

## Primates: almost human rights?

*Discussion at The Park*

Wednesday 15 February 2017 7:30pm at *The Park Tavern, Macclesfield*

### **An Introduction:**

Is a chimpanzee a thing or a person? Is an orangutan an item of property or a being with legal rights? Around the globe, lawyers, philosophers and scientists have begun arguing such questions. While some say that only humans can hold rights, others want to grant entitlements to non-humans, too. Most recently, in November 2016 a judge in Argentina ruled that a captive chimpanzee called Cecilia is a "being" and so her "non-human rights" should be recognized. The court's closing statement quoted philosopher Immanuel Kant: "We may judge the heart of a man by his treatment of animals."

These notes are based on the recent discussion "*Almost Human Rights*", BBC Radio 4, 26 December 2016 and "*The Cambridge declaration on Consciousness*" 7 July 2012.

### **Questions:**

1. On a show of hands, who agrees "That certain animal species should be granted the legal status of being 'persons'?" Please **vote**, "Yes", "No" or "Don't Know".
2. Volker Sommer, evolutionary anthropologist: "The question of animal personhood is not just a legal question but a debate at the heart of the Western philosophical and political system for millennia. Who qualifies to be part of the 'community of equals'? We've debated about races, women, gays, slaves and now species." **Comments on this?**
3. Many – Aristotle, Descartes, Kant and others – have denied complex rationality in animals and this is deeply embedded in our thinking. We feel that animals do not have complex cognition, self-consciousness, morality, culture. **Are they just machines?**
4. This attitude began to change in the 1960s as it was realized that humans are not alone in having a 'mind'. Some species of animals can learn sign language, devise and use grammar, use keyboards to communicate with their close humans, etc. William McGraw, primatologist, says that for a court of law to adjudicate 'personhood' for, say, a chimpanzee, it is necessary to demonstrate that the species has abilities and behaviours "similar enough to H sapiens". **Do they also need to look like us? Is this too anthropomorphic?**
5. Do rights come with responsibilities? Richard Cupp, legal expert, argues, "The law often adapts rulings to individuals who cannot exercise responsibilities ... No one would argue that bonobos have a right to education. Persons who cannot exercise duties still have legal privileges such as a right to life, right to liberty, right to bodily integrity. These entitlements are not earned, but are birthrights." **Comments?**
6. Frans de Waal, ethologist, cautions with a reverse question. Would granting personhood to great apes demote the current rights of some humans? For example, infants, those in a persistent vegetative state or after a major stroke may not have 'practical autonomy' to demonstrate 'a will', or even have the ability to feel pain. **Comments?**
7. Is it time to stop thinking of Great Apes as 'the other' and thinking of them instead as 'us'? On a show of hands, who agrees now "That certain animal species should be granted the legal status of being 'persons'?" Please **vote**, "Yes", "No" or "Don't Know".

### **Further Listening or Reading:**

- (a) For those who prefer to learn by listening, here is the BBC discussion programme:  
<http://www.bbc.co.uk/programmes/b08584jt>.
- (b) For those who prefer to learn by reading here is (i) *The Cambridge Declaration*, publically declared at the University of Cambridge, at the conclusion of the Francis Crick Memorial Conference:  
<http://fcmconference.org/img/CambridgeDeclarationOnConsciousness.pdf> and comment piece from *The New Scientist*, 19 September 2012:  
<https://www.newscientist.com/article/mg21528836.200-animals-are-conscious-and-should-be-treated-as-such/>