

The murder of Johnny

He may have been a bit of a thug, but he was shot down simply for being a nonhuman ape

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Johnny was shot dead on Saturday, in the green meadows of Whipsnade. Here, north of London, he lived with his friend Koko, and five other companions. Johnny, in his 40s, was "a bit of a thug", according to some. Was this a reason to kill him? He wasn't attacking anyone, and had no gun. Surely whoever pulled the trigger was arrested, and the shooting investigated?

Not so. For Johnny was a chimpanzee, not a human. He was not a member of the privileged club that enjoys basic moral rights. In fact, he was an object, an item of property under the law. That's why he could be deprived so lightly of his life. That's why he had been for decades deprived of his freedom. The wildlife park was his prison; and when he did what any of us would have done in his place - escaped - he was shot dead.

Why this radical difference in treatment? Is it because chimpanzees are not members of our biological group? But contemporary egalitarianism, condemning racism and sexism, has rightly argued that individuals cannot be discriminated against on the basis of membership of a particular biological group - and discrimination based on species membership is a form of biologism. Thus we can no longer treat nonhuman animals as second-class beings: the appeal to "speciesism" is unacceptable.

Are we perhaps entitled to say that the richer inner life of humans entitles them to more serious moral consideration? From an ethical point of view, such a hierarchical approach is intuitively detestable - it would imply that we could treat intellectually impaired humans differently. But it is also flawed in the case of the nonhuman great apes. Chimpanzees, gorillas and orang-utans are our closest relatives, sharing 98-99% of our DNA, and "great apes" is a natural category only as long as it includes humans. Shouldn't we suppose that Johnny and his fellow beings are quite similar to us?

And so they are. The gestures with which they communicate are similar to ours; they are capable of complex cooperation and social manipulation; cultural transmission includes teaching; and different societies produce distinctive traditions with respect to tool-using and tool-making. Reason - this long favoured mark of our superiority - is clearly detectable when they solve social problems by forming coalitions over access to power, food or sex; identify and cleverly use medicinal plants; or make choices appropriately motivated by one's beliefs, as when they follow a tit-for-tat strategy, helping helpers and dismissing cheaters.

Finally, although language was long considered uniquely human, some nonhuman great apes have recently learned the American sign language for the deaf - developing a vocabulary of hundreds of terms and combining them in a manner recognised as grammatical.

It is difficult not to conclude that chimpanzees - and gorillas, and orang-utans - are the first nonhuman persons we have encountered. And the conclusion does not change if we follow the contemporary ethical reflection that a person is a being that can consider itself in different times and places. The nonhuman great apes pass the test of self-recognition in mirrors, formulate and carry out plans, use personal pronouns, show embarrassment, or even "think aloud" by signing to themselves.

People have the right to life, freedom and welfare. This is what Johnny deserved. True, that "bit of a thug" couldn't be easily convinced to return to his prison. But he should never have been kept prisoner in the first place.

We would not shoot dead a human escapee. But there will come a time when this killing will be seen for what it is - murder.

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