With the increasing demand for organs to transplant, biomedical researchers have come up with a new way of gathering more organs. Xenotransplantation is the process of taking grafts and transplanting organs or tissues between different species, this is usually thought of as transplanting animal organs into humans. It is thought that xenotransplantation can relieve the pressures on the lack of supply of organs. Although, it is possible to use animal organs, the organs would have to come from a genetically modified animal. Even though pigs and baboons have similar anatomy as humans, their organs cannot be directly transplanted. However, this causes ethical concerns about what rights animals have. If animals have the same rights as humans, how is xenotransplantation morally permissible? In the article written by R. G. Frey, animals do not have rights. In my paper I will show that the argument made by Frey proves that animals do not have rights.

Animal rights activists would say animals definitely have rights, but do they? Of course animals should be treated humanely but is this an automatic right? Animals can feel pleasure and pain, which makes some consequentialists reluctant to support the use of genetically modified animals for transplant organs. Also some people who think animals have rights will argue that (1) “each and every criterion for the possession of rights that excludes animals from the class of right holders also excludes babies and the severely mentally-enfeebled from the class of right holders. (2) Babies and the severely mentally-enfeebled, however, do have rights and fall within the class of right holders. (3) Therefore, each and every one of these animal-excluding criteria must be rejected as a criterion for the possession of rights” (Frey 1977). This argument is presented in an indirect way because it is not targeted at proving that animals do have rights, it is directed at “the negative thesis that animal-excluding criteria for the possession of rights will not do, since they exclude as well babies and the severely mentally- enfeebled”. This argument is proven wrong by Frey because premiss (2) cannot be defended and fails, and premiss (1) is false and fails.

Frey has written on animal rights in many settings. In this article, Frey demonstrates that the correct argument is (1) If babies and the severely mentally- enfeebled are proven be right holders, then animals are specifically excluded from right holders. (2) Babies and the severely mentally-enfeebled are proven to be right holders. (3) Therefore, animals are specifically excluded from right holders. Premiss number (1) is proven correct by several different examples: the potentiality principle, the similarity argument, and the religious argument. Each example shows how babies and the severely mentally-enfeebled can be placed within the class of right holders and directly excludes animals from right holding. If the examples are proven to be valid, then each argument can be accepted or rejected independently. First, the potentiality principle states that a baby has the potential to be rational. To be rational is to have rights. If a person or thing does not have the ability to be rational, it cannot be considered to have rights. Rationality is a common theme throughout the examples. The principle does not mention animals because they have no rational capabilities. The second example is the similarity argument which states “in all other respects except rationality and perhaps certain mental accomplishments, the severely mentally-enfeebled betray strong similarities to other members of our species and it would and does offend our species horribly to deprive such similar creatures of rights”. In other words, because the mentally impaired look similar to all other humans, they deserve rights. As humans we cannot turn away the rights of others who have similar characteristics because we make emotional bonds and attachments. This argument divides animals and the severely mentally-enfeebled, because animals have little to no resemblance to humans. Therefore, animals do not have rights. Lastly, the religious argument separates babies and the severely mentally-enfeebled and animals, because babies and the severely mentally-enfeebled possess immortal souls. Immortal souls allow for right holding, and animals do not possess immortal souls. For the religious argument, only humans are considered as beings that have souls. Some people could disagree with this saying that animals do have souls, but animals do not have a relationship with a God.

Premiss (2) in Frey’s argument has been proven to be correct from all of the previous examples described above. In every example, babies and the severely mentally-enfeebled are included as right holders because of the potential babies have to become people, the similarity of the severely mentally-enfeebled to other humans, and the religious argument in which the babies and mentally impaired have immortal souls. Comparatively, the conclusion in Frey’s argument can be understood from the examples as well. Animals are excluded from the category of right holders because they do not have the potentiality to become people, are not similar to humans, and do not have immortal souls. Therefore, animals are excluded from right holding.

One objection could be that all of the previous examples above that argue babies and the severely mentally-enfeebled do have rights, are rejected. Even if the arguments are rejected, animals are still differentiated from babies and the severely mentally-enfeebled. They cannot be put into the same category because animals lack rationality, which is a necessary condition for a right holder.

The argument against animal rights by Frey is proven to be correct because all examples fail to include animals in right holding. Animals have no rational capabilities which makes them lack rights. Babies and the severely mentally-enfeebled can attain rights, but animals cannot.

Work Cited

Frey, R. G. “Animal Rights.” *Analysis*, vol. 37, no. 4, 1977, pp. 186–189. www.jstor.org/stable/3327349.