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NORMATIVITY IN THE WILD. INSIGHTS FROM FRANS DE WAAL

Normatividad en estado salvaje. Aportes de Frans de Waal

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ABSTRACT: According to Frans de Waal, both humans and non-human primates possess innate instincts, emotions, and predispositions that facilitate social living. Social activities, such as forming relationships, participating in shared goals, and displaying empathy towards others, are not externally imposed obligations; rather, they are inherent and desirable aspects of social life. Against the utilitarian model of self-interest and Machiavellian intelligence, de Waal suggests a kind of gestalt reversal: far from being a mere means to achieve individual goals, social interactions are a valuable end in itself.

Keywords: social naturalism, moral normativity, evolution of morality, non-human primates, Frans de Waal.

RESUMEN: Según Frans de Waal, tanto los primates humanos como los primates no humanos poseen instintos, emociones y predisposiciones innatos que facilitan la vida social. Las actividades sociales, como entablar relaciones, participar en objetivos compartidos y mostrar empatía hacia los demás, no son obligaciones impuestas desde el exterior; más bien, son

aspectos inherentes y deseables de la vida social. Contra el modelo utilitario del interés propio y la inteligencia maquiavélica, de Waal sugiere una especie de reversión de la gestalt: lejos de ser un mero medio para lograr objetivos individuales, las interacciones sociales son un fin valioso en sí mismas.

Palabras clave: naturalismo social, normatividad moral, evolución de la moral, primates no humanos, Frans de Waal.

1. Introduction: Towards a Bottom-Up Perspective on Human Capacities

How is society possible? To address this issue, most scholars have underscored the significant contribution of cultural institutions (e.g, church, school), shared symbolic systems (e.g, language, flags), and conventional rules (e.g, laws, customs) in facilitating socialization and enculturation. The external and regulatory influence exerted by culture is deemed crucial to counteract the asocial or even antisocial tendencies of humans.

It is this view, which assumes that social norms and rules need to suppress anarchic impulses for the collective benefit of society, which is challenged by Frans de Waal's pioneering research on the social behavior of non-human primates. According to him, both humans and non-human primates possess innate instincts, emotions, and predispositions that facilitate social living. Social activities, such as forming relationships, participating in shared goals, and displaying empathy towards others, are not externally imposed obligations; rather, they are inherent and desirable aspects of social life. Against the utilitarian model of self-interest and Machiavellian intelligence, de Waal suggests a kind of gestalt reversal: far from being a mere means to achieve individual goals, social interactions are a valuable end in itself.

De Waal's "Valuable Relationship Hypothesis" thus posits that primates and other animals are inclined to maintain relationships that hold significance to them. They actively strive to restore harmony or at least equilibrium within their relationships by engaging in actions such as resource sharing, reconciliation after conflicts or protesting unequal distributions. These actions serve as corrective measures to rectify deviations from the ideal state of a given social relationship, whether it be exchange, play, dominance, competition, cooperation, protection, or membership. To de Waal (2014), such repair work indicates a form of *primitive normativity*,

on the condition that one defines normativity as the adherence to the ideal state of a given physical or social structure. Just as a spider restores its damaged web to its original state, social animals engage in efforts to restore endangered social relationships. Both reparative activities demonstrate that non-humans can also be "guided by a template of how the structure ought to look" (de Waal, 2014, 187).

The spider analogy suggests a parsimonious and "bottom-up perspective" on normativity that is the opposite of the prevailing "top-down perspective" favored by most psychologists and philosophers (de Waal & Ferrari, 2010). By focusing almost exclusively on mental abilities such as shared intentionality, theory of mind, and symbolic capacities, the top-down perspective defines non-human species based on their cognitive limitations rather than their social and emotional capacities. Instead of obsessively searching for "human uniqueness", de Waal's bottom-up perspective hypothesizes that the basic capacities of our closest relatives are also present in humans. From a phylogenetic standpoint, indeed, it is reasonable to assume that nature does not discard or replace ancestral good tricks. On the contrary, our cognitive architecture functions most likely as a "Russian doll", with its foundational, well preserved, ape-like layers serving as the basis for higher levels of information processing (de Waal, 2007). Within this cumulative evolutionary framework, ethology and primatology appear more crucial than ever to understand the human conduct. They shed light on the *common principles* that underlie both human and non-human social life, including the normative principles that I would like to discuss in the following pages.

2. Rules in the Animal Kingdom

According to de Waal and colleagues, relationship regulation in primates and chimpanzees can be accounted for in terms of two kinds of rules, "descriptive" and "prescriptive" (Flack *et al.*, 2004). "Descriptive rules" refer to statistical regularities or typical responses exhibited in specific social situations. For instance, female primates with young offspring may respond to conspecific threats by either withdrawing or displaying aggression. On the other hand, "prescriptive rules" govern male sexual competition, food resources and juvenile care and involve a reinforced sense of expected behavior from others as well as an anticipation of the consequences of deviating from these rules. This distinction overlaps with that made by social scientists. Whereas *regularities* pertain to factual observations (i.e., what *is* the case) and respond to a mere logic of repetition and

conformity, *rules* exhibit a higher level of constraint and external imposition and are reinforced through negative or positive sanctions (i.e., what *ought* to be the case).

In my view, however, de Waal's research might help to distinguish not two but three types of normativity. His "Valuable Relationship Hypothesis" suggests an intermediary level of normativity, situated midway between factual social regularities and normative cultural norms: the level of *constitutive rules*.

To support this argument, let us take the fascinating example of play regulation. As shown by Flack et al. (2004), older and younger juvenile chimpanzees engaging in play adjust their behavior, including play signals, to prevent interference from nearby adult individuals who may mistake play noises for aggressive encounters. The juvenile chimpanzees thus modify their signals in advance to prevent protective outsiders from terminating their play. The mastery of the expected intensity and vocalizations associated with play might hinge on a type of rule which is not regulative but, as will be seen, constitutive.

3. The Constitutive Rules Hypothesis

Philosophers used to define regulative rules as prescribing the ways to perform pre-existing activities, such as wearing a tie for a cocktail party. These rules refer to conventional norms whose external authority is mostly enforced through informal sanctions and collective agreement. In contrast, constitutive rules establish and enable new forms of cultural activities. For example, the rules of chess not only provide instructions on how to play the game but create the very possibility of playing it. Engaging in the game of chess thus entails enacting its constitutive rules, such as having a playing partner, moving the bishop diagonally, or ending the game when checkmated. Interestingly, the violation of those rules has different consequences. Breaking regulative rules, such as wearing pajamas for a cocktail party or sacrificing all your pawns in a chess game, can be blamed on but it does not jeopardize the successful completion of the activity. On the other hand, the chess player who moves a pawn backward or puts the lost pieces back into the game dismantles the whole course of action. For he is not playing chess; he is playing *another game*.

Traditionally, constitutive rules have been associated with the creation, *via* shared intentionality, of cultural forms of activities, roles, and relationships (e.g., marriage, economic exchange, political election, etc.). Thanks to symbolic "counting-as" mechanisms, humans assign a new function to

natural or social entities, such as "this river counts as a border" or "this man counts as a president" (Searle, 1995; Tomasello & Rakoczy, 2007). Although constitutive rules are at the center of cultural creations and institutional facts, they might also be present, as de Waal's work suggests it, in the basic repertoire of social relationships that the evolutionary pressures exerted by social life have selected. Thus, by definition, play restricts actions that may inflict harm; should a play situation become harmful, it ceases to be seen as a play and becomes a fight. Similarly, hierarchical relationships can be accounted for by constitutive rules that delineate permissible, prohibited, and obligatory behaviors based on an individual's rank. For instance, the dominant individual possesses the right to access food ahead of others, while subordinates are obligated to wait. In the same vein, the rule of reciprocity constitutes social exchange: individual A is expected to reciprocate after receiving grooming from individual B, often in the form of providing something of value, such as food.

4. Normative Parsimony

In accordance with the "bottom-up perspective" emphasized by de Waal, the "Constitutive Rules Hypothesis" presented here has the advantage of being ontologically and cognitively parsimonious. Indeed, the prescriptive force of constitutive rules is more appropriately characterized as a (socio-) logical "must" rather than a normative "ought to". This logical "must" operates through *if-then* inferences, such as "if you engage in play, then you must refrain from biting" or "if you receive grooming, then you must reciprocate". However, this *if-then* mechanism is not behaviorist in nature; it cannot be reduced to stimulus-driven, short-term associations like "if there is a nearby noise, then you flee". Instead, the *if-then* dynamics underlying social interactions involves complex "built-in contingencies" and tree-like configurations that facilitate social problem-solving (de Waal, 2003). Coalition politics, conflict resolution, and cooperative arrangements are made feasible through a chain of social transactions whose "syntactical structure" is *conditional*: specific actions *x* must be undertaken before subsequent actions *y* can occur. Such conditional *if-then* is akin, de Waal says, to the ordering of symbols in human language: the actions within a social chain are subject to constraints comparable to the limitations on word usage within a sentence. Just as one cannot say "I dog the walk", a capuchin monkey cannot expect much cooperation from a partner with whom he has repeatedly refused to share abundant food in the past (de Waal, 2003).

Thinking of normativity in terms of constitutive rules has interesting implications. Firstly, this sheds light on *rule-governed* behaviors, often overlooked in favor of *rule-following* actions that are much more cognitively demanding. Unlike rule-following actions, a rule-governed behavior does not require agents to have an explicit representation of a given rule and to take it as their reason for acting. Secondly, constitutive rules bridge the gap between the factual "is" of social regularities and the normative "ought" of cultural norms without resorting to an instituting scene of agreement-making and linguistic creation. They do not require the symbolic leap from nature to culture that language and mind reading are said to trigger. Thirdly, the cognitive counterpart of the normative demands on social relationships exerted by constitutive rules is not necessarily the metarepresentational ability to hold in mind simultaneously what individuals, oneself included, are doing and what they ought to do (Byrne & Whiten, 1988). As we have hypothesized elsewhere, normative demands can appear and be recognized as a succession of *affordances*, each social action affording a set of subsequent actions (Kaufmann & Clément, 2014). In contrast with the standard affordance theory, we have contended that interactions do not only offer opportunities for action; they constrain the range of appropriate responses. In other words, they not only indicate "what I *can* do", but also "what I *must* do". For instance, a facial expression of intimidation affords the action of complying, a request gesture affords food sharing, and a threatening face affords the action of fleeing. In short, social affordances are normative or deontic affordances that relate *in situ* perception and normativity. They allow individuals, including those who are deprived of complex metarepresentational capacities (e.g., infants, non-human primates), to *see* what is the right, appropriate way to respond to such and such behavior without resorting to explicit norms.

5. The Social and the Moral

Once the "Valuable Relationship Hypothesis" and the "Constitutive Rules Hypothesis" have been articulated, disentangling social rules from moral norms becomes almost impossible. Since primitive normativity manifests as deontic affordances within relational frameworks, moral feelings are intertwined with social dynamics. Unlike the abstract inquiry of "What should I do?" that human-specific morality has emphasized, normativity in the wild can only address the practical question of "What should I do in this specific situation and within this particular relationship?" This relationship-based socio-morality does not classify

behaviors as intrinsically good or bad, just or unjust, desirable or undesirable. Instead, it involves assessing, *within a given relationship*, who bears obligations towards whom, who possesses the authority to impose obligations, who has the entitlement to claim certain goods, and what forms of retaliation are deemed appropriate for violations of these obligations. Such relational evaluations are aptly exemplified by the duty of care, both social and moral, that is associated with the maternal bond. For instance, when the distress call of a juvenile vervet monkey is played through a concealed loudspeaker in the presence of three adult females, their gaze turns towards the mother, indicating their perception of the juvenile's call as an indication of caring behavior from the mother and their expectation for her to respond accordingly (Cheney & Seyfarth, 1990).

Since relationship-based socio-morality is sensitive to the sensorimotor affordances and requirements of close relationships, it is restricted to close relatives, familiar conspecifics and in-group members. Grounded in firsthand experiences with others, this selective socio-morality can be labeled as a "morality by perception" or "by acquaintance": it encompasses the recognition of similarity and the emotional connection with others perceived as "like-me" or "like-us" (Kaufmann, 2019). Only through abstract and sophisticated judgments can a "morality by imagination" emerge, transcending the limited criteria of sameness and proximity, and fostering concern for unknown individuals.

This form of abstract morality is most likely specific to humans, enabling the capacity to feel compassion towards distant strangers and even towards the entirety of the human species. Nevertheless, such a manifestation of abstract morality is rare. In the human world, morality by perception also tends to prevail: outgroup members do not trigger moral reactions such as empathy in the same way that in-group members do (Mondillon *et al.*, 2007).

6. Conclusions: Towards a Phenomenology of Norms

Normative or deontic affordances instantiate the constitutive rules that confer syntactic structure to social relations. However, this arid and skeletal definition does not do justice to Waal' interest in the emotional intensity of primate social life. The ability to perceive the normative affordances of a given relationship also depends on sensitivity and feeling, as evidenced by the anger that arises from their violation. For example, chimpanzees express their dissatisfaction through screaming, pounding the ground, and engaging in protest behavior when their relational

expectations are violated, such as when they are not helped by their allies or when a youngster is mistreated by an adult (de Waal, 1991). These reactions are dependent on the nature of their relationship, which predetermines not only how they must interact, but also how they should feel about each other. For non-human but also human primates, relational feelings fluctuate according to the distance between them. When they are in a close relationship, they are expected to show empathy and compassion to each other. On the other hand, when they are socially or spatially distant, they can succumb to a state of emotional indifference, insensitivity, or even aggression. To me, such social-moral syntax, supported by a phenomenology of rules-in-action, is one of the valuable insights into the social world that can be drawn from Waal's remarkable research.

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