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**GREAT APES**

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**JUSTINE BRIAN**



**DEBATING MATTERS**  
**TOPIC**  
**GUIDES**

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**MOTION:**

**“GREAT APES SHOULD  
HAVE RIGHTS”**

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## KEY TERMS

Anthropomorphism

Human exceptionalism

Sentience

Spiecesism

# INTRODUCTION

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# NOTES

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In 2008 the Spanish government passed legislation to give some great apes, including chimps, bonobos, apes, and orangutans ‘rights’ under Spanish law, the first national legislature to do so [Ref: [The Times](#)]. Previously, in 1999, campaigners in New Zealand had argued for basic rights for great apes to be legally enshrined, but were unsuccessful, despite achieving greater protections including a ban on research involving great apes unless the research actually benefits them [Ref: [Reuters](#)]. Over the past decade, however, there has been much debate about whether great apes should be given legally enforceable rights, especially as recent research has suggested that great apes share what was thought to be uniquely human traits, such as language, leading campaigners to argue it’s time for us to re-evaluate our relationship to them. This debate also relates to wider questions about our relationship to the animal kingdom. The philosopher Peter Singer’s book *Animal Liberation* helped form the modern animal liberation movement in the 1970s and questioned the privileging of humans over animals, with particular reference to animal experimentation. However, Singer has argued that the great apes merit special concern not only because they are our closest evolutionary ‘relatives’ but because they ‘possess many of the characteristics which we consider distinctive in our own species’ [Ref: [Prospect](#)]. The key question in this debate is: should we expand our sphere of moral concern to great apes, on a more equal basis, by giving them rights; or is there something unique about human beings that makes which means rights can only be understood and exercised by humans?



## Rights for the great apes

In 2008 the Spanish parliament signed up to support the Great Apes Project, founded by philosophers and scientists, which proposes the extension of basic rights to ‘all great primates: human beings, chimpanzees, bonobos, gorillas and orangutans’; these rights being ‘life, liberty, and the prohibition of torture’ [Ref: [The Great Ape Project](#)]. The Spanish legislation ensures the protection of apes from abuse, torture and death. This not only includes protection from harmful scientific experiments, which have recently been banned across the European Union, but also outlaws their use in television, films or the circus. Critics of the move in Spain and further afield argue this is tantamount to giving apes the same rights as humans, and therefore putting us on an equal moral plane. The Spanish government has argued that they are not equating human rights with those they want to provide for the great apes, but that this move is necessary to prevent some species of great ape becoming extinct within a generation, as predicted by the UN [Ref: [UNEP](#)].

## Can apes have rights?

The possession of culture, language and self-awareness has made humans unique in the animal world. However those advocating rights for great apes argue that some of these traits aren’t quite as unique as previously thought: whereas tool-making was once thought to be unique to humans, for example, we can now observe something similar in chimpanzees, albeit in a primitive form. Also recent research by a philosopher and psychologist in a study of orangutans suggests they have a form of communication through mime which hadn’t been recognised before [Ref: [Biology Letters](#)]. This discovery has

again led advocates of apes to raise the question of the extent of our shared traits with apes and the need to extend moral being to these animals. According to philosopher Peter Singer, the work of researchers like Jane Goodall, Diane Fossey, Birute Galdikas, Frans de Waal ‘amply demonstrates that the great apes are intelligent beings with strong emotions that in many ways resemble our own’. This, he argues, justifies granting them basic rights. Others suggest that these claims regarding our close proximity to apes are heavily influenced by anthropomorphism, which misunderstand primitive animal communication in relation to the sophisticated complexities of human development, suggesting that apparent discoveries about apes’ abilities are wishful thinking on the part of animal-lovers [Ref: [spiked](#)]. Critics question what meaning ape-rights would have in the absence of any appreciation by apes of those rights we may bestow upon them. Furthermore, as ape rights can only be exercised by humans on their behalf, they ask in what sense these rights differ from mere protection.

## What makes us human?

One of the key components in this debate is that of human exceptionalism, and whether ape rights would challenge this notion. Opponents of the Great Apes Project argue that the case for granting ‘rights’ to apes misunderstands what rights are, and devalues their significance. Rights, in human history, have been fought for rather than conferred, and reflect the cumulative nature of human evolution and thought – learning, teaching, and abstract language – which allow us to understand ourselves as autonomous beings who are able to make moral judgments. As self-conscious moral agents are we able to weigh



## DEBATE IN CONTEXT CONTINUED...

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and judge the life of humans or animals in a way no other species is? Animal rights campaigners point to humanity's long history of oppression and inhumanity to fellow humans, often justified on the basis of one race or culture's superiority over another, as evidence that we are not such a superior species after all. Richard Ryder, who coined the term 'speciesism', argues 'the moral implication of Darwinism is that all sentient animals, including humans, should have a similar moral status' [Ref: [Richard Ryder](#)]. In which case is it time to expand our understanding of rights so as to secure a humane future for remarkable non-humans, such as our closest relatives the great apes? Or are rights, like the capacity to make moral judgements about whether or not to protect other species, something only humans can appreciate?



## ESSENTIAL READING

When human rights extend to non-humans

Donald McNeil *New York Times* 13 July 2008

Should we breach the species barrier and grant rights to the apes?

Peter Singer and Kenan Malik *Prospect* 20 May 1999

### FOR

A different take on great ape personhood

Brandom Keim *Wired* 19 December 2008

Sentient Like Me: Ape Rights and the Myth of Intelligence amongst Speciesists

Jason Miller *Animal Liberation Front* 7 July 2008

Going ape over human rights

Thomas Rose *CBC News* 2 August 2007

The Great ape debate

Peter Singer *Project Syndicate* 1 May 2006

### AGAINST

Something special

Robin Walsh *Culture Wars* 30 September 2010

Votes for dogs appeals, but giving animals rights is moral chaos

Simon Jenkins *Guardian* 8 March 2010

Monkey Business

Wesley Smith *Weekly Standard* 21 July 2008

Animal Rights

Roger Scruton *City Journal* 2000

### IN DEPTH

Orang-utans are not remotely like humans

Helene Guldberg *spiked* 19 August 2010

Will according rights and “dignity” to nonhuman organisms halt research?

Ed Yong *Seedmagazine.com* 12 December 2008

Why Humans Aren’t Just Great Apes

Robin I. M. Dunbar *Issues in Ethnology and Anthropology* 2008

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# BACKGROUNDERS

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Should apes have rights?

*Battle of Ideas* 30 October 2010

Orangutan pantomime: elaborating the message

Anne Russon and Kristin Andrews *Biology Letters* 11 August 2010

Should apes have human rights?

Tom Geoghegan *BBC News* 29 March 2003

Jane Goodall on what separates us from apes

*TED* 1 March 2002

European statistics on animal research

*Understanding Animal Research*

Animal attraction: Humans have a paradoxical relationship with animals

*Economist*

The ethics of specisim

*BBC Ethics Guide*

Great Apes

*World Wildlife Fund*

## ORGANISATIONS

Great Ape Standing & Personhood

National Centre for the Replacement, Refinement and Reduction of Animals in Research (NC3Rs)

People for the Ethical Treatment of Animals (PETA)

The Great Ape Project

Understanding Animal Research

UNEP



## IN THE NEWS

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Yes, he can walk. But just how close is Ambam the gorilla to being human?

*Daily Mail* 28 January 2011

NASA halts monkey radiation experiment for now

*MSNBC* 13 December 2010

Great apes protected as EU restricts animal testing

*Reuters* 8 September 2010

Chimps and apes to get same rights as humans

*Scotsman* 28 June 2010

Apes get legal rights in Spain, to surprise of bullfight critics

*The Times* 27 June 2010

The ape dictionary: How our cousins use 40 gestures to communicate

*Daily Mail* 18 June 2010

Orang-utan language identified

*Independent* 18 June 2010

Nasa to irradiate monkeys to study effects of long space trips on humans

*Telegraph* 2 November 2009

Are human beings impossible to ape?

*Telegraph* 30 June 2009

Ban on primate experiments would be devastating, scientists warn

*Guardian* 2 November 2008

Activists pursue basic legal rights for great apes

*USA Today* 15 July 2008

Spanish parliament to extend rights to apes

*Reuters* 25 June 2008

European Court agrees to hear chimp's plea for human rights

*Evening Standard* 21 May 2008



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