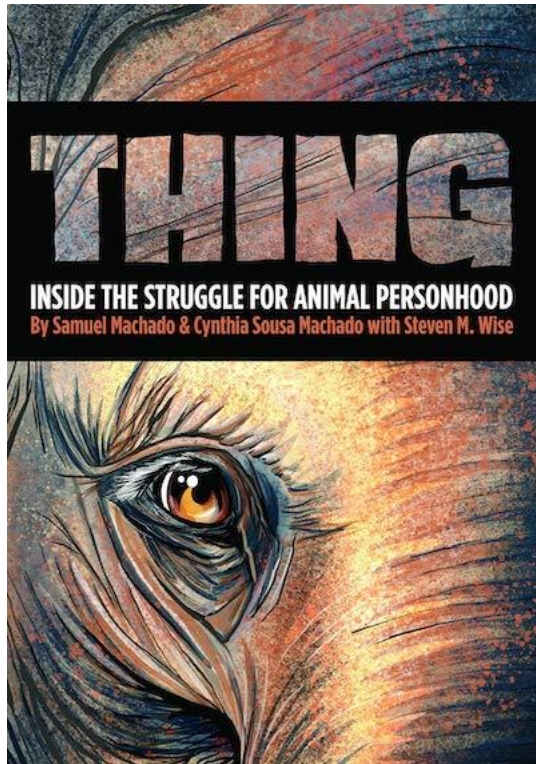


Animals Are Not "Things": Happy the Elephant and Personhood

From [Marc Bekoff, Animal Emotions / Psychology Today](#)

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An inspiring book of cartoons covers efforts to recognize nonhumans as persons.



[Available from Island Press](#)

Thing: Inside the Struggle for Animal Personhood follows the battle to move Happy, a 50-year-old Asian elephant, from the Bronx Zoo to sanctuary... I hope that this groundbreaking graphic novel will bring others to see, as I have, that we cannot continue to treat autonomous beings as if they exist for our [education](#) or entertainment.”

— From the foreword by Joyce Poole, Co-Founder and Scientific Director of ElephantVoices

Globally, nonhuman animals (animals) are considered to be “things”—objects and property—in the eyes of legal systems with no fundamental rights. Clearly, animals who have complex minds, deep social, intellectual, and emotional lives, and who are able to make choices (have agency) and display self-recognition are not things. Yet, Happy, a clearly smart and sentient elephant, has been caged at the Bronx Zoo for most of her 48 years and has remained largely isolated and [lonely](#) for more than a decade.

Some of the nitty-gritty scientific, philosophical, and legal details about what it means to grant personhood and fundamental rights to other animals are difficult for people to understand, and I’m pleased that a new beautifully designed and illustrated book written by award-winning cartoonists Sam

Machado, Cynthia Sousa Machado with lawyer [Steven Wise](#) titled *Thing: Inside the Struggle for Animal Personhood* clarifies many of the difficult and not-so-difficult to understand issues.^{1,2}

I starred review by Publishers Weekly calls *Thing* an “Essential graphic account of the fight for certain animals to achieve legal ‘personhood’... thought-provoking and inspiringly hopeful manifesto.” I fully agree and am pleased that Sam could answer a few questions about this landmark book.

Marc Bekoff: What motivated you to write *Thing*? And as a graphic novel, no less?

Sam Machado: The subject of animal personhood is a tough hurdle to protecting animals in court. Without it, an animal has no standing to have their interests rather than their owners heard in court. When you’re talking about an animal like Happy, an autonomous elephant, an individual more like you and me than a corporation can ever be, why can’t she challenge the grounds of her confinement through a surrogate the way we would for a child or ill patient?

The Nonhuman Rights Project (NhRP) petitioned for a writ of habeas corpus to do just that on her behalf, but the responses of some courts grew increasingly abstract. We thought a graphic novel was a great way to unpack some of that dense material.

MB: Who is your intended audience?

SM: *Thing* is for everyone. But if you are interested in animals, like animal [cognition](#), wildlife, habitat conservation, law, or comics, you’ll find something for you. We believe current and aspiring advocates, educators, and future legal professionals will find new insights from Happy’s story and the stories of other cases worldwide.



Source: Samuel and Cynthia Machado, used with permission.

MB: How does your book relate to your backgrounds and general areas of interest?

SM: Cynthia and I are cartoonists, but we studied sociology and [philosophy](#), respectively, in another life. We’ve been writing comics about rights, consciousness, autonomy, and [identity](#) since our satirical

webtoon *Cyberbunk*. Steven [Wise](#), our co-author, and the groundbreaking cases brought by the NhRP resonated with us. These cases presented the best research from leaders in animal cognition to the courts. Their evidence remains un rebutted to this day.

MB: What are some of the topics you weave into your book, and what are its major messages?

SM: Happy is an individual, but her story is shared with countless other captive elephants in the U.S. and abroad. She remembers her life before captivity. She has a sense of self, and science shows that, like other elephants, she can communicate, remember, and experience [grief](#). Yet she is still considered a thing by the court. Habeas corpus is the legal doctrine that allows any person to challenge the grounds of their captivity. *Thing* follows Steve and the NhRP as they attempt to convince the court to grant Happy the legal protection of personhood.



Through Happy's story, we talk about how our society came to treat animals like legal things instead of persons, stretching back to Greek philosophers and further. We describe current animal welfare and protection laws and how they fall short. And we dig into the mountains of un rebutted scientific evidence for Happy's autonomy and the capacities of the NhRP's other clients like great apes and cetaceans.

MB: How does your book differ from others that are concerned with the same general topics?

SM: Many books on animal rights discuss philosophical shifts in our individual or societal perspectives. In *Thing*, we take a more practical perspective, bringing readers into the courtroom where cases like Happy's are decided. The NhRP's work is groundbreaking but is just the beginning of a paradigm shift happening worldwide, as places like Ecuador, Argentina, Colombia, India, and New Zealand put the rights of nature into law.

Thing is also unique because of its focus on art and visual storytelling. Seeing scenes from Happy's life helps us connect with her on a personal level—and makes it that much harder to deny her personhood.

MB: Are you hopeful that as people learn more about personhood in nonhumans, they will treat other animals with more respect and dignity?

SM: Absolutely! We hope readers will recognize animals as individuals with identities, families, histories, and a sense of self. We hope that readers understand that these animals, especially the ones that share many human traits and capacities, remember their lives and handle captivity and [trauma](#) in similar ways to us. It is essential that we recognize these animals' intrinsic value, upholding their right to dignity as well as our own.

References

In conversation with [Sam Machado](#). Co-author [Cynthia Sousa Machado](#) and Sam are the husband-and-wife team behind the cartoons "I Got This" and "If I Don't Get Pants." Their work together involves identity, politics and social justice issues. [Steven M. Wise](#) is founder and president of the Nonhuman Rights Project. He has practiced animal protection law for 30 years throughout the U.S. and is the author of *Rattling the Cage: Toward Legal Rights for Animals*; *Drawing the Line: Science and the Case for Animal Rights*; *Though the Heavens May Fall: The Landmark Trial That Led to the End of Human Slavery*; and *An American Trilogy: Death, Slavery, and Dominion Along the Banks of the Cape Fear River*. Wise has taught Animal Rights Law at Harvard, Stanford, and seven other law schools.

1) [The Nonhuman Rights Project: An Interview with Steven Wise.](#)

2) Cartoons are very effective ways to make complex ideas accessible to a broad audience: [Demystifying Dogs' Minds: A Fun-Filled Illustrated Guide](#); [A Witty Exposé of Animal–Human Conflicts](#).

[Compassionate Conservation, Sentience, and Personhood](#); [An Ape Ethic and the Question of Personhood](#); [Sandra Orangutan and Personhood: An Essential Clarification](#); [Sandra Orangutan Declared a Person With a Right to Freedom](#)