



Reassessing Rights Beyond the Human Species: The Ethics of Inclusion

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Abstract

This study investigates the fundamental question: *Who really are to be accorded rights—humans or nonhuman animals?* Against the backdrop of ethical, legal, and philosophical traditions, the study critically analyzes the ontological basis of moral rights and examines whether nonhuman animals possess the requisite attributes to qualify as right-holders. Drawing on conceptual analysis and philosophical critique, the study evaluates various traditional criteria proposed for ascribing moral rights—including species membership, personhood, rationality, language, and divine endowment—and exposes their insufficiencies in providing an inclusive and defensible justification for rights attribution. The research adopts a normative and analytic methodology rooted in moral philosophy and deontological ethics, particularly the subject-of-a-life criterion as articulated by Tom Regan. This criterion posits that moral rights are due to beings who possess conscious experiences, preferences, emotions, memory, and a sense of future. The study extends this analysis to nonhuman animals, drawing from empirical evidence, common language, behavioural patterns, anatomical similarities, and evolutionary continuities. Findings reveal that many nonhuman animals possess the attributes necessary for moral considerability and that denying them rights on the basis of species alone constitutes unjustifiable speciesism. The significance of this research lies in its robust philosophical foundation for extending moral rights beyond human boundaries. Ultimately, this study calls for an expansion of moral rights beyond the human sphere, proposing a more inclusive ethical framework grounded in respect for all sentient beings.

Key words: Moral Rights, Subject-of-a-Life, Speciesism, Intrinsic Value, Human Rights.

Introduction

In moral philosophy and legal theory, the notion of rights continues to be a foundational yet contested concept. Rights—moral or legal—are typically understood as entitlements that protect the interests and dignity of individuals. Historically, such entitlements have been exclusively reserved for human beings, often based on attributes such as rationality, moral agency, language use, or membership in a political or moral community (Feinberg, 1980; Regan, 1983). This anthropocentric framework undergirds much of human rights discourse and is enshrined in foundational documents like the *Universal Declaration of Human Rights* (United Nations, 1948). Yet, pressing ethical questions remain: *Are these attributes justifiable criteria for moral inclusion? Can nonhuman animals, many of whom exhibit complex behaviours, social bonds, and the capacity to suffer, be reasonably excluded from the moral community?* Modern developments in cognitive ethology and neuroscience have increasingly shown that many nonhuman animals possess consciousness, emotional responsiveness, and an awareness of pain and pleasure—capacities traditionally thought to underwrite moral status (Bekoff, 2007; DeGrazia, 1996). In the philosophical tradition, thinkers like Jeremy Bentham (1789/2007) presciently queried: “The question is not, Can they reason? nor, Can they talk? but, Can they suffer?” Similarly, Tom Regan’s (1983) *The Case for Animal Rights* introduced the “subject-of-a-life” criterion, which affirms that beings who have beliefs, desires, perceptions, memories, a sense of the future, and emotional experiences possess inherent value and therefore moral rights.

As explored in the uploaded document, humans have long invoked rights not only as protective instruments but also as expressions of dignity and moral standing. The author notes that “to possess moral rights is to have a kind of protection we might picture as an invisible ‘no trespassing sign,’ protecting individuals from harm and interference. These protections have traditionally been denied to nonhuman animals, based not on a moral assessment of their interests, but on assumptions of human superiority, a view grounded more in speciesism than in objective moral reasoning.

This article interrogates the foundational assumptions of moral exclusivity: *Are humans the only rightful bearers of moral rights, or should moral consideration and rights be extended to nonhuman animals?* The problem arises from the inconsistency of using certain attributes (e.g., rationality, language) to justify moral status, even when many humans (such as infants or individuals with severe cognitive impairments) lack these attributes and yet are considered moral subjects.

The literature on rights attribution spans multiple philosophical traditions. Joel Feinberg (1980) defines rights as “claims” made valid by moral or legal norms. Regan (1983), in contrast to utilitarian approaches like Singer’s (1975), asserts that animals have intrinsic value and should not be treated as mere means to human ends. Singer, while influential, adopts a utilitarian perspective that allows animal interests to be overridden when greater good is achieved—an approach Regan finds morally inadequate. Critics such as Scruton (2000) argue that rights presuppose responsibilities, and since animals cannot fulfil duties, they cannot possess rights. However, this argument collapses when extended to human infants or severely impaired individuals who, though incapable of duties, are universally recognized as rights holders. The document insightfully challenges such views, noting that “to say that an entity has a right is to make a moral claim, not necessarily a cognitive one.” Furthermore, it emphasizes that moral rights are not contingent upon societal recognition or legal codification, but rather are grounded in the moral reality of the subject’s experiences and interests.

The document also presents an incisive critique of common objections to animal rights, including:

- Animals do not understand rights.
- Animals do not reciprocate moral duties.
- Animals are not human, and therefore do not qualify for rights.

Each of these is shown to be philosophically flawed, especially when considered alongside the moral worth of humans who lack those same capacities.

Therefore, excluding animals from the moral community is inconsistent and unethical. It supports a more inclusive moral framework that acknowledges the rights of all sentient beings, based on the “subject-of-a-life” concept and insights from moral philosophy and animal studies.

Objectives

This article seeks to:

1. Clarify the philosophical and ethical basis of moral rights.
2. Critically examine the exclusionary arguments against animal rights based on species, intelligence, or moral reciprocity.
3. Evaluate the relevance of the subject-of-a-life criterion in determining moral considerability.
4. Advocate for the moral inclusion of nonhuman animals based on sentience and intrinsic value, rather than arbitrary species membership.

The central argument of this article is that the exclusive assignment of moral rights to human beings is philosophically untenable. Any being that qualifies as a “subject-of-a-life”—with sentience, emotional experiences, and a capacity for suffering—ought to be granted moral rights, regardless of species. To deny such beings moral status constitutes a form of unjust discrimination known as speciesism.

Materials and Methods

This study adopts a **normative-analytical** and **philosophical-critical methodology**, rooted in the traditions of moral philosophy, rights theory, and applied ethics. Rather than employing empirical data or statistical tools, this research is conceptual and argumentative in nature. It critically examines existing theories, evaluates conceptual clarity, and draws normative conclusions about the attribution of rights across species.

Approach and Theoretical Framework

The research is grounded in **deontological ethical theory**, particularly as articulated in the works of **Tom Regan** (1983), who argues that beings who are “subjects-of-a-life” possess inherent value and thus have moral rights. This is contrasted with **utilitarian** approaches, such as that of **Peter Singer** (1975), who emphasizes the equal consideration of interests based on sentience but permits the overriding of individual interests for aggregate utility.

Regan's **rights-based framework** forms the backbone of the study. He maintains that moral rights are not contingent upon cognitive sophistication, species membership, or legal recognition, but upon the presence of morally relevant characteristics such as sentience, awareness, emotional experience, and purposive behavior—traits shared by many nonhuman animals. This philosophical foundation is employed to assess whether the denial of rights to nonhuman animals is morally justifiable or constitutes speciesism.

The methodology includes:

- **Conceptual analysis** of key terms such as *moral rights*, *moral considerability*, *subject-of-a-life*, and *speciesism*.
- **Critical evaluation** of arguments against animal rights, including their logical coherence and moral relevance.
- **Comparative analysis** of human and nonhuman attributes to test the consistency of moral reasoning across species boundaries.

This approach allows the research to move beyond empirical or biological definitions of life to moral and philosophical assessments of value and justice. It also ensures that the analysis is not culturally or legally constrained, but instead rests on **universalizable moral reasoning**.

Conceptualizing Moral Rights: Definitions, Philosophical Global Perspectives, and Comparative Analysis

1. The Concept of Moral Rights: A Philosophical Foundation

The foundation of moral rights lies in the assertion that certain beings possess intrinsic worth or value, which warrants the protection of their interests irrespective of utility. Moral rights, unlike legal rights, are not granted by institutions or dependent on jurisdiction; they are natural, universal, and inalienable (Feinberg, 1980). Regan (1983) emphasizes that moral rights are grounded in the idea that individuals—be they human or nonhuman—have inherent value by virtue of being “subjects-of-a-life.”

The document asserts that moral rights are closely tied to the concept of moral standing and moral status. *Moral standing* refers to whether an entity has any moral worth, while *moral status* addresses the degree of that worth. According to this framework, possessing rights is not a privilege of species membership but a reflection of being a morally considerable being. As outlined in the document, moral rights apply to individuals based on morally relevant criteria, not arbitrary distinctions like species or intelligence.

2. The Historical Limitation of Rights to Human

Throughout history, rights have been conceived predominantly in human-centered terms. The *Universal Declaration of Human Rights* (United Nations, 1948), for instance, focuses exclusively on human dignity and liberty. These ideas are reinforced by religious and legal traditions that assert humans are “created” with inalienable rights (e.g., the U.S. Declaration of Independence). Such a view presupposes that humans are uniquely capable of moral reasoning and therefore deserving of rights—a notion deeply critiqued in the uploaded document.

However, this anthropocentric view has proven inconsistent. As the document notes, many human beings—such as infants, the cognitively impaired, or comatose individuals—lack the full set of rational faculties yet are not excluded from moral consideration. Hence, rationality, language, or self-awareness cannot consistently serve as a necessary condition for rights attribution (DeGrazia, 1996; Regan, 1983).

3. Criteria for Possessing Moral Rights

The document systematically examines various criteria traditionally used to justify moral rights and exposes their inadequacies:

- **Species Membership:** Declaring that humans have rights because they are human is tautological and morally arbitrary. As the author argues, stating that “humans have rights because they are human” is no more compelling than stating “stones have rights because they are stones.” Biological taxonomy alone provides no moral justification for exclusivity (Regan, 1983).
- **Personhood:** While some argue that only persons (defined as beings capable of moral agency and responsibility) have rights, this excludes large portions of the human population (Tooley, 1972). If personhood is required for rights, infants and the severely cognitively impaired would be excluded—an ethically untenable conclusion.
- **Rationality and Language:** These traits are inconsistently distributed even among humans. Moreover, their absence does not negate one’s capacity to suffer—a trait more directly linked to moral consideration (Bentham, 1789/2007; Singer, 1975).
- **Religious Endowment (Souls or God-Given Rights):** The argument that humans have rights because God gave them to us lacks philosophical rigor and universal applicability. As the document notes, the Bible and other sacred texts do not offer clear statements granting rights, and such beliefs do not serve as an objective standard for moral inclusion (Linzey, 1995).

4. The Subject-of-a-Life Criterion

Central to the article’s thesis is Regan’s concept of the “subject-of-a-life.” This criterion includes beings who have:

- Perceptions
- Desires
- Memory
- A sense of future
- Emotional experience
- Welfare independent of utility to others

Regan (1983) argues that these attributes are morally relevant because they indicate that what happens to the individual matters *to that individual*. Thus, both humans and many nonhuman animals (e.g., mammals and birds) qualify as subjects-of-a-life and ought to possess moral rights.

The document illustrates this point with compelling examples. For instance, it discusses how dogs confined to small cages show signs of boredom, frustration, and emotional suffering—behaviors that mirror human emotional states. This observation is supported by research in animal behavior and neuroscience confirming the presence of emotional and cognitive complexity in animals (Bekoff, 2007).

5. Speciesism: A Moral Inconsistency

The document draws attention to the unjustifiable nature of speciesism—the discrimination against beings based solely on their species. This bias is likened to racism or sexism, where arbitrary biological characteristics are used to deny equal moral consideration.

As argued in the text, if moral status is denied to nonhuman animals based on species alone, yet granted to all humans regardless of cognitive ability, then the criteria for rights attribution are inconsistently applied. This moral inconsistency undermines the credibility of human-exclusive rights and exposes the need for a broader, more inclusive ethical framework (Singer, 1975; Regan, 1983).

6. Objections to Animal Rights and Their Refutation

Several common objections to animal rights are addressed and critically evaluated:

- **“Animals do not understand rights”**: This is irrelevant. Understanding a right is not necessary to possess one—just as infants or the severely mentally impaired may have rights despite lacking such understanding (Francione, 2008).
- **“Animals do not reciprocate duties”**: Again, this is not a condition for rights. Human infants and other vulnerable populations cannot fulfil duties either, yet their rights are upheld.
- **“Animal rights are absurd”**: Critics often mock the notion by referring to voting rights for dogs. But this is a straw man. Animal rights do not imply the right to vote but the right to life, freedom from suffering, and bodily integrity—basic moral protections.
- **“Animals do not respect our rights”**: As the document notes, this is not a valid standard. Rights are not contingent upon reciprocal respect. Predatory behavior is not moral behavior, and nonhuman animals cannot be expected to uphold moral codes constructed by humans.

7. **Toward a More Inclusive Ethical Framework**

Based on the analysis, the article advocates for the moral inclusion of nonhuman animals within the sphere of rights. The recognition of their sentience and subjecthood demands a shift in moral perspective—from one of human superiority to one of interspecies justice.

As Regan (1983) insists, the goal is not merely to improve animal welfare but to abolish systems that commodify and exploit animals. The document affirms this stance, calling for “emptying the cages,” not enlarging them. It concludes that the burden of moral responsibility lies with humans to intervene on behalf of the voiceless and vulnerable—including animals.

Key Findings

The analysis of philosophical arguments and normative reasoning presented in this study led to several important findings related to the research question: *Should moral rights be limited to humans, or extended to nonhuman animals based on morally relevant criteria?*

Key Finding	Description
Speciesism is Morally Arbitrary	Denying rights based solely on species membership lacks philosophical justification and mirrors other forms of unjust discrimination (e.g., racism, sexism).
Subject-of-a-Life Criterion Is Morally Decisive	Beings—human or nonhuman—that possess sentience, awareness, and emotional experience qualify as moral subjects and should be accorded rights (Regan, 1983).
Common Objections to Animal Rights Are Philosophically Weak	Arguments based on animals' inability to understand or reciprocate rights are inconsistent, as these standards are not required for vulnerable humans.
Moral Consistency Demands Inclusion	If rights are granted to humans who lack rationality or self-awareness (e.g., infants, cognitively impaired), they must also be extended to similarly situated animals.
Legal and Cultural Traditions Lag Behind Moral Reasoning	Institutional recognition of animal rights remains limited, though the moral reasoning supporting it is sound and increasingly accepted in academic discourse.

Implications of Findings

These findings have significant ethical and philosophical implications. They challenge the long-standing anthropocentric bias in moral theory and demand a re-evaluation of the boundaries of moral community. If animals meet the same morally relevant criteria as humans, it follows logically and ethically that they deserve comparable moral protections.

This challenges legal systems, religious institutions, and cultural practices that commodify, exploit, or disregard animals, urging policymakers and ethicists to consider reform. The findings also impose moral duties on humans, especially those with power and voice, to advocate for and protect the rights of vulnerable nonhuman beings.

Comparison with Existing Literature

The findings strongly align with the works of Tom Regan (1983) and Peter Singer (1975), both of whom advocate the moral inclusion of nonhuman animals but from different ethical frameworks. Regan's deontological stance is affirmed here through the subject-of-a-life concept, which proves to be a more robust basis for rights attribution than utilitarian calculations of aggregate welfare.

The study contrasts with Scruton's (2000) critique, which argues that animals cannot have rights due to their inability to fulfil moral duties. As discussed in the uploaded document and reaffirmed by Francione (2008), this reasoning is inconsistent, as it would similarly disqualify many humans from possessing rights.

Unlike Singer's utilitarian approach, which allows for overriding individual animal interests for greater human benefits, the present study supports an **inviolable rights model**, arguing that rights—once attributed—cannot be overridden without serious moral transgression (Regan, 1983).

Integration of New Perspectives

The study adds a unique contribution by integrating the concept of **moral consistency** across species boundaries and using **comparative moral analysis**—comparing human infants with animals like dogs or dolphins who show similar levels of awareness, emotion, and memory. It further engages with the *argument from marginal cases*, strengthening the call for an inclusive moral framework. Beyond all these, the moral consideration of nonhuman animals is not merely a theoretical concern but a pressing moral imperative. As moral agents, humans are obligated to extend ethical regard beyond their species, fostering a more just, inclusive, and ecologically responsible world (Metuonu, 2025).

Conclusion

This article critically examines the long-standing assumption that moral rights belong exclusively to humans, arguing that this view is both ethically indefensible and philosophically inconsistent. Through a rigorous analysis rooted in the deontological tradition and supported by the "subject-of-a-life" criterion, the paper contends that many nonhuman animals possess traits—such as sentience, consciousness, preferences, and the capacity to suffer—which are traditionally used to justify moral consideration in humans. Drawing on influential thinkers like Tom Regan and Peter Singer, the study refutes species-based justifications for rights and exposes the arbitrary nature of excluding animals from the moral community. It also addresses and dismantles common objections, such as the idea that rights require reciprocity or comprehension, by highlighting their inconsistent application even among humans. The implications are profound, calling not just for improved animal welfare but for a radical rethinking of our moral and legal systems. The paper recommends future interdisciplinary research to operationalize these ethical insights, including exploring legal personhood for animals, examining supportive or obstructive cultural narratives, and engaging with alternative moral frameworks such as African, Eastern, and Indigenous philosophies. In its final reflections, the article challenges humanity to move beyond species-based moral reasoning and extend justice, compassion, and rights to all sentient beings—arguing that to do otherwise is to uphold a prejudice as unjust as racism or sexism.

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