

Humans Are Dumb At Figuring Out How Smart Animals Are

May 23, 2018

If an animal is smart enough, should we treat it like a human? An abstract question, but one that found its way into a courtroom recently. A [case bidding for consideration by the New York State Court of Appeals](#) sought to extend the legal concept of habeas corpus — which allows a person to petition a court for freedom from unlawful imprisonment — to cover two privately-owned chimpanzees. The case for giving the chimps a human right like freedom from unlawful incarceration is based on their similarity to humans — they can think, feel and plan, argue the people bringing the case on behalf of the chimpanzees, so shouldn't they have some guarantees of liberty? The court declined to hear the case, but one judge did say that [some highly intelligent animals probably should be treated more like people](#) and less like property.

It's just one judge, but you hear this kind of thing a lot from animal rights activists. The Nonhuman Rights Project, the nonprofit behind the habeas corpus lawsuit, has a stated goal of securing increased, human-like rights for [great apes, elephants, dolphins and whales](#) — highly intelligent, charismatic mammals.

So, does a chimpanzee deserve more rights than, say, a pigeon? The logic that leads to “yes” is clear enough, but putting it into practice would be tough, scientists say. Because when it comes to measuring intelligence, we're actually a little dumb.