

New York court rejects granting legal personhood to chimpanzees

Advocates of “legal personhood” to chimpanzees have lost another battle.

This morning, a New York appellate court rejected a lawsuit by the Nonhuman Rights Project (NhRP) to free a chimp named Tommy from captivity. The group had argued that the chimpanzee deserved the human right of bodily liberty.

“The court nailed it,” writes Richard Cupp, a law professor at Pepperdine University in Malibu, California, and a noted opponent of personhood for animals, in an e-mail to *Science*. “The decision directly addressed the arguments for nonhuman animal legal personhood, and demonstrated clearly why they are wrong.”

The court’s decision is the latest setback for NhRP, an animal rights group that [has been trying to free four New York chimpanzees](#)—including two research chimps—since 2013. Two of the animals—Tommy and Kiko—live in cages on private property, according to the group. The other two—Hercules and Leo—are lab chimps at Stony Brook University.

In each case, NhRP filed a writ of habeas corpus, which allows a person being held captive to have a say in court. Lower courts rejected the lawsuits late last year, but NhRP appealed, and [the first of those appeals](#)—involving Tommy—was heard this October. The group hopes to eventually extend its argument about the right to bodily liberty to a variety of other animals.

In today’s [decision](#), the court states that chimpanzees, although cognitively complex, aren’t entitled to the same legal status as human beings. “[We] conclude that a chimpanzee is not a ‘person’ entitled to the rights and protections afforded by the writ of habeas corpus,” the judges write. Only people can have rights, the court states, because only people can be held legally accountable for their actions. “In our view, it is this incapability to bear any legal responsibilities and societal duties that renders it inappropriate to confer upon chimpanzees the legal rights ... that have been afforded to human beings.”

Instead of trying to grant rights to chimpanzees, the court notes that NhRP could push for further legal protections for the animals, perhaps by advocating for stricter state animal welfare laws.

Read full, original article: [Chimpanzee ‘personhood’ fails on appeal](#)