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Sentience is the foundation of animal rights

Commentary on [Chapman & Huffman](#) on *Human Difference*

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Abstract: Chapman & Huffman argue that the cognitive differences between humans and nonhuman animals do not make humans superior to animals. I suggest that humans have domain-general cognitive abilities that make them superior in causing uniquely complex changes in the world not caused by any other species. The ability to conceive of and articulate a claim of rights is an example. However, possession of superior cognitive ability does not entitle humans to superior moral status. It is sentience, not cognitive complexity, that is the basis for the assignment of rights and the protections under the law that accompany them.

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1. Introduction

The title of the target article asks the question “Why do we *want* to think humans are different?” (italics added). Inclusion of the verb *want* implies the meaning “What is the motivation to hold the belief that humans are different?” This is an important question, but it is not the main question that Chapman & Huffman (2018) (C & H) address. Rather they address the question: Do we have evidence to think that humans have traits that are unique in ways that make them superior to animals? Their answer to this question is no. In defense of their answer, they argue that “many of our previous criteria for human uniqueness have proved wrong.” They provide three supporting examples — tool use, the use of medicine and the erection of complex structures.

2. Humans are cognitively unique because they possess domain-general ability

As C & H note, other items could be added to this list. Behaviors reminiscent of human religious ritual such as troop-wide vocal responses to the setting and rising sun by baboons, and chimpanzees who adorn themselves with bits of vegetation while engaging in “ritualized” group movement (Wulff, 1997, pp. 147-154) come to my mind. The observation that cats and meercats teach their young (Premack, 2010) is also relevant. However, even adding these examples, I still find C & H’s argument unconvincing unless they present evidence that animals have domain-general cognitive abilities. In this I follow Premack (2007; 2010) who observed that the behavioral repertoire of humans is far more extensive and flexible than that of animals even within behavioral categories they share. He summarized this position as follows: “Humans command all

cognitive abilities, and all of them are domain general, whereas animals, by contrast, command very few abilities, and all of them are adaptations restricted to a single goal or activity” (Premack 2010, p. 30). Hence, humans have domain-general cognitive abilities that render them superior in the ability to react to challenges from our physical and social environments in ways that, for better or worse, result in complex impacts on the world that are qualitatively different from those caused by any other species.

3. The false analogy between the rights of humans and animals

C & H inadvertently provide an example of uniquely human domain-general cognitive abilities. When the Constitution of the United States was written, the human rights enumerated therein were denied to Blacks of both sexes and to white women. Part of the rationale for this exclusion was the belief that white men were intellectually superior to Blacks and women.

African Americans and women are no longer categorized as intellectually inferior and are afforded equal rights as citizens. C & H imply that just as these “categorizations have changed dramatically over time” for African Americans and women, the categorization of animals as inferior will change with the consequence that a broader spectrum of rights will be afforded to them. This analogy fails to recognize the crucial role played by the “vaunted intellect, communication skills, and morality” of members of the presumed “inferior” group — such as Frederick Douglass; Martin Luther King, Jr.; Susan B. Anthony; and Betty Friedan — in effecting this change. Unless I have missed something, the Thomas Jefferson of bonobos has yet to produce a document proclaiming the inalienable rights of animals. Other behavioral traits may also distinguish humans from animals, but I suggest that the ability to conceive of and articulate a claim of rights is unique to humans and a definitive behavioral indicator of human cognitive superiority.

4. Sentience, not cognitive complexity, entails the obligation to extend rights to animals

I reject C & H’s claim that humans do not have certain qualitatively unique cognitive traits that give them, in comparison to animals, superior ability to alter the world in novel and ingenious ways. However, I also reject that this human-animal difference excludes, as the philosopher Carl Cohen (1986) contended, animals from being part of our moral community and, thereby, from possessing rights.

Sentience, the ability to experience different feelings such as suffering or pleasure, not cognitive complexity, is the essential characteristic required for granting rights to an animal species. There is a substantial literature indicating that sentience extends to animals at least as distantly removed evolutionarily from humans as bony fish (e.g., Sneddon et al., 2018; Woodruff, 2017; 2018). I believe it is a human moral imperative that the rights of all sentient beings be protected. Because animals, unlike humans, cannot gain this protection by their own efforts, it is our responsibility to apply our “vaunted intellect, communication skills, and morality” to using this literature to advocate for them. In this C & H and I agree, as does Juergens (2018) who closes her commentary on the target article with the pointed sentence: “If we pride ourselves on our unique intellect, we ought to also pride ourselves on assuming the responsibility that comes with it” (p. 3).

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