



LEGAL PERSONHOOD

ANIMALS: PROPERTY OR PERSONS?



This guide has been designed to provide teachers with the information, tips and additional resources required to facilitate lessons exploring the moral and legal status of animals and the concept of legal personhood.

Why teach your students about legal personhood?

Do animals have rights? What is legal personhood? How are animals classified under the law? Why aren't animals legal persons? These are just a few of the many interesting questions that students will discuss and debate when learning about the concept of legal personhood using the Voiceless Legal Personhood APE.

In these lessons, students will unpack the notion of the 'legal person' and who, or what, falls within this category. Students may be surprised to find that under current laws in Australia, most animals are considered property and therefore do not have inherent rights like human beings. Categorising animals as property is complex and raises a number of issues. When animals are classed as property, and therefore classified as 'things' under the law, they are not protected in the same way as humans.

Humans are legal persons and therefore have legal rights, such as rights to protect their individual liberty and to protect them from harm. 'Things' do not have legal rights, which means their interests aren't properly recognised and protected under the law. To address this, some people have put forward the idea that by changing the legal status of animals from 'thing' to 'person', animals will be awarded certain rights, which may help to better protect their interests.

The lessons investigate case studies of natural entities, such as mountains and rivers, who have been granted legal personality and discuss how big corporations as well as ships are also granted this status. The activities provide opportunities to discuss the differences between legal rights and legal obligations, and how to differentiate between the moral and legal status of animals. Through these discussions, students can begin to reflect on the advantages and disadvantages of granting legal personhood to animals.



Evaluating the rights of non-human animals also raises questions about **speciesism**. Assisting students in understanding this term, within the context of the human-animal relationship, opens the door to larger discussions about the many ways discrimination and inequality are present in our world.

Speciesism

A form of discrimination against non-human animals by humans, stemming from the presumption that human beings are superior to all other species on earth. It involves treating non-human animals differently to human beings purely because they are not human.

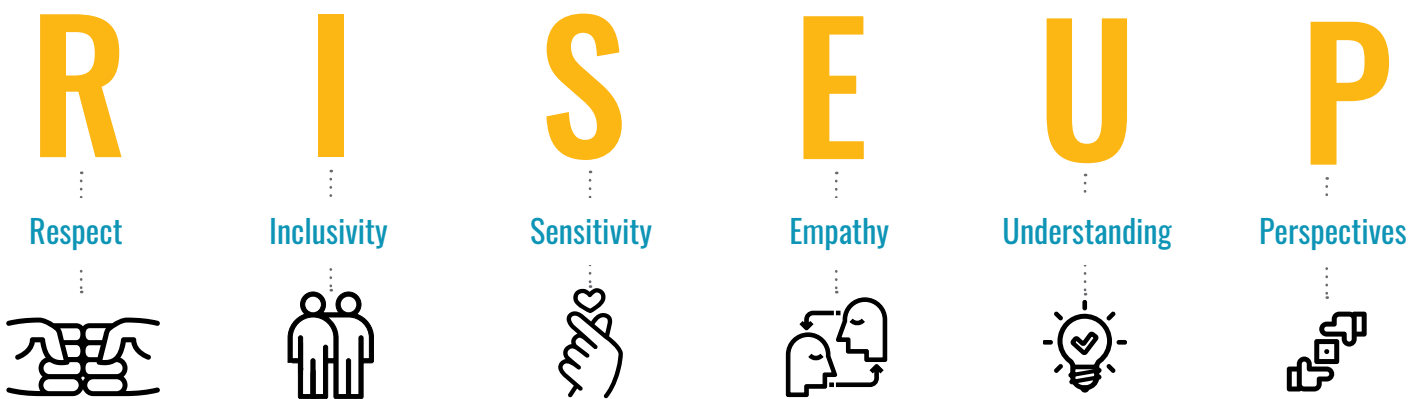
The resources accompanying these lessons were developed in consultation with non-profit organisation The Nonhuman Rights Project (NhRP) – a group of lawyers in the USA who are fighting to secure legal rights for animals. Their clients include chimpanzees and elephants who have spent their lives in captivity. Some are exhibited in zoos, and others have been used as research subjects, or as film and circus entertainers. The NhRP argue that animals who are autonomous and self-aware should be entitled to common law personhood and fundamental rights.

Considerations

As with any conceptual topic, critically evaluating the topic of legal personhood is likely to prompt students to ask tricky questions and to consider alternatives to the status quo. We encourage teachers to read the material provided closely and access the additional resources at the end of this booklet to supplement knowledge. We hope that the discussions that may arise as a result of facilitating these lessons will be enlightening and challenging; prompting students to think critically about their roles and place within society and how this intersects with animals.

The primary resources and lessons include an array of legal terms and concepts that may be new to students. Teachers are encouraged to direct students to the glossary and the online [Animal Protection Encyclopedia](#) as they move through the activities and resources.

Creating a culture of inclusivity and a safe classroom environment is essential when discussing topics with diverse or opposing perspectives. Discuss the following acronym with your students before beginning the legal personhood lessons, or create a set of class rules which incorporate the essence of each word.



When the words of **RISE UP** are combined and put into action, students can rise above their differences to create a safe learning environment for all.

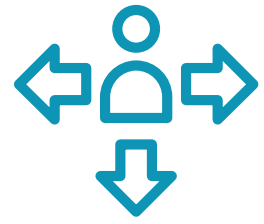
Voiceless resources

- Fact Sheet - [Animals: Property or Persons?](#)
- Video - [Animals: Property or Persons?](#)
- Podcast – [Legal Personhood for Animals](#)
- Infographic – [Animals: Property or Persons?](#)
- PowerPoint – [Personhood Research Methods \(Year 10 Geography lesson\)](#)
- Student Worksheet – [Video Comprehension \(For use in all lessons\)](#)
- Teacher Guide - [Legal Personhood](#)
- Lesson plans - [5 cross-curricular lesson plans](#)
- [Glossary](#) and [Quiz](#)
- [Animal Protection Encyclopedia](#).

Note: Secondary resources are also embedded within the individual lessons – we encourage teachers to read through these first to ensure they are appropriate for the needs of their students.



How to use the resources



CONSIDER

As with all Voiceless Animal Protection Education (APE) resources, we encourage educators to take the time to read and review the material before using or sharing with students. We encourage you to take into consideration the individual needs and personal situations of your students to ascertain whether the material is appropriate for them.

DISCUSS

Wherever possible, it is advised that teachers take the time to discuss the content with their students. Engaging students in critical and creative thinking and discourse in addition to encouraging reflection will assist students in better understanding their thoughts, values, and attitudes.

LINK

These resources work well alongside other APEs which can be found on the [Voiceless Schools](#) page. The [Animal Protection Encyclopedia](#) is a great tool for both students and teachers, as you may come across new or unfamiliar terminology in the lessons and related resources. We have also developed [Critical Thinking Cards](#) that can be used as lesson starters or, as writing prompts. Interested in reading more about Legal Personhood? Access relevant articles on the [Voiceless Blog](#).

ADAPT

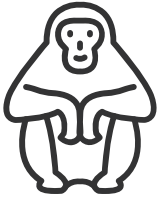
APE resources have been designed to be flexible. Where lessons include a range of activities and resources, it is advised that teachers consider what will work best for their students and omit or adapt the activities and resources where necessary. Each lesson is given between 50 - 100 minutes completion time, although this too is only a guide.

COLLABORATE

To synchronise an interdisciplinary unit, team up with teachers from different faculties. This has the potential to create powerful learning experiences for students.



Cross-curricular lessons available



Year 7 Civics and Citizenship – [A Person by Any Other Name? Legal Personhood and Animals](#)

The learning sequence for this activity addresses the question of where other species and entities (such as non-human animals and rivers) ‘fit’ within Australia’s legal system. It begins by examining terms and concepts related to this topic as a result of watching a video that explores the application of legal personhood to non-human animals. Students go on to discuss the ideas in the video before attempting to apply them to their own lives.



Year 9 English – [Seeing the World Through Their Eyes – Animal’s Viewpoints in Our Lives](#)

The learning sequence for this activity begins with students examining the idea of legal personhood and how it applies to humans but not to other animals in society. With the aim of exploring different viewpoints about the same events, students write a short story for younger children from the point of view of a chimpanzee living in captivity. Stories are shared with upper primary-aged students allowing the writers to develop their skills in engaging and persuading an audience.



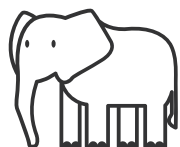
Year 10 Geography - [What are our Attitudes Towards the Legal Status of Animals: Property or Persons?](#)

The learning sequence for this activity begins with designing an experiment to test peoples’ attitudes towards the idea of granting legal personhood to animals. Once planned, students individually design either a short, online, quantitative survey or conduct two face-to-face qualitative interviews with adults of their choice. Results, some of which are tabulated or presented in graph form, are analysed with patterns and anomalies identified. Students communicate the results and their analysis to interviewees in the form of a short report and present a one-minute oral summary of findings to their class.



Year 10 English - [Are Humans Able to Measure Animal Cognitive Capacities?](#)

This activity follows the inquiry-based-learning model. Initially, students are introduced to the relatively new concept of high levels of cognitive capacity in other animals. They are then encouraged to investigate scientific developments dispelling the idea that humans are the only cognitively developed animals on the planet. Choosing a species of personal interest, students delve into the research around this species and their capabilities. Students publish a two-page written and visual account of their findings that forms part of a group booklet on animal capacities for use in a primary school library.



Year 10 Geography - [Animals: Property or Persons?](#)

The learning sequence for this activity is designed to give students insight into work by scientists to better understand animal intelligence and the work of lawyers to have this reflected in our courts. Species such as great apes, cetaceans and elephants are currently the focus of the work of the [Nonhuman Rights Project \(NhRP\)](#), which challenges us all to rethink the human-animal duality. Using the geographical inquiry method, students will undertake learning tasks with a final real-world outcome.

More information

Animal Welfare and Protection Organisations

Voiceless, the animal protection institute
(voiceless.org.au)

- 🗣️ [The Fight for Elephant Rights in New York](#)
- 🗣️ [Animals: Things or Persons: Voiceless in Conversation](#)
with Professor Steven Wise
- 🗣️ [Indian Court Recognises Animals as Legal Persons](#)
- 🗣️ [Legal Personhood for Animals](#)
- ▶️ [Voiceless Animal Law Lecture Series Keynote](#)
Speaker: Professor Steven Wise

The Nonhuman Rights Project (nonhumanrights.org)

- 🗣️ [Building an International Nonhuman Rights Movement](#)
- 🗣️ [The Need for Chimpanzee Rights](#)
- 🗣️ [Chimpanzee Cecilia Finds Sanctuary: An Interview with GAP Brazil](#)
- 🖥️ [Litigation Overview and Clients](#)

Legal Education

Community Law (communitylaw.org.nz)

- 🖥️ [Legal Personality for Maunga, Awa and Other Natural Features of the Land](#)

Yale Environment 360° (e360.yale.edu)

- 🗣️ [Animal 'Personhood': Muddled Alternative to Real Protection](#)

Legal Personhood in the News

The Conversation (theconversation.com)

- 🗣️ [Happy the Elephant was Denied Rights Designed for Humans – But the Legal Definition of 'Person' is Still Evolving](#)
- 🗣️ [Could an Artificial Intelligence be Considered a Person Under the Law?](#)

BBC (bbc.com)

- ▶️ [This River Can Sue You in a Court of Law](#)

The Guardian (theguardian.com)

- 🗣️ [Mount Taranaki: Will the New Zealand's Peak's 'Living Person' Status Bring Respect?](#)

For more information

Visit the [Schools](#) page on the Voiceless website, read our [Educational Philosophy](#), or have your questions answered on the [FAQ](#) page.

Join

For early access to new resources, teacher tips and Voiceless news, sign up to our Education Mailing List [here](#).

Contact

To help us improve our materials, we would appreciate any feedback or thoughts you would like to share:
education@voiceless.org.au

Connect

Be part of our growing community of teachers on our teacher-only social media spaces:

- [Facebook](#)
- [LinkedIn](#)

Share

Voiceless would be delighted to receive any completed student work to feature on the Voiceless website (student and parental consent required). Please email any work or feedback to education@voiceless.org.au

Access

Access more APE resources from the Voiceless website: <http://voiceless.org.au/schools/>

Voiceless APE resources can also be accessed via Education Perfect:
<https://epforlearning.com/>

