁殘酷虐待動物；1973年，通過「動物愛護管理法(Act on 'AIGO' and the Management of Animals)」，並自1999年起每五年草擬修訂；2012年，增訂「動物福利」條款，使之成為基本法則。

2. 政府與民間之於動物福利的關注

日本社會對待動物的心態雖不離佛法精神，實深受歷史悠久的以牛馬為役畜之稻作文化影響。因之，整體而言，日本民眾對動物福利的關注，多聚焦於寵物，使其終身福祉受到立法保障；而關注的層面不僅反對傷害動物、唾棄任何引起動物身心痛苦的行為，尤其反對殺害生命。

在日本，有不少地方為實驗動物、遭獵殺的動物、提供毛皮、食物、供人使役的動物及寵物、乃至被清除的雜草豎立紀念碑，生與死是日本人心目中的重大議題。也因此，日本消費者並不打算將那些專供人類使用而被宰殺的經濟動物也一併納入動物法適用範圍；2011年日本環境省 (Ministry of Environment) 一項調查顯示，82%的日本民眾對經濟動物福利一無所悉。如此看待動物的消費者也就不可能鼓勵畜牧業者改善經濟動物的福祉。

但另一方面，日本政府希望在相關作法上與國際社會接軌。2011年，在日本農林水產省(Ministry of Agriculture, Forestry and Fisheries)的支持下，由民間機構主導，組成了一個涵蓋畜牧業者、消費者、動物福利社運人士、官員及科學家的委員會，完成制定「攸關肉牛、乳牛、豬隻、蛋雞、肉雞之動物福利守則(The Care and Handling Guideline for Beef Cattle, Dairy Cattle, Pigs, Laying Hens, and Broilers for Animal Welfare)」，其內容與世界動物衛生組織 OIE 於 2012、2013 年通過的經濟動物福利法典十分類似。2013 年，日本政府即將依修訂後的動物愛護管理法，針對畜牧業者全力宣導守則內所載的原則。

關鍵字：日本動物倫理 *Aigo*、法律、同情、利他行為、農場動物

Introduction

The World Organisation for Animal Health (commonly referred to by its French acronym, Office International des Epizooties, OIE) was established to prevent the spread of animal diseases worldwide. The OIE adopted a chapter on animal welfare in the Terrestrial Animal Health Code in 2004, and has since added sections on transport, slaughter, and production systems (OIE website, 2014). The OIE is guided by the underlying principle that the use of animals is a major contribution to society's wellbeing and carries with it an ethical responsibility to ensure the welfare of animals to the greatest practicable extent. As there are presently 178 member countries of the OIE, accounting for over 90% of the world's nations, the code represents a kind of a global standard.

As Horne & Achterbosch (2008) have noted, Japan has somehow garnered a reputation as having no interest in animal welfare. Japanese are confused by this image, because for over 1200 years they have practiced the concept of “*aigo*” (Japanese language) which means “loving and not-killing animals.” Table 1 shows the difference between animal welfare ethics and *aigo* ethics clarified by Sato (2012). Animals are the subject of welfare ethics whereas humans are the focal point of *aigo*. The animal is regarded as “sentient” in animal welfare ethics, and “living” in *aigo* ethics. The purpose of animal welfare ethics is fostering good conditions for animals; in *aigo* ethics, it is encouraging sympathy and respect for the animals (the Act on *Aigo* and Management of Animals in Japan, 1999). We might summarize the distinction between them as follows: the code in animal welfare ethics is scientific and practical, and in *aigo* ethics, it is ideological and abstract.

The purpose of this paper is, first, to outline the history of the laws in Japan concerning respect for animals. It then explores the relationship between cultural livelihood and the degree and nature of respect for animals. Finally, it is reported that the Japanese government, scientists, and producers have been making efforts to improve farmed animal welfare.

History of laws in Japan relating to respect for animals

Emperor Tenmu first issued the Animal Protection Law in 657 AD under Buddhism in Japan, which prohibited the consumption of cattle, horses, dogs, monkeys, and chickens.

The following year, an imperial edict was issued for the release of animals in captivity such as fishes reared in bowls and birds in cages (Kamo, 1976). A total of seventy-eight similar laws was enacted with various time periods between 675 and 910 AD at the times of silence a revolt, getting ill of Emperor, dearth, etc. (Harada, 2000). This trend continued in the warrior age with legislation such as a law in 1261 forbidding samurai from killing fishes, birds, or animals on the eighth, fourteenth, fifteenth, twenty-third, twenty-ninth, and thirtieth days of each month and during spring and autumn equinoctial weeks (Kajio, 1997). A series of laws concerning compassion toward animals was enforced after 1685, including prohibitions against deserting sick people, cattle, and horses; protection for dogs and birds; prohibitions against rearing fish and birds as food animals; eliminating the nests of black kites and crows because of their tendency to attack other birds; prohibition against falconry; prohibition against killing small birds, and so on (Tsukamoto, 1993). In sum, Japan has had a long history of respecting animals and this history is reflected in the characteristic respect for animals held by Japanese people today.

The imperial power established in 1868 rejected Buddhism and adopted Shintoism. The culture continued to be shaped by this religion until the end of World War II, when allied governments decried Shintoism. The Imperial Rescript on Education was set forth in 1890, which included an article calling for a philanthropic attitude toward fellow humans and all living things. In 1920, a school textbook compiled by the state commended appropriate care for suffering animals, referring to a story in which Florence Nightingale cared for dogs with hurt feet. The Association for the Protection of Animals was established in 1902 to defend the wellbeing of cattle and horses. In 1908, the organization changed its name to the Association of *Aigo* and broadened its scope to include cats and dogs. In 1915, the Humane Society of Japan was established. As the animal welfare movement was led mainly by resident foreigners and Christians, it was not met with great success, and it ceased altogether during World War II. After the war, the minor offense law of 1948 prohibited cruelty toward animals. Japan Society for the Prevention of Cruelty to Animals and the Japan Animal Welfare Society were established in 1948 and 1956, respectively. In 1965, the Japan Veterinary Medical Association established the Animal Welfare Network, which comprised over 150 animal welfare groups petitioning the government establish animal welfare laws. In 1973, the Act on the Protection and

Management of Animals was finally established. In 1999, this law was revised and its name was changed to Act on *Aigo* and the Management of Animals. The revised law provides for its own revision every five years. In 2012, animal welfare was adopted as a basic provision in the *Aigo* Act.

Animals respect other animals by nature

My colleagues and I have studied animal care-giving behavior such as social grooming among cattle. Cattle clean each other with their tongues, and they are quite thorough, covering head, neck, shoulder, belly, leg, back, and tail (Sato et al., 1991). As a result, ectoparasites such as ticks and lice are effectively eliminated from their bodies and the bacteria on the coats of the calves are reduced by 66–95% (Kohari et al., 2009). Cattle being groomed by their mates undergo noticeable mood changes. Their eyes droop and they become drowsy as their heart rate decreases by an average of four beats per minute (Sato & Tarumizu, 1993). Simultaneously, their oxytocin concentrations increase (Chen et al., 2014), a hormone that has been correlated with better moods, easier assimilation to new stimuli and acquaintances, and decreased stress. Cattle that are groomed often produce more milk and body weight gain (Sato, 1984).

Grooming is a common care-giving behavior in mammals such as primates, kangaroos, antelopes, deer, horses, zebras, cats, lions, dogs, and others. However, allogrooming (grooming between members of the same species) is not usually performed among just any members of a species. In cattle, for example, grooming mainly takes place among close and familiar associates who have been living in proximity for over four months (Sato et al., 1991; Sato et al., 1993).

There have also been reports of care-giving behavior between different species. Masson & McCarthy (1995) cite many examples: a chimpanzee taking care of a cat as if it were her own child, an elephant feeding a mouse, a rat suckling a cat and a chick, a parrot adopting a kitten, and more. This account demonstrates that sympathy develops not only among members of the same species but also between different species.

Respect for animals is related to human livelihood

Animals have been an inseparable part of human livelihood for hundreds of thousands

of years. Deep contact breeds attachment, and attachment gives way to sympathy, which in turn inspires altruistic behavior. Altruistic behavior then strengthens the relationship between participants. It is thought that respect for animals may be adaptive not only in humans but also among animals. Respect for and ethical treatment of animals is influenced by the type of contact people have with animals (Table 2: Sato, 2005). In early Christian culture, for example, nomadic peoples were confronted with the inedible plant ecosystem of the desert, and animal rearing was fundamental in shifting the culture from plant nutrition to animal nutrition. Deep contact with domesticated animals led to a generally sympathetic relationship with the animals, which in turn informed animal welfare ethics in that culture. In rice-producing culture underlying in Japanese culture, plant nutrition played a bigger part in people's livelihood, and so farmers usually had only one or two cattle or horses and used them for cultivation purposes. Ethical statutes against killing and the principle of *aigo* were established based on the sympathy people developed for their animals by way of deep contact with a small number of animals who were not kept for slaughter. In the hunter-gatherer cultures, people had contact with wild animals on a daily basis, but sympathy for these animals would have been limited based on reduced physical and psychological interaction with them. Respect for animals in the hunter-gatherer people may have had more to do with the desire to enable reproduction among wild animals and thereby support sustainable hunting.

Efforts by the government, scientists, and producers to improve farmed animal welfare

As mentioned above, respect for animals and killing them is incompatible in the minds of most Japanese people. An inquiry by the Ministry of Environment in Japan (2011) showed that 82% of citizens knew nothing about farmed animal welfare. Consumers with *aigo* ethics in mind may not encourage farmers to improve farmed animal welfare.

However, the Japanese government wishes to be in harmony with the international community. The Ministry of Agriculture, Forestry and Fisheries of Japan (MAFF) began in 2005 to investigate possible applications of animal welfare into animal husbandry in Japan. In 2011, a private body supported by MAFF established “The Care and Handling Guideline for Beef Cattle, Dairy Cattle, Pigs, Laying Hens, and Broilers for Animal

Welfare” under a committee of producers, consumers, animal welfare activists, officers, and scientists. Its general principles are as follows. (1) “Animal welfare” shall be defined as “animal rearing with care for animal comfort.” (2) Rearing animals in a comfortable environment can result in the production of safe and secure farmed animals and improvement of a farm’s productivity due to the maximized abilities and well-being of its animals. (3) The most important requirement for animal welfare is not the structure of facilities or conditions of equipment, but keeping animals in good health through adequate rearing management with daily observation and record keeping, handling the animals with care, and providing quality feed and water. (4) Though “freedom to express normal behavior” is an important factor in animal welfare, it is costly to make changes to the rearing system to accommodate these behaviors. Therefore, further discussion and research are required to determine how to apply it to animal husbandry system in Japan. This provision is very similar to the OIE codes for farmed animal welfare adopted in 2012 and 2013. In April 2014, the government will print a brochure promoting the Japanese animal welfare guideline among farmers under the revised Act on *Aigo* and the Management of Animals.

Scientists have led farmed animal welfare movements since 1979 (Sato, 1979). As of 2006, in Japan, 93% of layers were in conventional cages, 88% of dairy cows are tethered, and 83% of sows are in crates. Scientists have worked to develop inexpensive devices for the enrichment of farmed animals in these confined situations, such as a modified cage for layers (Sinmura et. al, 2010), unhusked rice feed for broilers (Ohara et al., 2014), a tie stall for a cow with a stationary brush vertically mounted on its post (Takeda, personal communication), etc. In addition, alternative rearing systems have been investigated, such as a hauled poultry housing system for broilers of local breeds (Hosokawa and Saito, 2008), a free-range system (Tozawa et al., 2014) and a deep litter system (Kohari, 2009) for fattening pigs, etc.

A few producers have tried to establish alternative systems, superior to the Japanese animal welfare guidelines in order increase the value of their products. Toyoshita (2009), a representative of Porkland Group, established a bio-bed system, a kind of a deep litter system, for fattening pigs. The free-range system for egg production was established by Kurofuji Farm in central Japan (Nagamatsu and Mukaiyama, 2007). A book edited by

Matsuki and Nagamatsu (2004) introduced some organic animal husbandry farms in various parts of Japan. We conducted a questionnaire among pig farmers in Japan on the crucial ethical elements of pig rearing (Sato et al., 2002). As presented in Figure 1, over 60% of farmers consider feed, thermal environment, and disease to be the most important issues, and 36–38% regard stress and normal behavior as the key issues. Japanese farmers have developed sympathy toward farmed animals even in intensive farming; 87% of farmers agreed that it is ethically acceptable to slaughter pigs having been reared with care according to *aigo* ethics, as long as the animals experience no pain.

The government, scientists, and farmers must educate consumers having *aigo* ethics biased to respects for pet animals being lifelong companions about welfare of farmed animals being kept for slaughter.

Conclusion

Though the responses of Japanese consumers to farmed animal welfare are poor because of their adherence to *aigo* ethics, producers are gradually accepting animal welfare ethics in addition to *aigo* ethics. The Japanese government, aware of the importance of animal welfare in animal husbandry, set forth farmed animal welfare guidelines. Now it has begun to promote the animal welfare guidelines to producers and consumers under the Act on *Aigo* and the Management of Animals, revised in 2012. Japanese scientists have conducted detailed research on animal welfare for over thirty years. Now it is up to the Japanese people to accelerate improved farm animal welfare as an ideal target of animal husbandry.

Appendix

Table 1. Difference between animal welfare ethics and *aigo* ethics

	<i>aigo</i> (Japanese language)	Animal Welfare
Estimable value	Animate being	Sentient being
Purpose	Making mind of respecting lives	Good condition of animals
Subject	Human	Animal
Base of ethics	Deontology, Common virtue	Utilitarianism
Method of respect	Sentimentalism	Scientific
	Abstractive	Five freedoms
		Three Rs

Table 2. Characteristics of respect to animals in various livelihood

	Authenticity	Contact with animals	Respect to animals
Nomadic life (Western countries)	Poor	Deep contact with many farmed animals	Animal welfare
Horticultural life (Japan)	Rich	Deep contact with a few of draft animals for cultivation	<i>aigo</i> (love and not-kill)
Hunter-gatherer life	Very rich	Less physical and psychological contact with wild animals	Wish for reproduction of wild animals

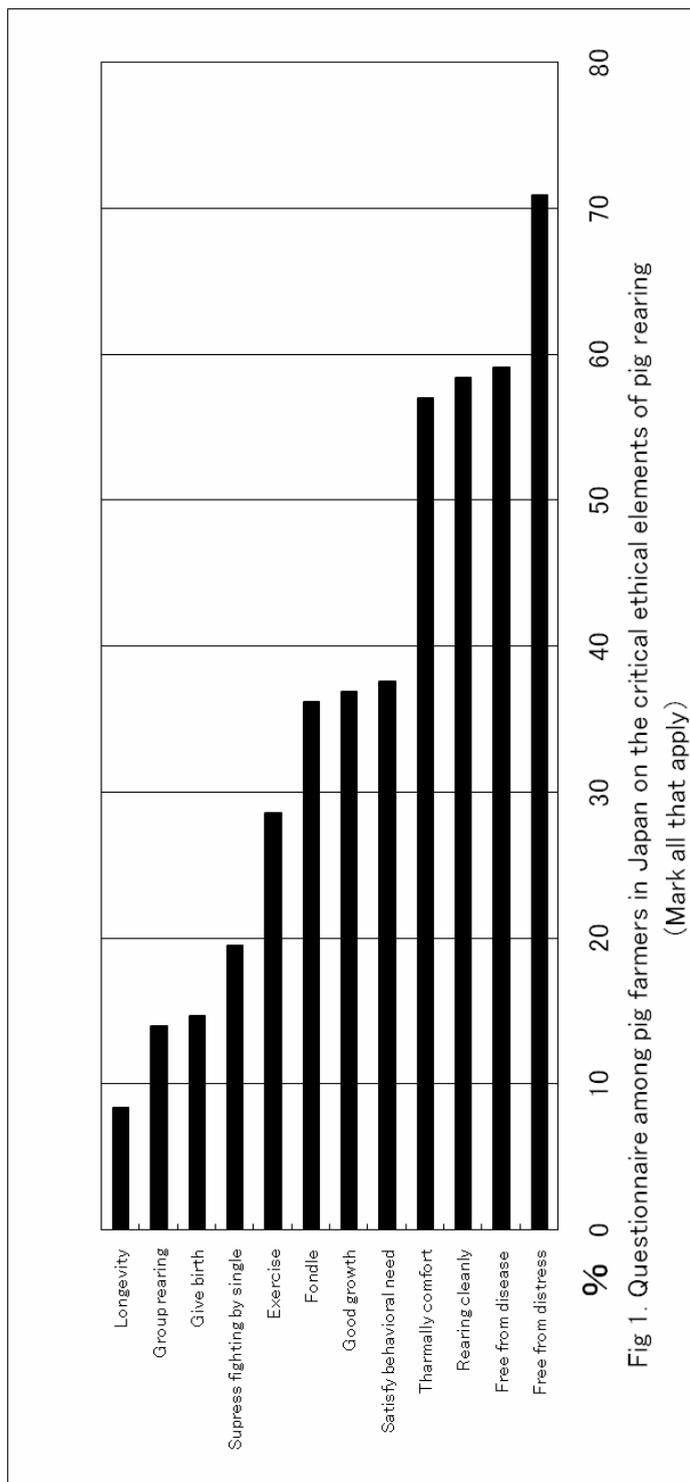


Fig 1. Questionnaire among pig farmers in Japan on the critical ethical elements of pig rearing

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