

# **TOPICS IN ANIMAL RIGHTS LAW SEMINAR**

**Faculty of Law  
University of Cambridge**

**Lent Term 2020**

**Seminar overview**

**Dr Raffael N Fasel, LSE  
Dr Sean Butler, St Edmund's College**

## Seminar information

Welcome to the Topics in Animal Rights Law Seminar!

In this seminar, we discuss advanced topics in Animal Rights Law. The seminar builds on our Animal Rights Law course, usually held in the Michaelmas Term. While attendance of that course is no prerequisite for participating in the Topics in Animal Rights Law Seminar, some prior knowledge on Animal Rights Law will be helpful.

The seminar is not a lecture, meaning that its focus lies on discussion, not presentations. All participants are expected to have read the assigned article or book chapter, and to come prepared to discuss it. Each seminar will have a chair who provides some context on the topic and moderates the discussion.

The purpose of the seminar is to explore in depth some of the central issues in contemporary animal rights law scholarship.

The seminar will be run every other Wednesday from 5-7pm in the Lent Term only. All seminars take place in the Cambridge Law Faculty, 10 West Rd.

Please note that the seminar is not examined nor a formal part of the BA or LLM. However, a register will be kept and an attendance certificate is available if required provided by Dr Sean Butler.

We will send out a short note before every session, containing the assigned reading and a short description of the topic.

We hope you enjoy the seminars,

**Dr Raffael N Fasel, LSE** ([r.n.fasel@lse.ac.uk](mailto:r.n.fasel@lse.ac.uk))

**Dr Sean Butler, St Edmund's College** ([sch46@cam.ac.uk](mailto:sch46@cam.ac.uk))

## List of seminars

<b>Term Dates</b>	<b>Topic</b>	<b>Chair</b>	<b>Page</b>
<i>Lent</i>			
22 January	Sentient equality	Raffael Fasel	4
5 February	Speciesism, racism, nationalism	Robyn Trigg	5
19 February	Animal legal personhood	Nick Ampt	6
4 March	Animal normativity	Charlotte Blattner	7

## **Seminar 1: Sentient equality**

22<sup>nd</sup> January, Room G24, 5–7pm

**Chair:**

Raffael N Fasel, Fellow in Law, LSE Law Department ([r.n.fasel@lse.ac.uk](mailto:r.n.fasel@lse.ac.uk))

**Assigned reading:**

Chapter 2 “Equality, Rights, and Sentientist Politics” in Alasdair Cochrane, *Sentientist Politics: A Theory of Global Inter-Species Justice* (Oxford University Press 2018) pp 14–35

<https://www.oxfordscholarship.com/view/10.1093/oso/9780198789802.001.0001/oso-9780198789802-chapter-2>

**Short description:**

In his new book, Alasdair Cochrane argues that all sentient animals are fundamentally equal and have the same moral worth because they are all equally sentient. This is, in fact, a widespread view in animal rights law scholarship. But is it correct? In this session, we will be exploring the nature of sentience and its implications for equality and rights-holding. Questions we will be discussing include: is sentience an either-or matter or does it, like other natural capacities, come in degree? How important is the notion of equality in animal rights law? Are all animals equal or, to put it with George Orwell, are “some more equal than others”? Is sentience equality comparable to basic equality in human rights, and should it be?

## Seminar 2: Speciesism, racism, nationalism

5<sup>th</sup> February, Room G28, 5–7pm

### Chair:

Robyn Trigg, Visiting Student, Cambridge Centre for Animal Rights Law  
([robyn.trigg@law.ox.ac.uk](mailto:robyn.trigg@law.ox.ac.uk))

### Assigned reading:

Susanne Kappeler, ‘Speciesism, Racism, Nationalism... Or the Power of Scientific Subjectivity’ in Carol Adams and Josephine Donovan (eds), *Animals and Women: Feminist Theoretical Explorations* (Duke University Press 1995) pp 320–355 (Chapter 13)

### Short description:

This article principally attempts to draw links between the root causes and power structures that enable different types of oppression; it argues against the ‘compartmentalization’ of oppressions. In this session we will discuss some of the tools of oppression highlighted within the article, for example: dualisms and ‘othering’; and the use of language. This article also raises a strong feminist critique of rights and notes the potential dangers of extending rights to select groups, e.g. only to certain ‘kinds’ of animals. We will discuss the practicalities of the position vis-a-vis rights put forward and ask how, if at all, some of the broader themes and critiques raised in the article could be taken forward within a rights-based framework. Lastly, this article is now 25 years old and therefore we will consider the relevance and applicability of the arguments made to today.

### **Seminar 3: Animal legal personhood**

19<sup>th</sup> February, Room G24, 5–7pm

Chair:

Nick Ampt, Visiting Student, Cambridge Centre for Animal Rights Law  
([nampt@student.unimelb.edu.au](mailto:nampt@student.unimelb.edu.au))

Assigned reading:

Visa AJ Kurki, ‘Why Things Can Hold Rights: Reconceptualizing the Legal Person’ in Visa AJ Kurki and Tomasz Pietrzykowski (eds), *Legal Personhood: Animals, Artificial Intelligence and the Unborn* (Springer 2017) pp 69–90.

Short description:

Animal rights lawyers have spent much of the last 25 years arguing that animals should become legal persons. For these lawyers, a person is someone who has at least one legal right. This view of personhood has of late been powerfully questioned by Visa A J Kurki, who argues that a person is instead someone who has the rights humans now have. In this seminar, we will explore what personhood is and whether animal rights lawyers should be seeking it for animals.

## **Seminar 4: Animal normativity**

March 4<sup>th</sup>, Room G24, 5–7pm

### **Chair:**

Charlotte E Blattner, Senior Researcher, University of Bern  
([cblattner@law.harvard.edu](mailto:cblattner@law.harvard.edu))

### **Assigned reading:**

Giuseppe Lorini, ‘Animal Norms: An Investigation of Normativity in the Non-Human Social World’ (2018) *Law, Culture and the Humanities*, pp 1–22

### **Short description:**

The traditional view in animal studies is that animals are deserving of moral consideration as moral patients. In practice, this has led to two problems: (i) considering animals has become, mainly, a matter of charity, rendering their moral, political, and legal status and just relationships between them and us fragile; (ii) in mainstream discourse, animals are mostly viewed as pitiful beings who cannot take care of themselves and must be put under human patronage. These implications and the theoretical conceptions giving rise to them are now criticised from a number of camps, including critical animal studies, animal politics, critical disability theorists, and multispecies ethnography. They argue that the traditional view about animals is factually wrong and leads to dire and unacceptable consequences for animals. One central tool of the emerging critical literature to counter this is to posit animals as self-directing, self-determining agents within their own communities and in their relation with humans, for which the investigation of animal normativity is central. The hypothesis of this research is that animals act in light of rules, even without language, because they have their own sense and mode of normativity. In this seminar, we will discuss the ethological knowledge that underlies this hypothesis and the moral, political, and legal relevancy of this new body of research that Lorini sketches in his article.