

Argumentative essay on why dolphins should be considered persons

[War](#), [Intelligence](#)



Human beings, many philosophers such as Kant and Locke have argued, have certain unalienable rights and freedoms. It must be noted in any study of the philosophy of human rights that there have existed cultures where some or many human beings were not granted those rights. Obvious examples is the slavery the permeated Western civilizations concurrently with the drafting of documents like the US Constitution. From this, we can arrive at the viewpoint that just because a being deserves protection under a well-developed morality, does not mean that these persons are being protected. Indeed, history is filled with instances when people were oppressed, marginalized and denied their rights. Using this anecdotal evidence, we can also assume that in today's world there are entities that should be considered persons that are currently being over looked and as a result having their rights denied them. Dolphins, the more scientists study; seem to have enough of the characteristics that constitute a person from a philosophical standpoint that merits our protection. This essay looks into the current science fueling this argument on dolphin intelligence, philosophical reasoning for not just protecting and considering humans as persons, and what a protective bill or rights for dolphins could look like.

Before exploring traits that human share with dolphins, it is important to develop and moral philosophical framework in order to have a reasoned moral system to operate under when considering dolphins, or any animal, as qualifying for personhood.

Philosopher and ethicist Peter Singer in his essay *Speciesism and the Equality of Animals* coins a term that he admits is not an attractive one—speciesism. He defines this word as a bias towards the members of one's own

species. He equates this term with racism and sexism and finds the same unattractive and immoral qualities to be just as relevant in speciesism. He asks a basic question, which seems to have some influence of Kant's Categorical Imperative. He believes that if it is immoral for humans to use other humans and means to the ends of their own selfish purposes, then likewise, it is immoral for humans to use other species for the same end. Senger in his essay quotes the philosopher Bentham who noted that it is immoral to mistreat an infant, but a horse or a dog when full grown clearly have more consciousness and self awareness than a baby. Bentham points out that the question is not about reason or language, but about whether or not animals can suffer. Suffering, Senger believes, is a prerequisite for being given rights.

Sentience, not intelligence, or size, is the only measure for us to determine if a being is worthy of ethical consideration. Rocks, clearly are not because they are not sentient. Senger points out that any other consideration, other than suffering, is as arbitrary a measure as skin color. Most human beings, are specisesists according to Senger. We come in contact with members of other species, animals, most frequently at mealtimes, when we are eating them. We eat animals because of how they taste, the pleasure that they give us, and not for nutritional reasons.

Two important question to consider then is 1) can dolphins suffer and 2) can this suffering be considered on par with human suffering? Daniel Martin, a writer for the Daily Mail, believes that because “ dolphins are almost as clever as humans” they should be treated like humans. He cites scientific research to back this conclusion. According to the scientific research he

cites, next to humans, dolphins are the most intelligent animals in the world. That means more intelligent than dogs and chimpanzees. Marin writes that “ Experts say it is not time for dolphins to be treated as ‘ non-human persons” after research showed their brains have many features associated with high intelligence” ‘(Marin, 1).

If this premise was widely accepted though by lawmakers, surely more would be done about the fact that 300, 000 whales, dolphins and porpoises die annually for a food source or accidents in fishing.

The same tools that are suggesting dolphins should be protected as persons is research that had yielded breakthroughs in our understanding of human neurology. Lori Marino is a researcher who has used MRI scans to study the brains of dolphins and has used that data to compare it with similar data gathered from primates. She said that, “ Many dolphin brains are larger than our own and second in mass only to the human brain when corrected for body size” (Vance, 2011).

But more than just size, Marinos work has found that there are psychological continuity between how the brains of humans and dolphins function, which had “ A profound implication for the epics of human-dolphin interactions.” (Vance, 2011). Marinos findings was that the part of the brain that give human beings awareness, the neocortex, is pound for pound of equal size in dolphins. Marino’s former mentor Diana Reiss, came to similar conclusions as Marinos. Her research found that dolphins could recognize themselves in the mirror, which points to self-awareness and previously had only been observed in elephants and primates (Reiss, 2013).

Jorge Mezcuca, writing for Fordivers , lists ten characteristics that dolphins

share with humans. A diver himself, Muzcua has spent a lot of times with dolphins and from his frequent interactions with them believes that they should be protected as human persons are. The overlap between dolphins and humans are uncanny and range from liking cats, to playing games, asking for help, thinking and acting creatively, helping a lost dolphin find his way, rescuing other species in trouble, being fond of other humans (persons), making mistakes and recognizing that they have been made, enjoying recreational exercise, and having names (Muzcua, 2013).

This last one is a fairly recent discovery, that dolphins, like humans are given unique names at their birth that remain with them for life. This year National Geographic's Christine Dell'Amore writes about dolphins swapping recipes for mollusks and also a new study that “takes the theory (of dolphins language) a step further by asserting that a dolphin will respond when it hears the sound of its own signature whistle, repeating that whistle back in a way that seems to say, ‘Yep, I’m here—did you call my name?’” The study also raised questions for further research as to whether or not dolphins talk about other dolphins who are not present.”

Though there has been much more research on this issue, one thing seems clear, following Peter Singer’s morality system, dolphins share many human characteristics, are capable of suffering in the same way humans are and by the same principle that prompts us to protect the rights of human beings, dolphins should be considered persons and have their rights protected.

As more research between humans and dolphins is done, there may dawn a day when human beings and dolphins will be able to communicate in much more profound ways. For now though, human beings must do the talking for

them a draft a bill of rights, which protects them. With 300, 000 dolphins and whales being killed each year either on purpose or accidentally fisherman should face stiff fines and penalties if their practice kills dolphin's lives. Just as with cars and highways leading to deaths of human beings, human activities are so vast and engrained in our culture that it is naïve to think that 100% of dolphin deaths can be avoided. But if the principle that dolphins, like humans, have a right to life and freedom, then dolphins in captivity will no longer be looked at as an entertaining zoo display, but a free entity being contained against it's will. If dolphins are accepted as intelligent beings will wills, then it follows that they have a right under the same legal systems that protects humans that humans and human endeavors should not be allowed to interfere with those rights. Just as humans once enslaved other humans, moral growth within the society led to a change in how all races were viewed. Like-wise as we learn more about dolphins this research should lead us to re-evaluate how they are treated and what can be done to further protect dolphins as persons.

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