

For	Against	Rebuttal
<p>Animals should be granted legal personhood, because it is unjust that they are currently classified as human property under the law.</p>	<p>Their legal status as property is appropriate, given that they do not meet the criteria of the alternative – a legal person. If animals were not human property, what would happen to animal agriculture? Animal entertainment industries? Companion animals? Etc. . . It is not practical to give animals legal personhood.</p>	<p>Pragmatic human convenience can not be used as an argument against the extension of rights on the grounds of justice. Similar arguments were advanced to maintain the practice of human slavery. If animals are entitled to rights, it is unjust to classify them as human property.</p>
<p>Animals should be granted legal personhood, because other entities such as rivers and corporations and ships have been granted this status, so it is not unreasonable to suggest that it could also be applied to non-human animals.</p>	<p>Corporations and ships are human proxies, so granting legal personhood to these entities does not support the extension of personhood to non-human entities. The fact that rivers and other natural entities have been granted personhood rights in jurisdictions around the world doesn't mean that it makes sense to grant legal personhood to animals in Australia. Rivers and animals are of a fundamentally different nature.</p>	<p>The fact that personhood status has been conferred on entities other than individual human beings indicates that the classification of 'legal person' is not limited to human beings. If it is not limited to human beings, then there must be other criteria for claiming personhood status. If a river is capable of meeting the criteria, then why can't an animal? Like a river, an animal's interests could be represented through human guardians.</p>
<p>Animal should be granted legal personhood because it will enable them to have legal rights which can be defended in court by human guardians.</p>	<p>If we give legal rights to animals, we also need to confer legal duties. Animals are incapable of upholding legal duties and obligations. For example, we could not hold an animal accountable for a crime. Accordingly, they should be excluded from the category of legal persons.</p>	<p>Infant human children and cognitively impaired adult humans are also often incapable of upholding such duties, but they are included within the category of legal persons. Therefore, the capacity to uphold duties is clearly not a pre-requisite for claiming personhood status. Accordingly, it should not be raised as a bar to claiming legal personhood status for animals.</p>



For

Against

Rebuttal

Animals should be granted legal personhood because it will prevent human beings from treating them however they want, with only weak animal welfare laws to protect the interests of animals.

Animal welfare laws are sufficient and appropriate for protecting the interests of animals. They generally prohibit cruelty and impose a duty of care. What additional protection could be offered through gaining personhood status that could not be achieved through improving animal welfare laws?

Animal welfare laws in Australia have not operated to prevent or adequately address numerous animal protection issues. In fact, many cruel practices have been legalised, and do not fall within the ambit of animal welfare laws. Granting animals legal personhood status would mean that they had rights protected under law.

Animals should be granted legal personhood because many animals possess the same capacities that entitle humans to claim the status of 'legal person' (such as self-awareness and autonomy).

Just because some cognitively advanced animals (such as chimpanzees and elephants) possess some capacities in common with humans, it does not qualify them for personhood status. Humans do not have legal personhood status because they possess these capacities – they have the status simply because they are human. They don't need to have these capacities in order to be legal persons.

The fact that personhood status has been conferred on entities other than individual human beings indicates that the classification of 'legal person' is not limited to human beings. If it is not limited to human beings, then there must be other criteria for claiming personhood status. Even if the existence of capacities such as self-awareness and autonomy are not pre-requisites for claiming personhood status, they are arguably sufficient for establishing an entitlement to the status.

Animals are part of the human community, and should not be excluded from this community by being deemed mere property under the law.

Animals are not part of the human community – only humans and their proxies are part of the human community. Animals are outside of the human community, appropriately in the realm of 'things'/property.

Most Australian households have domestic pets, and many Australians are dependent on animal services or products in their everyday lives. Animals are well and truly part of the human community in Australia.

