

The right to life and liberty

Today we have a story to share with you. We'll be doing lots of thinking in question time, and we'll be hearing from other children, too.

Are you comfortable? Let's get started with the story. It's a story about Nim.

Nim was born in the United States of America in 1973. He was taken from his mother when only a few days old. Nim was given to a New York family, who brought him up until he was nearly two years old. But Nim was unable to communicate and so once again, he was taken from this family and placed with different foster parents, who were able to teach him sign language. But as he grew older, Nim became stronger and was sometimes aggressive towards his second foster mother. Yet again, Nim was moved and yet again, there were some violent outbursts. The next move put Nim behind bars - in a cage, in a medical research centre.



Nim was a chimpanzee and was the subject of an experiment carried out to find out whether a chimpanzee could learn sign language and then, if he could, use it to express emotion. The story of the rest of Nim's life is a sad one. He was rescued from the medical research centre, only to find himself as the only chimpanzee in a home for animals who had been abused by their owners.

In the movie about his life, 'Project Nim', we see him sitting alone in a darkened room, listlessly playing with bits of cardboard. Chimpanzees are social animals, and Nim has no one. When one of his earlier foster mothers comes to see him, he signs to her, 'Let me out.'

Nim died in 2000, aged in his late 20s, which is about half as long as the average life expectancy of chimpanzees in captivity.

Even though there were ethical guidelines for medical research, guidelines that banned some kinds of experiments being conducted on animals, the guidelines allowed the experiment on Nim to go ahead, and Nim had no other legal rights. However, had Nim been a human, he, or someone close to him, could have appealed to the law for protection. The rights of humans are protected by the United Nations' 'Universal Declaration of Human Rights' and signed by the Australian Government, the US and many other governments in 1948. This declaration states that every human being has

“the right to life and liberty...”and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

But Nim was not a human: he was a chimpanzee and had no declaration of rights to protect him at that time. Since then, things have changed in many countries. In 2008, for instance, the Spanish government granted human rights to chimpanzees and other great apes, our closest non-human relatives. Members of these species were granted legal rights to life, liberty, and protection from physical and psychological torture. ‘Liberty’ here means the right to do as one pleases, to have personal freedom of movement and freedom from imprisonment or unreasonable detention. And, for example, the use of great apes in research is permitted only when it “will not have any negative impact” on the animals involved. Many countries also have animal rights laws for different animal species.



Was it okay for the human foster families, mentioned in the story, to keep Nim as he was growing up?

Let’s listen to what some other children have to say.



Elijah: Yes, I think it was okay. Nim might have been happy, because he got to live in a house and get fed and looked after.

Tiana: But he wouldn’t have had other chimpanzees with him, so he may have been lonely.

Mac: I really can’t imagine a chimpanzee, who should be in the jungle, being in a house or a backyard.

Tiana: In the story it says that Nim got aggressive and violent and was moved on to other families, and then to a research centre or something – it was pretty obvious he wasn’t happy.



Was it okay for Nim to be placed in a research centre and used in an experiment?



Elijah: It would be amazing to talk to chimpanzees, to know what they’re thinking.

Tiana: I agree, it would be good, but not if Nim ends up with a miserable life.

Mac: I really can’t see the point of the experiment – I guess the researcher showed that chimpanzees are smart – but so what? It’s not as if knowing that would save the world.

Okay, so it might depend on the point of the experiment.



What about the type of animal? For instance, we use other animals, like mice and rats, for research experiments – is that okay?



Noah: I think that using mice and rats is okay. Sometimes you have to use animals because it’s too dangerous to test things on humans – like for developing vaccines that prevent diseases.

Tiana: Yeh, it's a sad life for the animals, but I think it's okay to put humans first, if it means humans don't get sick or die.

Mac: But experimenting on mice and rats to find a vaccine is way different to keeping a chimpanzee to see if he can learn sign language.



Can you tell us more about why you say that?



Mac: Well he signed "Let me out" to his foster mother! Chimpanzees are smart, they're big, they need other chimpanzees.

Elijah: Yes, I agree. Keeping chimpanzees in a cage, that's just wrong. Rats and mice are different.



Okay. I'd like to go back to what someone said earlier: That it is a sad life for animals, but it's okay to put humans first, if it means humans don't get sick or die. So, if you find that what is good for humans is not what is good for the animals and you're concerned about that, how might you decide what is more important?

Let's think about this further by exploring a scenario.

Occasionally we hear about a surfer or swimmer that has been attacked by a shark. And sometimes when this happens, people go hunting for the shark. If they find it, they kill or capture it to prevent it from attacking other people.



Is that okay? Or does the shark deserve the right to liberty - that is, to live in its natural environment - without being killed or captured? Do surfers and swimmers deserve the right to be safe in the sea? What do you think?

Let's hear what other children are saying:



Elijah: Well, if the shark attack was at my beach, I'd want the shark caught.

Tiana: How do the hunters know which is the right shark – the shark that attacked the surfer? That sounds pretty random to me.

Mac: But even if it is the right shark, it's not fair. Surfers and swimmers are in the sea because they want to be there, it's a choice, but for sharks it's different - the sea's where they live.



So, does the shark deserve the right to liberty - that is to live in its natural environment - without being killed or captured?



Elijah: Yeh, I think I've changed my mind about catching the shark. Maybe if I want to go to the beach, I'll go to one that has a shark net.



So, when there is a conflict between what's good for surfers or swimmers and what's good for sharks, how do you decide what is more important?

Let's return now to our story of Nim. We heard, at the end of the story, about the Universal Declaration of Human Rights which was adopted by the United Nations in 1948. It recognises that every human being has rights, including "the right to life and liberty", and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. That means that if a human were to be treated like Nim, this treatment would be a violation of fundamental human rights.

We also heard that since the Universal Declaration of Human Rights came about, there have been developments, including in Spain, where the government granted human rights to chimpanzees and other great apes, our closest non-human relatives. Many countries also have laws to protect the rights of different animal species.



Do you think that chimpanzees (like Nim) and other great apes should be granted some of the same rights as humans, like the right to life and liberty and the right to not be subjected to "torture or to cruel treatment"?

What do you think, and can you say why you think this?

What about other animals, like mice and rats and sharks? Do they deserve the right to life and liberty too?

Or could it be that great apes deserve these rights but other animals like mice and rats and sharks don't?

And if so, what's the difference between great apes and these other animals?

We heard some really thought-provoking ideas today! Thank you for joining us. You might like to keep thinking about Nim, and whether human rights should be granted to great apes and other animals.

Maybe you could have a talk to your family and friends to see what they think, too.

Photo credit: [ShonEjai](#) from [Pixabay](#)

Thank you to our wonderful actors Elijah, Mac, Noah and Tiana who helped us to hear different points of view. While sometimes these points of view might have reflected their own opinions, at other times they were asked to express an opposing view in order to help us think more deeply about the topic.