

Animalhood, interests, and rights

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Abstract

A being to which intentional states - such as desires or preferences - may be ascribed is a being capable of having (actual) interests, whereas to be the subject of interests of some kind is both a necessary and sufficient condition to be the holder of individual rights. After clarifying the sense in which, according to the 'interest-theory', the notion of a rights-subject specifies a distinctive normative status, this article will highlight the importance of distinguishing between subjectivity-dependent interests capable of being attributed to conscious beings, on the one hand, and biologically structured needs of conscious and nonconscious living beings, on the other. This distinction allows one to see that the moral requirement of recognizing legal rights for (individual) animals ought not to be conflated with biocentric demands of ecological justice. However, the argument thus delineated will not, without more, answer the crucial question of which specific legal rights ought to be ascribed to nonhuman animals. The article closes with an exploration of the need for holding onto the distinction between rights-subjecthood and personhood by analyzing some implications of Tooley's 'particular-interest principle'.

Palabras clave

Palabras clave de autor: [animal rights](#); [theories of rights](#); [particular-interest principle](#); [rights-individuation](#); [moral and legal personhood](#)

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