

Overview

Students will explore the unique and shared qualities of highly social animals (elephants, dolphins, whales, and chimpanzees), and debate whether they should be granted legal personhood and fundamental rights.

Materials

- *What is the Nonhuman Rights Project?*, Nonhuman Rights Project, <https://m.youtube.com/watch?v=YVqksClzE9Q>
- *Animal Lawyers' Research Notes* worksheet
- *Developing Your Speech* sample outline

Resource Links

- *Dolphins: Smarter Than You Think*, National Geographic, <https://www.youtube.com/watch?v=XZ4hZx6K85Y>
- *Just How Smart Are Dolphins?: Inside the Animal Mind*, BBC, <https://www.youtube.com/watch?v=6M92OA-5-Y>
- *Mirror Self-Recognition in Asian Elephants*, Think Elephants International, <https://www.youtube.com/watch?v=-EjukzL-bJc>

- *Orca Stories*, Ingrid Visser, TEDx, <https://www.youtube.com/watch?v=Zs9wgDalC3s>
- *Self-Recognition and the Rise of What Most Refer to as Personhood*, J. Patrick Malone, <https://www.youtube.com/watch?v=pNqirOJ5qAw>

Essential Question

How do we decide who has legal rights?

Objectives

Students will be able to:

- Explain what it means to grant an animal legal personhood, with the fundamental rights of bodily liberty and bodily integrity.
- Research the special social, emotional, and cognitive qualities of their chosen animal species.
- Create a persuasive argument for why a specific animal species should be granted legal personhood and fundamental rights.

Day 1

Warm-Up

1. Start by sharing that in many countries around the world, people are guaranteed certain basic legal rights—rights that are written into law and enforced by the government.
2. Ask students if they can think of some basic legal rights that they have. (Provide some examples, such as: the right to safety and privacy, the right to free speech, and the right to a trial and assumed innocence until proven guilty.)
3. Explain that when a country provides basic legal rights, it is agreed that they should be provided to all people, regardless of age, ethnicity, religion, gender identity, sexual orientation, or ability. (Although some rights are compromised if someone is convicted of a crime, even people in prison are guaranteed certain basic rights.)
4. Ask students why they think people are guaranteed certain rights. Allow for responses. If needed, share that all people should be protected by the law because every person shares core qualities of personhood, no matter how different we may seem.
5. Ask students to review the following question. Provide them with three minutes to do a free-write response to the question. Let them know you will come back to this question at the end of the lesson, and that there is no right or wrong answer.
 - What if some of the reasons for giving all people the same basic legal rights also hold true for other species? Do you think that would change who is deserving of certain rights? Why or why not?

Day 1 continued

Nonhuman Rights Project

1. Let students know there is a group called the Nonhuman Rights Project that advocates that there are other species, in addition to people, who should be granted fundamental rights.
2. Show the following video, *What is the Nonhuman Rights Project?* (<https://m.youtube.com/watch?v=YVqksClzE9Q>)
3. Review the video by asking students the following questions:
 - Which animals are the Nonhuman Rights Project currently looking to protect legally? (Answer: elephants, dolphins, whales, and chimpanzees.)
 - Why were those animals chosen? What qualities do these animals have that make the Nonhuman Rights Project believe those animals are entitled to certain basic legal rights? (Possible answers include: complex social lives, self-recognition, complex communication.)
 - What rights are they looking to grant these animal species? (Answer: To recognize them as “legal persons” with such fundamental rights as bodily liberty and bodily integrity.)
 - What would it mean for an animal to be granted those rights? (Allow for responses. If needed, explain that “legal personhood” does not mean that the animal is a person; it means that they have certain attributes that are the same as people, and therefore are also deserving of certain basic legal rights. **Bodily liberty** means these animals should be able to live in their natural habitat and roam freely, instead of being in a cage or chained up. **Bodily integrity** means that these animals have the right to their own bodies and not to be experimented on.)
 - If these animals were granted these basic legal rights, how would that change the way people treat them?



Animal Lawyers - Research

1. Ask students to imagine that they are lawyers for animals and have been hired by the Nonhuman Rights Project to help them develop their case, which will be presented before a judge.
2. Explain that lawyers need to do a lot of research in order to know all the facts of their case so they can make a very strong argument to the judge.
3. Break students up into small groups. Explain that each group will work on a specific animal related to the case (chimpanzees, dolphins, whales, or elephants) so that they can narrow the focus of their research. (*Note: You can assign each group to an animal or allow each group to choose the animal they want to research. Another option is to print out pictures of each animal and have the groups pick their animal out of a hat or a box.*)
4. Provide students with the *Animal Lawyers' Research Notes* worksheet to guide them in taking notes on their animal. Let them know these notes will help them to develop the case they will present before the court.
5. Provide students with books about each animal species or links to relevant, secure websites (if they have computer access), and give them time to conduct their research. Or you can provide this as a take-home assignment for them to complete by your next class.



An Animal's Day in Court

Day 2

Animal Lawyers - Preparing your Argument

1. Review with students what they discussed during the last class.
2. Now that they have completed their research, explain that it is time for them to develop their argument to present to the court.
3. Provide youth with the *Developing Your Speech* sample outline to help them organize their argument. Some students may not need the scaffolding outline to develop their argument, while others may need additional support (e.g., guided questions or sentence starters). Offer whatever level of support students may need.
4. Give them the following tips:
 - Your aim is to convince the judge to grant your animal species the status of legal personhood and the right to bodily liberty.
 - You are speaking as an advocate for your species.
 - Be passionate and bold.
 - Develop an accurate argument.
 - Remember, this species is depending on you!
5. Review each group's work and help them to make sure their content is accurate.
6. Ask each group to divide up the speech so they know who is presenting which parts, and allow time for them to practice and provide each other with feedback.

Day 3

Animals' Day in Court

Note: If possible, set up the room to look a bit more like a courtroom, with a judge sitting at a desk in front with a gavel, and jury in chairs to the side, with other students as spectators if necessary. You can rotate which students will serve as the jury in between the "Animal Lawyers" presentations. You can preside as the judge, or have an outside guest preside as the judge.

1. Invite each group to come up one at a time and present their case to the judge. Have the judge provide constructive feedback after each presentation.
2. Have the judge adjourn for a short break to deliberate on the matter. Then, have the judge come back and make a ruling on whether or not to grant legal personhood and bodily liberty to each of the animals the students spoke about.

Wrap Up

1. Ask the students to reflect on the experience by asking the following questions:
 - What did you think of the judge's ruling?
 - Going back to the beginning of the activity, what did you originally think about extending legal rights to other species? What do you think about it now?
 - Why do you think someone is deserving of legal rights?
 - What did you learn about other species?
2. Have students create a judging rubric for the "jury" to decide whether or not the case for each species was represented effectively.
3. Provide students with an opportunity to record the "trial," and use the testimonies and responses to create a PSA about highly social animals in captivity and the reasons for moving them to sanctuaries or appropriate natural settings.
4. Hold the "trial" in a space where other students, parents, or other community members can observe to create more awareness about the possibility of extending legal personhood to other species of animals. (*Note: If you do this, provide more time for students to practice their presentations.*)
5. Organize a fundraiser to support an elephant, chimpanzee, dolphin, or whale sanctuary/wildlife rehabilitation center.



Animal Lawyers' Research Notes



Names of your group members:

Animal species you are representing:

Information to gather

1. Identify some of the qualities (behaviors, characteristics, abilities, etc.) that the animal species you are representing has in common with humans.

a) Any similar social behaviors:

b) Any similar emotional connections/experiences/capabilities:

c) Any similar cognitive (thinking) abilities:

d) Does your animal species have a sense of self? (Research the mirror test.):

2. Describe what your animals' lives are typically like in the wild (e.g., where they live, who they live with, their interactions with other animals of their own species and other species, the amount of space they have, what their surroundings are like, how they travel, how much they travel, what they eat, what they do, who decides what they do, etc.).

3. Where is your animal species typically found in captivity, and what is the reason for them to live in captivity?

4. Describe what your animals' lives are typically like when in captivity (e.g., how they became captive, where they live, who they live with, their interactions with other animals of their own species and other species, the amount of space they have, what their surroundings are like, how they travel, how much they travel, what they eat, what they do, who decides what they do, etc.).

5. Do you think that your animal species should have its members considered "nonhuman persons" with fundamental rights like the right to "bodily liberty" (the right to live freely in a safe and natural place)? Why or why not?

6. What would change for the animals you are representing if they were granted the right to "bodily liberty"? How would this affect the animals you are representing who live in the wild or those who live in captivity?

Developing Your Speech - Sample Outline

Below is a suggested outline to follow in developing your speech. You can use this as a guide, as you need to. However, you are also encouraged to revise the following and put it into your own words, or follow your own outline completely.

Introduction

- Your Honor, I come before you today to argue on behalf of _____, who we believe should be granted legal personhood, and with that the right to bodily liberty. *[Provide a strong statement to follow about why this is important to you and to the animal species that you are representing.]*

Body

- First, let me share some of the qualities and attributes that _____ and people have in common, which makes them similar to people in ways that demonstrate their value as a being deserving of rights and protection. *[Provide information from the notes you took that you think are most compelling, and that demonstrate how your animal species is not that different from people in the ways that matter regarding protection from harm, suffering, and a lack of autonomy. Share this information from a logical point of view, but also include emotion within your argument.]*
- When my clients are free, they are able to live in their natural habitats. This is what the lives of _____ are like when they are free. *[Describe their lives in their natural habitats.]*
- Without the protection of “bodily liberty,” people are able to use my client as they wish. _____ have been used by people for _____. This is what a(n) _____’s life is typically like in captivity. *[Describe their lives in captivity.]*

Add any additional persuasive arguments that you have gathered from your research.

Closing

- I stand before you today, representing _____, and arguing that this entire species should be granted legal personhood because... *[Provide a few really strong final statements for why the animal you are representing deserves legal personhood and how it would change these animals’ lives. Explain what you are requesting for the animals of the species you are representing who are currently in captivity.]*
- Thank you, Your Honor! I rest my case.
Please consider our arguments for personhood and rule in favor of compassion and justice for all!