

Do species have rights?



1. a. Imagine that the last family of Javan rhinos (pictured) is living in captivity. Terrorists attack the zoo, killing the rhinos and rendering the species extinct.

b. Alternately, imagine that the terrorists instead killed an equally large family of white rhinos at the zoo (not pictured, but similarly cute). White rhinoceri are not at a (very) great risk of extinction.

Is there a moral difference between the terrorist attack in a and b? Is one worse, or more wrong, than the other?

An argument for species rights

- i. There is a plausible moral difference between (a) and (b).
- ii. This means that it is plausible that species have rights or interests that are not just the rights or interests of the individual members of the species.
- iii. There is no serious objection to (ii).

Stuff to keep in mind in writing your papers

Some common sense:

- Babies seem to have property rights and a right to life as significant as those of adults
- Bacteria, fungi, machines, and corporations don't seem to have any rights, or morally relevant interests
- Does your view seem to deny any of the above? That's an obvious objection

If you are talking about capacities or group membership:

- Consider the following view: x does not make a difference to whether a being has rights or not, but the ability to do/have x makes a difference to whether a being has rights or not
 - E.g. "It's not the case that only rational beings have rights; however, only beings that are capable of eventually being rational have rights."
 - Or "It doesn't matter if a being does x , or can do x ; what matters is that they belong to a group that can do x ."
- If x doesn't make a moral difference, why should the mere possibility of x make a moral difference? Why should belonging to a group whose members usually do x matter?

Be careful about appealing to features that are *ad hoc* / not morally relevant:

- Consider the following view:
 - If a being is a tail-less mammal, then it has property rights; otherwise it does not.

- In a certain way, this fits common sense:
 - It says all humans have property rights, but few other animals, and no plants, do.
- But it seems really odd to say that “having a tail” is morally important

Don't conflate value with rights or duties:

- It's plausible they are related:
 - Utilitarians think all duties can be explained by facts about what is good or bad
 - Some deontologists think that one has a right to life if one's life has intrinsic value.
- But many deontologists think that respecting rights is not necessarily good at all.
 - E.g. I might have a right to honesty, meaning that you have a duty to not lie to me, but in some cases there is no value (intrinsic or instrumental) to honesty.
- You are welcome to *argue* that there is some connection between value and rights or duties
 - But don't *assume* it

Who has welfare or interests or rights?

- Regan and Singer think that there is a connection between experience, or the ability to experience, and what is good for a being, or who has rights
 - Why might you deny this?
 - Card's lobotomy example, or the experience machine
 - Hidden adultery or the brain-scrambling example
 - These suggest that not all harm or rights violation has to be experienced; maybe the ability to experience is not necessary for rights / interests (see stuff above on capacities)
- The ability to flourish as the basis for moral rights / interests
 - Allegedly, we can only explain the diverse range of things that are good for different beings if flourishing is what really matters
 - Some responses to consider (would need to be argued for):
 - Maybe these things are good for beings because beings *desire* them
 - Not all flourishing is good
 - Can only living beings flourish? Why?
 - Does this mean that certain machines have rights/interests?
 - How might one argue that species have rights?

Species:

- What does it mean to say that species have rights or interests?
 - This is to say that there is some right or interest which is not *just* a right or interest of an individual member of the species, but rather belongs to the entire species
- Species and corporations have a lot in common: they are beings that don't seem clearly alive, but which are composed of many living parts; they can grow or be destroyed; etc.
- If you claim species don't have rights or interests, what about the rhinos?
- If you claim that species do have moral rights, then:
 - You need to explain how they are different from corporations, so that corporations don't have moral rights
 - Or you need to accept that corporations *do* have moral rights, and explain why that is not as implausible as it first seems

The “otherwise not” part of the thesis

If x is true or y is true, then z is true; otherwise z is not true:

 If x is not true and y is not true, then z is not true.

If x is true and y is true, then z is true; otherwise z is not true:

 If x is not true, then z is not true.

 If y is not true, then z is not true.