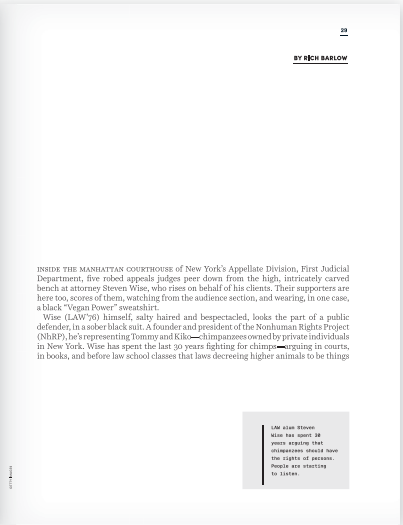




**Nonhuman Rights:  
Is It Time to  
Unlock the Cage?**



**Chimps and Their Rights**

Animal rights champions argue that chimpanzees and other creatures should have rights similar to those of humans (“Nonhuman Rights: Is It Time to Unlock the Cage?” Summer 2017). The trouble with this is, only humans have rights. As School of Law and other alumni may recall from Get to Know Your Constitution Week, which we experienced at LAW in 1967, the preamble to the Constitution, the first amendment and the ninth amendment, and all the Constitution refer to rights of the people. Not animals.

You can call a chimpanzee a person, you can compare a chimpanzee to a person, and you can say a primate has emotions like a person, but it is not a person. It is an animal. No cite needed.

The deeper trouble here is that the management of animals is a matter of legislation, not judicial action pressed by lawyers, no matter how wise. (Couldn’t resist the pun.) The concept of common law does not preempt the Constitution, the supreme law of the land, and the Constitution, in Article I, Section 1, no less, awards all legislative power to the legislature, not to individual lawyers and courts. The states are bound by the same restrictions because the states have to have a republican form of government, which means all states have to have a division of power among an executive, a legislature, and courts. These are deep topics and there is not total agreement with me on these issues.

Management of animals is important to our economy and our survival as...persons. On the other hand, there should be ethical boundaries to our treatment of animals, with regard to confinement, pain, and more. As Steven Wise (LAW’76) points out, animals have pain and feelings just as we do. But the people, acting through the legislature and considering all of the medical and economic and ethical issues, have to decide how to treat animals. Democracy now.

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**A More Colorful Place**

Kudos to Daria Lugina (CFA’19, CAS’19) for her delightful idea to paint the doors of 200 Bay State Road with brightly painted characters (“Bringing Whimsy to Bay State Road,” Summer 2017). I lived there from fall 1967 to spring 1969. Back then, Bay State Road was a more colorful place, with brightly painted front doors on some buildings and fraternity flags hanging from others. On a visit to campus several years ago, I was saddened to see that Bay State Road was, frankly, too homogeneous in appearance. I missed the character the street had in the late ’60s.

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“You can call a chimpanzee a person...but it is not a person.”

GETTY IMAGES (TOP), CYDNEY SCOTT