

urable, very do-it-yourself," Anderson explains. "We may even get the neighbors to help with the installation."

Although pleased with the competition's objectives—and his students' design—France remains discouraged by the community's general unwillingness

to embrace storm-water management strategies even as individuals readily complain about flooding. "Walk around. How many people are using rain barrels?" he asks. "Even Harvard"—with its many flat roofs and sloped lawns with drains emptying directly into the

Charles—"is a poor environmental citizen." ~CATHERINE DUPREE

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#### SIMIAN STATUS

## Chimpanzees and the Law

IT'S STILL LEGAL to buy our closest living relatives as pets," declared Jane Goodall, the renowned primatologist. "You can buy them on the Internet." She spoke at a symposium on "The Evolving Legal Status of Chimpanzees" cosponsored by Harvard Law School's Student Animal Legal Defense Fund and the nonprofit Chimpanzee Collaboratory; the September conference explored legal protections (and lack of same) for the great apes, a subcategory of primates that includes chimpanzees, bonobos, gorillas, orangutans—and, according to some proponents, humans.

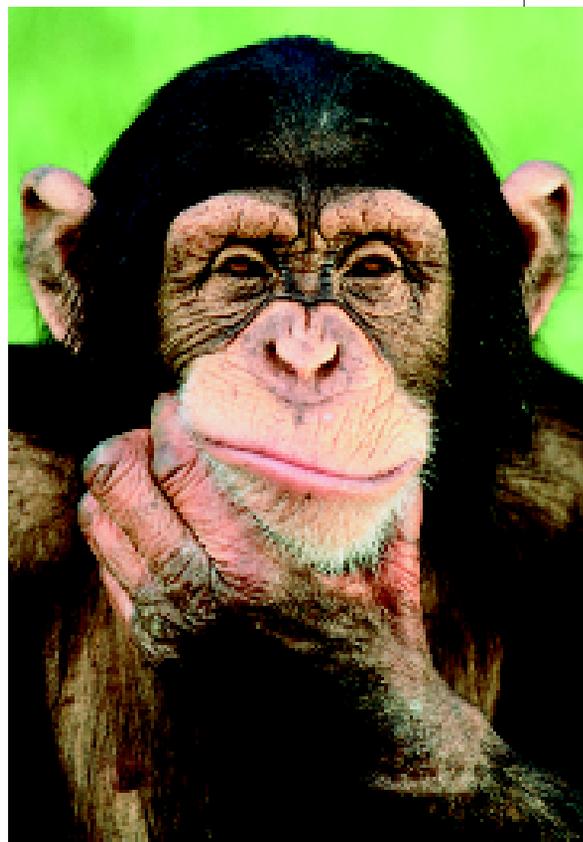
In fact, human and chimpanzee DNA are 98.7 percent identical, a biological fact that has supported the use of these primates in laboratory research. Goodall, however, claimed that such studies have not produced major scientific advances. "I want a new mindset," she said. "We need to recognize that animal medical research hasn't helped that much." (For a broad discussion of this issue, see "Animal Research," January-February 1999, page 48.)

Goodall's landmark study of chimpanzees in Tanzania helped redefine the boundaries between animals and humans, the very boundaries that were the symposium's focal point. The event attracted primatologists like Richard Wrangham, Moore professor of biological anthropology, who directs the Kibale Chimpanzee Project in Uganda, as well as legal figures such as Stephen Wise, who taught the first animal-rights law class at Harvard, in 2000, and Frankfurter professor of law Alan Dershowitz. Most speakers took as given that chimpanzees can communicate and emote, and that their rights should be expanded.

"This is all stuff we've known for 35 years," said Roger Fouts, professor of psychology at Central Washington University and author of *Next of Kin*, a book about his experiences while teaching American Sign Language to a chimpanzee named Washoe. "Chimps talk," he said. "Big deal. This is what they do." Gorillas talk, too; in the 1970s, a Stanford graduate student, Penny Patterson, taught sign language to a gorilla named Koko. (For Goodall, the divide between humans and other primates is slight; at one point she referred to "Washoe and Koko and people like that.") Fouts accused the eminent MIT linguist Noam Chomsky, a vocal critic of the notion that chimpanzees possess verbal communication faculties, of "pandering to human arrogance in order to sell books."

Several speakers, including Dershowitz and Goodall, compared the chimpanzees' situation with that of slaves in nineteenth-century America. Going even further, Fouts drew an analogy to Nazi Germany: "We abuse animals to make ourselves feel better, and we justify it," he said—just as Nazis justified their attacks on Jews and the mentally retarded.

Dershowitz argued that animals do not have inherent rights, but rather rights vis-à-vis people. In other words, because great apes can show that they suffer, and because people can see that they suffer, it would be humane to make laws to prevent that suffering. "You can't really make the argument that animals have the right to live," he said. "If we did, humans would have to protect the smaller animals in the jungle from the larger animals."



Politically, the great apes are making some gains. The Uniform Trust Act of 2000 allows designation of an animal as the beneficiary of a trust. About 25 U.S. universities now offer classes in animal-rights law and Oxford University Press will publish an animal-rights-law anthology, edited by Cass Sunstein '75, J.D. '78, and Martha Nussbaum, Ph.D. '75, this coming fall. Not only do federal regulations issued by the Department of Agriculture prohibit keeping chimpanzees in psychologically harmful environments, but the National Institutes of Health has announced a \$24-million, 10-year grant to fund the country's first convalescent home for chimpanzees: Chimp Haven, a 200-acre site in the Louisiana rainforest, will shelter 800 chimpanzees

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## Right Now

that have survived medical experiments.

Yet the great apes' home territories are endangered around the world: the rainforest is still disappearing at an alarming rate. Goodall mentioned an active black-market trade in "bush meat"—apes killed by poachers—in the Congo River basin. "The conservation strategies we're using are not working," said Wrangham.

What *may* help is to have as many humans as possible meet an ape face to face. Goodall told of a pivotal encounter she had many years ago. Crawling through brush in Africa, she was chasing a chimpanzee and sensing that the animal feared her. When she finally caught up to it, human and ape faced off for a moment; then, the chimpanzee reached out and squeezed Goodall's hand in a gesture of reassurance. "At that moment," said Goodall, her voice betraying the awe she felt long ago, "I knew I had gained the trust of a wild chimpanzee." What's more, she instantly understood that the gesture made sense to her because it was spoken in a common language, inherited from a common ancestor. In the end, Goodall believes, such encounters will convince humans that apes can indeed communicate. After meeting a chimpanzee up close, and perhaps even holding its hand, "People never, ever get over it," she said. "They're changed for life."

~ELIZABETH GUDRAIS

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