

ANIMALS, CULTURE AND THE LAW

Law 381 Fall 2011

Maneesha Deckha, Associate Professor

<u>UNIT VALUE:</u>	1.5
<u>CLASS TIMES:</u>	1:30 pm to 2:50 pm, Tuesdays and Thursdays
<u>LOCATION:</u>	Room 204, Law (Fraser) Building
<u>OFFICE HOURS:</u>	Tuesdays, 3pm to 4pm
<u>CONTACT INFO:</u>	Room 230, (250) 721-8175, mdeckha@uvic.ca . My assistant is Gail Rogers and her contact information is: Room 241, (250) 721-8160, grogers@uvic.ca .

1. COURSE DESCRIPTION

This seminar will explore the relationship between nonhuman and human animals, focusing on the legal and ethical issues raised by the status of animals as property. In particular, we will look at how recent technological and cultural developments have redrawn the human/nonhuman boundary, implicating what it means to be “human”, and resulting in a renewed questioning of the current scope of legal personhood. Specific topics include the examination of: 1) the current law characterizing animals as property; 2) the various western philosophical positions on animals that have animated the law; 3) the idea of animal rights and other interests and the different types of theories (deontological, utilitarian, ecofeminist, postcolonial, queer, poststructuralist) that argue for greater legal protection of animals; 4) the types of legal alternatives proposed to animals’ current status as property; and 5) the impact that greater legal protection for animals will have on marginalized human communities and the commitment to cultural pluralism, the politics of animal advocacy movements in this regard, and the possibility of human and animal rights coexisting. With this theoretical foundation, we will then consider the laws and ethics surrounding the use of animals as medical research objects, food, companions, entertainers, and as symbols of meaning in cultural and religious traditions. Issues of difference and hierarchies organized along gender, race, class, culture, ability, religion, and species will be integral to this course.

2. COURSE OBJECTIVES:

- ✓ To engage in critical theoretical analysis about law and culture in relation to animals.
- ✓ To understand the legal implications of the property status of animals.
- ✓ To actively learn in a learner-centered and cooperative environment dedicated to the development of critical thinking and analytical skills.
- ✓ To hone communication skills (oral, aural and written).
- ✓ To refine legal and academic research and writing.
- ✓ To motivate students to assume responsibility for their own learning.

EVALUATION:

<p>a) Research or Integrative Paper (between 5000 and 7000 words, exclusive of other text. Papers that do not comply will be subject to penalty.)</p> <ul style="list-style-type: none"> You must submit a written introduction to me by the beginning of class on October 4, 2011. You must submit in hard copy. Imagine that you are writing the introduction of your paper. This introduction should include at the very least two types of paragraphs, namely: a) a <u>thesis paragraph</u> stating what you will argue in your paper; and b) a paragraph outlining how your argument will proceed, reading like a <u>“roadmap”</u> of the paper. This submission will not be graded, but is nonetheless required. Completion of the introduction will count toward an automatic 1% of the final grade. Failure to submit the written introduction and thesis paragraph will result in a loss of this 1%. You must submit a complete draft of your paper by the beginning of class on November 22, 2011. This submission will not be graded, but is nonetheless required. Submitting a draft will count toward an automatic 2% of the final grade. Failure to submit the draft by this date will result in a loss of this 2%. A “complete draft” means the body of the paper must contain at least 5000 words and that <u>all</u> parts of the body of the paper are written in draft form although citations may not yet be complete. The above submissions will be penalized by 1% of the overall grade per day or part thereof, including weekends, that they are late. You must present your paper as assigned during the paper presentation date on December 1, 2011. This is an opportunity to receive peer feedback about your research in a supportive environment. Completing a presentation will count toward an automatic 2% of the final grade. Failure to complete your presentation will result in a loss of this 2%. Further information about presentations will be discussed closer to the above dates. Due date for final paper: 4:00p.m, Friday, December 9, 2011. This is a strict deadline. Papers must be submitted in hard copy to the front law school reception and by e-mail to mdeckha@uvic.ca and have the word count on the cover page. <u>Papers submitted late will be penalized at the rate of 1% per day or part thereof, including weekends, that they are late.</u> The paper will count for 65 or 75% of your final grade. You will be assessed on quality of content, analysis, organization, research, writing style, and citation completeness. Papers should conform to the most current version of the <i>McGill Guide for Legal Research and Writing</i> for citations and include a list of references/bibliography. You may write your Major Research Paper for this course if you obtain my written approval by September 22, 2011. The paper will qualify as a Major Research Paper if it is at least 7,500 words in length exclusive of other text such as footnotes, appendices and bibliography and receives a grade of C+ or better. 	<p>1%</p> <p>2%</p> <p>2%</p> <p>65 or 75%*</p>
<p>PLUS</p>	
<p>b) Book/Visual/Community Animal Advocacy Event or Campaign Review (between 1000 and 1500 words, exclusive of other text. Papers that do not comply will be subject to penalty.)</p> <ul style="list-style-type: none"> Drawing from the insights contained in the course readings, you must complete a review of a book (fiction or nonfiction), play, film or other visual (fiction or documentary), or a community animal advocacy event or campaign (in Victoria or online) that relates to how culture and/or law shape human relationships with animals. You are to critically analyse the representations made in the medium you have chosen (book/film/community event, etc.) in terms of how they subvert or reinforce dominant cultural and/or legal values about animals. Your paper <u>must</u> draw from at least 4 of the course articles covered thus far to develop your analysis. External research is not required nor recommended. If you wish to analyze another type of cultural medium not listed here, please consult me for approval. A list will be circulated in class on September 22, 2011 where you must inform me of the title of the book/visual/community event you will be reviewing. 	<p>15 or 25%*</p>

<ul style="list-style-type: none"> • Due date for review: Beginning of class on Tuesday, November 1, 2011. Reviews must be submitted in hard copy and by e-mail attachment by this date to mdeckha@uvic.ca and have the word count on the cover page. <u>Reviews submitted late will be penalized at the rate of 1% per day or part thereof, including weekends, that they are late.</u> The review will count for 15 or 25% of your final grade.* Reviews will be assessed on the cogency of the critique as well as how effectively the review engages with the course materials. This is your opportunity to demonstrate your grasp of the materials studied thus far. Quality of content in this regard as well as analysis, organization, and writing style will all count. Papers should conform to the most current version of the <i>McGill Guide for Legal Research and Writing</i> for citations. A bibliography is not required. • You may work individually, in pairs or in groups of three. If you elect to work in a pair or group, the review will thus be co-authored but read seamlessly and must still conform to the 1000-1500 word count. <u>You will each receive the same grade.</u> <p>*If your grade for your review is higher than the grade for your paper it will be worth 25%; if it is even or lower it will be worth 15%.</p>	
PLUS	
<p>c) Learning Facilitation You must sign up for one class in November when you will be responsible for leading and facilitating discussion of course materials. Your goal is to stimulate critical discussion of the day's readings. You may wish to do this by presenting a critical analysis of the readings by identifying the arguments you found weak or convincing, the proposals that resonated, the connections to other readings and issues, etc. You may also wish to stimulate discussion by posing discussion questions to your peers in class, showing a video/visuals, structuring a simulation/role-play, or a combination of the above. You may assume that everyone has done the readings. There is thus no need to provide a description of the readings. Completion of the learning facilitation will count for an automatic 2.5% of the final grade. Failure to complete the facilitation will result in a loss of this 2.5%. A list of eligible dates will be circulated in the third week of the term where you must indicate your first and second choices for dates. If another class member(s) has interest in the same date you may be placed in pairs or groups of three. The topic chosen must be different than the Book/Visual/Community Event or Campaign Review.</p>	2.5%
PLUS	
<p>d) Lifestyle Journals You are invited to reflect upon how the readings and discussion in the course have caused you to change (or not) your values and/or lifestyle. Here you have an opportunity to write about how the course has changed or confirmed your views on issues and how the course may or may not be having a larger effect on your own lifestyle practices than other courses you have taken in law school. The journal entry must be a minimum of 350 words and the entry will count for an automatic 2.5% of your grade. You may submit your entry by hard or soft copy anytime <i>after October 11, 2011</i>, but no later than December 1, 2011. Failure to submit the journals by December 1, 2011 will result in the loss of the 2.5% allotted to the assignment. The journal entry will not be graded, although the quality, if high, may be considered to your benefit to raise your overall grade if you are on the borderline between grade point values.</p>	2.5%
PLUS	
<p>e) Seminar Participation For each class you must come to class prepared to participate in discussing the day's assigned readings. Your participation will not be graded, although the quality over the term of your contributions, if high, may be considered to your benefit to raise your overall grade if you are on the borderline between grade point values.</p>	n/a

Based on these components, you will be assigned a final letter grade for the seminar. The meanings and numerical equivalencies are:

Letter Grade	Grade Point Value	Percentage Value	Narrative Description
A+	9	90-100%	Exceptional, outstanding, and excellent performance, normally achieved by a minority of students. These grades indicate a student who is self-initiating, exceeds expectation, and has an insightful grasp of subject matter.
A	8	85-89%	
A-	7	80-84%	
B+	6	75-79%	Very good, good, and solid performance, normally achieved by the largest number of students. These grades indicate a good grasp of subject matter or excellent grasp in one area balanced with satisfactory grasp in the other area.
B	5	70-74%	
B-	4	65-69%	
C+	3	60-64%	Satisfactory or minimally satisfactory performance. These grades indicate a satisfactory performance and knowledge of subject matter.
C	2	55-59%	
D	1	50-54%	Marginal performance. A student receiving this grade demonstrates a superficial grasp of subject matter.
F	0	49 or below	Unsatisfactory performance.

4. TEACHING METHODOLOGIES

This is a seminar that adopts an ACTIVE LEARNING model of pedagogy. One of the main advantages of a seminar with limited enrolment is the increased opportunity to interact and engage with each other's ideas and insights and enjoy the learning benefits that come from this interaction. Accordingly, class time will consist of discussion, small group work and other interactive and reflective exercises, with limited lectures. You are expected to complete your readings and any other preparatory assignments before the start of class and to actively participate in class, including being open to interactive learning.

This seminar also promotes a learner-centered environment. This is an environment in which the instructor facilitates peer and self-learning as much as possible, encouraging students to take responsibility for their own learning and move away from the view that the instructor is the main source of knowledge. I view my role as a learning facilitator, helping to navigate the readings to stimulate as many self and peer-directed learning opportunities as possible. For this reason, too, the traditional lecture-style method of instruction is very limited.

Importance of Seminar Attendance

The success of a seminar such as this for everyone depends on everyone's participation and attendance in class and the classroom community this generates amongst us. If you have to be away

from class for a sickness, caregiving or another urgent personal reason, please make every effort to inform me ahead of time. Also, if you miss more than two classes in the term, you will be responsible for submitting a critical response (at least 500 words in total) on the readings for every additional missed class by the beginning of the last day of class. Email these critical responses to me at mdeckha@uvic.ca. Failure to submit this critical reflection for the class missed by this time will result in a penalty of -1% of the final grade. You should consult the Associate Dean of Academic and Student Affairs (Prof. Heather Raven at (250) 721-8152) to discuss possible accommodation for any personal reasons that prevent you from completing this or any other course requirement in a timely fashion.

Accommodation

Students requiring accommodation for classroom instruction or evaluation due to illness, disability, family circumstances, religious observance or other accommodation reasons should contact Heather Raven, Associate Dean Academic and Student Relations at lawassoc@uvic.ca or (250) 721-8152 as soon as possible. Further details about accommodation are available from the Associate Dean's page at <http://law.uvic.ca/current/associatedean.php>. Please also note that both the Associate Dean's Office and the University's Resource Centre for Students with a Disability are available to assist students with disabilities with an array of services and supports including requests for accommodation. Further information about supportive services on campus is available from the UVic law website at <http://law.uvic.ca/current/equity.php>.

5. ACADEMIC POLICIES AND REGULATIONS:

A Statement about Academic Integrity

The work you submit for evaluation must be your own. Please consult the university regulations to confirm what constitutes plagiarism and academic dishonesty. All student work must comply with the University's Policy on Academic Integrity, which is available at:

<http://web.uvic.ca/calendar2011/FACS/UnIn/UARe/PoAcl.html>. In particular, please note that:

"A student commits plagiarism when he or she:

- submits the work of another person as original work
- gives inadequate attribution to an author or creator whose work is incorporated into the student's work, including failing to indicate clearly (through accepted practices within the discipline, such as footnotes, internal references and the crediting of all verbatim passages through indentations of longer passages or the use of quotation marks) the inclusion of another individual's work
- paraphrases material from a source without sufficient acknowledgement as described above

Students who are in doubt as to what constitutes plagiarism in a particular instance should consult their course instructor.

The University reserves the right to use plagiarism detection software programs to detect plagiarism in essays, term papers and other assignments."

Plagiarism detection software may be used to ensure academic integrity of written work.

A Statement about Electronic, Cellular and Digital Devices in the Classroom

You are expected to limit laptop use to academic content related to the class and silence sounds emitted by technology wherever possible. In particular, please note:

- The classroom is a cell phone-free zone. If you need to keep connected for caregiving or accommodation reasons, keep your phone on vibrate mode; otherwise, turn off your cell phone when in class.
- Any type of electronic/digital recording of the class is not permitted. Students who will be absent from class for reasons that require accommodation may speak with the Associate Dean's Office for permission to have the instructor tape the missed class.

A Statement about Classroom Climate and Community

The Faculty of Law is committed to promoting equity and diversity by, among other initiatives, the creation of classroom environments that help foster equality and work against the systemic impact of discriminatory social norms and practices. **This effort requires everyone's commitment.** The collective goal of our class will be to facilitate a learning community where all members feel comfortable to participate and interact with one another in inclusive and respectful ways in all aspects of the class. If concerns arise during the term about the climate of the class, please feel free to discuss them with me. A copy of the Faculty of Law's Consolidated Equity Policy is available at <http://law.uvic.ca/current/equity.php>.

Other Faculty Regulations and Policies

Students must be familiar with all other regulations and policies pertaining to their status as students. Links to the academic regulations and policies of the Faculty of Law and University can be found on the Faculty of Law website at <http://law.uvic.ca/current/associatedean.php>. Questions about these regulations and policies should be directed to Heather Raven, Associate Dean Academic and Student Relations: lawassoc@uvic.ca or (250) 721-8152. Regulations of the University can also be found in the University of Victoria Calendar, 2011-2012, available online at <http://web.uvic.ca/calendar2011/index.html>. Faculty of Law academic regulations are also set out in the University Calendar at the following address: <http://web.uvic.ca/calendar2011/FACS/FoLa/FARe.html>.

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6. REQUIRED TEXTS: There are two required texts: 1) Coursepack and 2) John Sorenson, *Animal Rights* (Black Point, NS: Fernwood Publishing, 2010).

Please note that:

- Our formal class is cancelled on November 29. Instead, you will meet in pairs at the designated class time to give feedback to each other on your papers. You may meet in our regular classroom or the pair can select another venue that is agreeable to both members.
- Class will run slightly shorter on September 15 and October 20 dates due to Legal Process. To compensate, several classes in September will run slightly longer to 3pm as indicated below.

READING LIST

September 8

Course Orientation – no readings.

September 13 – class will run to 3pm

1. What/Who is an "Animal" in Western Culture(s)?

a. Introduction

- i. Erica Fudge, "Chapter 3" and "Conclusion" in *Animal* (London: Reaktion Books Ltd., 2002) 113 at 113-122, 128-140, and 154-165.

b. Western Philosophical Foundations

- i. Gary Chartier, "Natural Law and Animal Rights" (2010) 23:1 Canadian Journal of Law and Jurisprudence 33 at 33-34, 38.
- ii. Rene Descartes, "Animals are Machines" in Tom Regan & Peter Singer, eds., *Animal Rights and Human Obligations* (New York: Prentice-Hall, 1976) 60 at 60-66.
- iii. Aristotle, "On the Soul: Book 2.3" in Jonathan Barnes ed., *The Complete Works of Aristotle: The Revised Oxford Translation* (Princeton, N.J.: Princeton University Press, 1984) 659 at 659-660.
- iv. Immanuel Kant, "Duties to Animals" in Regan & Singer, eds., *Animal Rights and Human Obligations* (New York: Prentice-Hall, 1976) 122 at 122-123.

Total pages: 48

September 15 – class will run to 2:30pm only

c. Cultural Constructions

- i. Joan Dunayer, "Animal Attributes: The Verbal Dichotomy" in *Animal Equality: Language and Liberation* (Derwood, MD.: Ryce Publishing, 2001) 21 at 21-29.
- ii. Donna Haraway, "Value-Added Dogs and Lively Capital" in *When Species Meet* (Minneapolis: University of Minnesota Press, 2008) 45 at 45-49, 54-62.
- iii. Cary Wolfe, "Subject to Sacrifice: Ideology, Psychoanalysis, and the Discourse of Species in Jonathan Demme's *The Silence of the Lambs*" in *Animal Rites: American Culture, the Discourse of Species, and Posthumanist Theory* (Chicago: University of Chicago Press, 2003) 97 at 97-107.
- iv. John Sorenson, *Animal Rights* (Black Point, NS: Fernwood Publishing, 2010), 9-13, 132-134.

Total pages: 40

September 20 – class will run to 3pm

d. Blurring Species Boundaries

- i. Raymond Corbey, *The Metaphysics of Apes: Negotiating the Animal-Human Boundary* (Cambridge: Cambridge University Press, 2005) at 160-77.
- ii. Marie Fox, "Rethinking Kinship: Law's Construction of the Animal Body" (2004) 57 *Current Legal Problems* 469 at 469-93.

Total pages: 42

September 22

2. The Legal Recognition/Absence of Animals**a. Historical Agency**

- i. Jen Girgen, "The Historical and Contemporary Prosecution and Punishment of Animals" (2003) 9 Animal Law 97 at 97-122.

Total pages: 26**September 27 – class will run to 3pm****b. Emerging Awareness through Race and Gender Parallels**

- i. *Dred Scott v. Sandford*, 60 U.S. 393 (1856) at 403-408.
- ii. *People v. Hall*, 4 Cal. 399 (1854) at 399-405.
- iii. Patricia Williams, "The Pain of Word Bondage" in *The Alchemy of Race and Rights* (Cambridge, MA: Harvard University Press, 1991) 146 at 146, 156-165.
- iv. Sara Salih, "Filling up the Space Between Mankind and Ape: Racism, Speciesism and the Androphilic Ape" (2007) 38:1 Ariel 95 at 95-111.

Recommended:

- i. David Sztybel, "Can the Treatment of Animals be Compared to the Holocaust" (2006) 11:1 Ethics & the Environment 97 at 107-132.

Total pages: 38**September 29****c. Introduction to Animal Theory – Main Theoretical Positions****Classic Liberalism**

- i. Angus Taylor, *Animals and Ethics: An Overview of the Philosophical Debate* (Peterborough, ON: Broadview Press, 2003) at 64-74.
- ii. Gary Francione, "Animal Welfare and the Moral Value of Nonhuman Animals" (2010) 6:1 Law, Culture and the Humanities 24 at 24-36.
- iii. John Sorenson, *Animal Rights* (Black Point, NS: Fernwood Publishing, 2010), 12-21.

Total pages: 31**October 4**

- iv. Paola Cavalieri, "Speciesism" in *The Animal Question: Why Nonhuman Animals Deserve Human Rights* (Oxford: Oxford University Press, 2001) 69 at 69-86.

Revised Liberalism

- i. Martha Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Cambridge, MA.: Harvard University Press, 2006) at 325-327.

Total pages: 20**October 6****Ecofeminism**

- i. Josephine Donovan, "Feminism and the Treatment of Animals: From Care to Dialogue" (2006) 31:2 Signs 305 at 305-29.

- ii. Lori Gruen, "Attending to Nature: Empathetic Engagement with the More than Human World" (Fall 2009) 14:2 *Ethics & the Environment* 23 at 23-38.

Total pages: 30

October 11

Anti-Racist and Postcolonial Cultural Critique – Animals as Other

- i. Ratna Kapur, "New Cosmologies: Mapping the Postcolonial Feminist Legal Project" in *Erotic Justice: Law and the New Politics of Postcolonialism* (London: Glasshouse Press, 2005) 13 at 14-28.
- ii. Glen Elder, Jennifer Wolch & Jody Emel, "Le Pratique Sauvage: Race, Place, and the Human-Animal Divide" in *Animal Geographies: Place, Politics, and Identity in the Nature-Culture Borderland* (London: Verso, 1998) 72 at 72-90.

Total pages: 34

October 13

Queering Humanonormativity

- iii. Carmen Dell'Aversanno, "The Love Whose Name Cannot be Spoken: Queering the Human-Animal Bond" (2010) 8:1/2 *Journal for Critical Animal Studies* 73, 74-77, 78-80, 82-84.
- iv. Myra J Hird, "Animal transex" (2006) 21:49 *Australian Feminist Studies* 35 at 35-50.

Total pages: 27

October 18

Poststructural Cultural Critique – Animals as Exceptional

- i. Cary Wolfe, "Introduction" in *Animal Rites: American Culture, the Discourse of Species, and Posthumanist Theory* (Chicago: University of Chicago Press, 2003) 1 at 1-9.
- ii. Paola Cavalieri, "A Missed Opportunity: Humanism, Anti-humanism and the Animal Question" in J. Castricano, ed, *Animal Subjects: An Ethical Reader in a Posthuman World* (Waterloo: Wilfrid Laurier Press, 2008) 98 at 98-99, 106-114.

Total pages: 20

October 20 – class until 2:20pm only

3. Animal Interests under the Law

a. The Rise of Animal Law

- i. Greg Miller, "A Road Map for Animal Rights" (2011) 332:6025 *Science* 30-31.
- ii. Taimie L. Bryant, "The Bob Barker Gifts to Support Animal Rights Law" (2011) 60:2 *Journal of Legal Education* 237 at 237-238, 246-252.

b. Introduction

- i. Gary L. Francione, "The Dominion of Humans over Animals, the 'Defects' of Animals, and the Common Law" in *Animals, Property, and the Law* (Philadelphia, PA.: Temple University Press, 1995) 33 at 33-46.

Total pages: 26

October 25

c. Animal Welfarism

- ii. *Criminal Code*, ss. 446 and 447.
- iii. *R v Ménard* (1978), 43 CCC (2d) 458 (QCA).
- iv. Lyne Létourneau, "Toward Animal Liberation? The New Anti-Cruelty Provisions in Canada and Their Impact on the Status of Animals" (2003) 40:4 *Alberta Law Review* 1041 at 1041-55.
- v. Lesli Bisgould, "Power and Irony: One Tortured Cat and Many Twisted Angles to Our Moral Schizophrenia about Animals" in J. Castricano, ed, *Animal Subjects: An Ethical Reader in a Posthuman World* (Waterloo: Wilfrid Laurier Press, 2008) 259 at 259-265.
- vi. John Sorenson, *Animal Rights* (Black Point, NS: Fernwood Publishing, 2010), 152-160.

Total pages: 40

October 27

- vii. Rasso Ludwig & Roderic O'Gorman, "A Cock and Bull Story? Problems with the Protection of Animal Welfare in EU Law and Some Proposed Solutions" (2008) 20:3 *Journal of Environmental Law* 363 at 363, 366-373, 378-386.
- viii. Christopher Seps, "Animal Law Evolution: Treating Pets as Persons in Torts and Custody Cases" (2010) 4 *University of Illinois Law Review* 1339 at 1343-1347, 1364-1372.
- ix. John Sorenson, *Animal Rights* (Black Point, NS: Fernwood Publishing, 2010), 120-128.

Total pages: 41

November 1

4. Specific Animal Controversies

a. Vivisection and Medical Research

- i. Carlos Jose Saldanha Machado et al, "Current Brazilian Law on Animal Experimentation" (26 June 2009) 324:5935 *Science* 1643 at 1643-1644.
- ii. Fraser Darling, "New European Directive Protecting Research Animals" (Dec 2010) 57:4 *Biologist* 178 at 178-179.
- iii. Vicky Robinson, "Alternatives to animals" (2009) 201:2698 *New Scientist* 22.
- iv. Gary Francione, "The Use of Nonhuman Animals in Biomedical Research: Necessity and Justification" (2007) 35:2 *Journal of Law, Medicine & Ethics* 241 at 241-248.

- v. Emma Marris, "Animal rights 'terror' law challenged" (2010) 466:7305 *Nature* 424.
- vi. John Sorenson, *Animal Rights* (Black Point, NS: Fernwood Publishing, 2010), 135-147.

Total pages: 27

November 3

b. Patents, Chimeras and Xenotransplantation

- i. Marie Fox, "Reconfiguring the Animal/Human Boundary: The Impact of Xenotechnologies" (2005) 26:2 *Liverpool L. Rev.* 149 at 149-67.
- ii. Sylvie Bordet et al., "Legal Aspects of Animal-Human Combinations in Canada" (2007) *McGill Health Law Publication* at 83-99.

Recommended: Maneesha Deckha, "Holding onto Humanity: Animals, Dignity and Anxiety in Canada's Assisted Human Reproduction Act" (2009) 5 *Unbound: Harvard Journal of Legal Left* 21 at 21-22, 39-48.

Total pages: 35

November 8

c. Eating Animals

- i. Eric Schlosser, *Fast Food Nation* (New York: Harper Perennial, 2001) at 169-72.
- ii. Charlie LeDuff, "At a Slaughterhouse, Some Things Never Die" in Cary Wolfe, ed., *Zoontologies: The Question of the Animal* (Minneapolis, MN.: University of Minnesota Press, 2003) 183 at 183-86.
- iii. Michael Pollan, "An Animal's Place", *New York Times* (10 November 2002) 58.
- iv. Andrea Bradley and Rod MacRae, "Legitimacy & Canadian Farm Animal Welfare Standards Development: The Case of the National Farm Animal Care Council" (2011) 24 *Journal of Agricultural and Environmental Ethics* 19 at 22-25, 35-38.
- v. Cathryn Bailey, "We are What We Eat: Feminist Vegetarianism and the Reproduction of Racial Identity" (2007) 22:2 *Hypatia* at 44-58.

Recommended: Sheri Lucas, "A Defense of the Feminist-Vegetarian Connection" (2005) 20:1 *Hypatia* at 150-177.

Total pages: 42

November 10

d. Human/Cultural Rights to use animals

- i. Leela Gandhi, "Meat: A Short Cultural History of Animal Welfare at the Fin-de-siècle" in *Affective Communities: anticolonial thought, fin-de-siècle radicalism, and the politics of friendship* (Durham: Duke University Press, 2006) 67 at 75-78.
- ii. Claudia Serrato, "Ecological Indigenous Foodways and the Healing of All Our Relations" (2010) 8:3 *Journal for Critical Animal Studies* 72 at 72-80.

- iii. Paula Casal, "Is Multiculturalism Bad for Animals?" (2003) 11:1 *Journal of Political Philosophy* 1 at 6-12, 21-22.
- iv. Claire Jean Kim, "Multiculturalism Goes Imperial: Immigrants, Animals, and the Suppression of Moral Dialogue" (2007) 4:1 *Du Bois Review* 233 at 233-235, 238-246.
- v. Lisa Kemmerer, "Hunting Tradition: Treaties, Law and Subsistence Killing" (2004) 2:2 *Animal Liberation Philosophy and Policy Journal* 1 at 2-5, 9-12.
- vi. CBC Radio, Q with Jian Gomeshi, "Is it racist to ban shark's fin soup?" Access audio file online at: <http://www.cbc.ca/q/news_promo/2011/03/25/is-it-racist-to-ban-sharks-fin-soup/>. 17 minutes.
- vii. Emily Hunter, "Culture Wars" (2009) 42:6 *This* 30 at 30-32.

Recommended:

- i. *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520.
- ii. Maneesha Deckha, "Animal Justice/Cultural Justice: A Post-Humanist Response to Cultural Rights in Animals" (2007) 2 *Journal of Animal L & Ethics* 189 at 189-229.

Total pages: 36

November 15

e. Animals and Entertainment

- i. John Sorenson, "Monsters: The Case of Marineland" in J. Castricano, ed., *Animal Subjects: An Ethical Reader in a Posthuman World* (Waterloo: Wilfrid Laurier Press, 2008) 195 at 205-218.
- ii. John Sorenson, *Animal Rights* (Black Point, NS: Fernwood, 2010), 59-78, 95-104.
- iii. *Reece v. Edmonton (City)*, 2011 ABCA 238, (dissenting judgment) available at: <http://www.albertacourts.ab.ca/jdb/2003-/ca/civil/2011/2011abca0238.pdf>.

Total pages: 42

November 17

f. Wild Animals

- i. Aaron Simmons, "Animals, Predators, The Right to life, and the Duty to Save Lives" (2009) 14:1 *Ethics & the Environment* 15 at 16-26.
- ii. Andrea Woo, "Activist Urges Canada to Adopt Washington's Stricter Whale-Watching Rules," *The Vancouver Sun* (10 April 2011).
- iii. Ingrid Brostrom, "The Cultural Significance of Wildlife: Using the National Historic Preservation Act to Protect Iconic Species" (2006) 12:2 *Hastings J. of L. & Policy* 147 at 147-164.

Total pages: 30

November 22

5. A New Vision: Personhood, Rights or Another Legal Interest/Status for Animals?

- i. John Borrows, "Creating An Indigenous Legal Community" (2005) 50 *McGill Law Journal* 153 at 171.

- ii. David Favre, "Living Property: A New Status for Animals Within the Legal System" (2010) 93 Marquette Law Review 1021 at 1043-1071.
- iii. Alisdair Cochrane, "Ownership and Justice for Animals" (2009) 21:4 Utilitas 424 at 434-442.
- iv. "Swiss Animal Rights" (2010) 463:7286 Nature 146.

Total pages: 35

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- v. Martha Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Cambridge, MA.: Harvard University Press, 2006) at 392-407.
- vi. Ani Satz, "Animals as Vulnerable Subjects: Beyond Interest Convergence, Hierarchy and Property" (2009) 16:1 Animal Law 65 at 106-122.

Total pages: 33

November 29 – meet in assigned pairs

6. Paper Polishing

a. Paper Feedback in Pairs

Readings: Read paper of classmate assigned to you and prepare written edits/ feedback to deliver to partner during class time. Meet in regular classroom or in mutually convenient location to go over one another's constructive criticism. Assign 40 minutes to each paper.

December 1

b. Paper Presentation to Peers

Readings: Prepare to present your paper to a small group of peers for approximately 10 minutes. You will have an additional 10 minutes to receive and answer questions from your small group peers.