

Dolphins and the Question of Personhood

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In the challenge to humanity's self-declared status as the apex of the biological hierarchy, center stage has been given to the nonhuman great apes - chimpanzees, gorillas and orangutans. Their genetic makeup, psychological capacities, and cognitive abilities reveal that these beings are so much like humans that it now seems that only patently biased and self-serving objections could be advanced against the Great Ape Project's call to recognize these mammals as members of the "community of equals". In particular, the ability of such apes as Washoe, Koko, Chantek and Kanzi to communicate via sign language or lexical keyboard has made a powerful case for the idea that these beings are self-aware with impressive linguistic abilities and a surprisingly rich inner life. In short, an overwhelming case can now be made for the claim that chimpanzees, gorillas and orangutans are, indeed, nonhuman persons.

To the extent that the debate stimulated by the Great Ape Project has advanced the standing of this group of nonhumans in the moral community, this marks major progress. However, precisely because of the close relationship between humans and other members of the great ape family, the debate about whether chimps, gorillas and orangutans are persons has been dominated by criteria that essentially mirror humanity. That is to say, the case in behalf of these great apes largely boils down to arguing how similar they are to humans. Accordingly, discussion about whether these apes are persons focuses primarily on such issues as how well they use tools, comprehend human speech, use human-designed languages and even perform on human intelligence tests. Yet while this is an understandable strategy because it makes it easier for members of our own biological family to be seen as persons, it makes it harder to extend this status to beings who have very different evolutionary histories from ours or live in environments foreign to humans. In short, the gains made on the one hand risk being offset on the other by an unwitting encouragement of species bias in the definition of personhood.

The beings most likely to be overlooked on this score are, paradoxically, those who probably have an even stronger case for personhood than the great

apes - the cetaceans, especially dolphins. These marine mammals have been the object of human fascination for millennia, and between anecdotal and scientific evidence, they have emerged as beings who are highly sophisticated - socially, intellectually and emotionally. However, dolphins remain especially vulnerable to harm from humans. Human fishing techniques regularly harass dolphin communities; tuna fishing and driftnets have killed millions of dolphins; hundreds of dolphins worldwide live in entertainment facilities; "dolphin swim" programs are spreading; wild dolphins still are occasionally taken from their home waters; and ecotourism threatens significant social disruption of dolphin communities. In order to have a firm philosophical basis to challenge these human behaviors, it is especially important that dolphins' standing in the moral community be recognized.

Personhood

Although philosophers debate the appropriate criteria for personhood, there is a rough consensus that a person is a being with a particular kind of sophisticated consciousness or inner world. Persons are aware of the world of which they are a part, and they are aware of their experiences. In particular, persons are aware of the fact that *they are aware*, that is, they have some sort of *self-awareness* and reflective consciousness. And the presence of such a sophisticated consciousness is evident in the actions of such beings.

If we translate this general idea into a more specific list of criteria, we arrive at something like the following.

1. A person is alive.
2. A person is aware.
3. A person feels positive and negative sensations.
4. A person has emotions.
5. A person has a sense of self.
6. A person controls its own behavior.
7. A person recognizes other persons.
8. A person has a variety of sophisticated cognitive abilities.

There are, of course, potential problems with this or any such list.

- For example, precisely what do we mean by "alive"? If technological advances eventually produce an intelligent computer of the sort that now inhabits only science fiction novels, would it qualify as a person?

- As our list of necessary traits unfolds, we see a being that is unquestionably a "who", not a "what". But how sophisticated are the cognitive abilities that we