



OWNERSHIP AND JUSTICE FOR ANIMALS



Concept of ownership

- 18th century: ownership = absolute control of things by a person
- many uncontroversial forms of ownership do not involve absolute or exclusive control
- today, ownership is understood as a bundle of rights and relationships rather than a single absolute

First principle: Moral status

- moral status refers to the idea that a being matters for its own sake, meaning we owe it direct moral duties, not only indirect duties through others
- key distinction:
 - indirect moral concern
 - direct moral concern

First principle: moral status

Francione's view:

- property status turns animals into economic goods
- their value is defined by market or owner interests
- this undermines any recognition of intrinsic moral value
- for example: caging, force-feeding and slaughter for economic reasons

First principle: moral status

Cochrane's view:

- ownership does not necessarily imply commodification
- property is a bundle of limited rights, not absolute control -> these rights can be restricted by law and morality
- Animal protection laws already show that animals are sometimes protected for their own sake, not only for their economic value

second principle: owning animals and rights

- Does the fact that animals are legally owned by humans prevent them from having rights?

Franciones view:

- property and rights are incompatible:
- the law distinguishes between persons and things
- animal welfare laws do not create real rights
- legal welfarism is based on balancing interests -> human interests always prevail

Second principle: owning animals and rights

Cochrane's view:

- rights protect important interests
- ownership does not exclude rights
- animals already have certain legal rights
- Animals' interests can override human interests
- the real issue is the strength of rights

Third principle: owning animals and equality

„The extension of the basic principle of equality from one group to another does not imply that we must treat both groups in exactly the same way, or grant exactly the same rights to both groups. Whether we should do so will depend on the nature of the members of the two groups. The basic principle of equality...is equality of consideration; and equal consideration for different things may lead to different treatment and different rights“

Third principle: owning animals and equality

Possessing animals and equal consideration of interests:

- not all animals have a strong or fundamental interest in liberty
- the moral impact of possession depends on the type of animal
- different cases: highly autonomous animals vs. wild animals vs. domesticated animals
- whether ownership is justified depends not on ownership itself, but on whether it respects the animal's interests. Thus, possession is sometimes harmful (wild animals) but sometimes compatible with justice (domesticated animals)

Third principle: owning animals and equality

Using animals and equal consideration of interests:

- most animals are not autonomous agents and cannot form or revise life plans
- therefore, freedom is not a fundamental interest for most animals in the same way it is for autonomous humans
- what about humans without autonomy?
- all animal use is wrong because it treats animals as „mere means“

Third principle: owning animals and equality

- **Transferring animals and equal consideration of interests:**
- transfer of ownership is not inherently unjust
- the ethical concern is animal welfare, not ownership itself
- some transfers can benefit animals
- regulation rather than abolition

My opinion

- the interests of animals are always weightened against the owners interests
- animals interests in freedom and autonomy seem to be underestimated
- ownership may be the wrong framework; guardianship or stewardship could be a more appropriate alternative

Thank you for your attention!

Any Questions?