NYU Environmental Studies
ENVST-UA 450.002 / ANST-UA 600.00
Animals and the Law
Spring 2022
Wednesdays 4:55-7:25
25 West 4th Street, Room C-1

Instructor: Dr. Elan Abrell
Email: ea101@nyu.edu
(please include course title in subject – I will try to respond within 24 hours on weekdays, but do not regularly check email on weekends and holidays)

Office Hours: By appointment over Zoom or phone, 12:00-2:00 pm on Wednesdays is generally open, but contact me to schedule meetings – I will work to be as accommodating of your schedule as possible

Course Description
This course will provide an introductory overview of the law as it applies to non-human animals. The course will explore the historical and philosophical treatment of animals under the law; discuss how such treatment impacts the way judges, policymakers, lawyers, legal scholars and lay people see, speak about, and use animals; survey current animal protection laws and regulations as they relate to farmed animals, companion animals, animals used in entertainment, and wildlife; consider recent campaigns to reform animal protection laws; examine the concept of “standing” and the problems of litigating on behalf of animals; interrogate the current classification of animals as “property” and the impacts of that classification; and debate the merits and limitations of alternative classifications, such as the recognition of legal rights or “personhood” for animals.

Course Policies
Required Reading
You do not need to purchase any required readings for this class as they will be made available as PDF’s or web links on Brightspace.

Absences and Participation
Due to the ongoing Covid-19 pandemic, we should all be prepared for schedule changes on short notice. I understand that in these especially challenging times unforeseen circumstances may occasionally make it difficult for people to attend meetings, so let me know in advance if you will be unable to attend, and I will endeavor to record the class session. It is also possible that I will need to hold class remotely if I am required to isolate, so make sure to check for Announcements on the course Bright Space page, where I will announce any changes (the announcements are also sent to you email). Otherwise, everyone is expected to attend sessions (whether in-person or remote).
prepared to actively engage in discussions of the assigned readings each week. If you find
that you are either having problems with the material or that other circumstances are
affecting your class performance, please speak with me as early as possible.

**Alternative Learning Accommodations**
Your experience in this class is important to me, and it is the policy and practice of New
York University to provide equal educational opportunity and participation for students
with disabilities. If you would like to request academic accommodation due to alternative
learning styles/needs, please contact the Henry and Lucy Moses Center for Students with
Disabilities:

NYU’s Henry and Lucy Moses Center for Students with Disabilities
726 Broadway, 2nd Floor
New York, NY 10003-6675
Telephone: 212-998-4980
Voice/TTY Fax: 212-995-4114
Email: mosescsd@nyu.edu
Web site: www.nyu.edu/csd

If you have already established accommodations, you are welcome to communicate your
approved accommodations to me at your earliest convenience so we can discuss your
needs in this course.

**Gender Pronouns**
This course affirms people of all gender expressions and gender identities. If you want to
be called a different name than what is indicated on the class roster, please let me know.
And please inform me of your correct gender pronouns. If you have any questions or
concerns, please do not hesitate to contact me.

**Immigration Status**
As an educator, I fully support the rights of undocumented students to an education and
to live free from the fear of deportation. If you have any concerns in that regard, feel free
to discuss them with me, and I will respect your wishes concerning confidentiality.

**Academic Integrity, Plagiarism, and Cheating** (adapted from the website of the
College of Arts & Science, [https://cas.nyu.edu/content/nyu-as/cas/academic-integrity.html](https://cas.nyu.edu/content/nyu-as/cas/academic-integrity.html)):
Academic integrity means that the work you submit is original. Obviously, bringing
answers into an examination or copying all or part of a paper straight from a book, the
Internet, or a fellow student is a violation of this principle. But there are other forms of
cheating or plagiarizing which are just as serious — for example, presenting an oral
report drawn without attribution from other sources (oral or written); writing a sentence
or paragraph which, despite being in different words, expresses someone else’s idea(s)
without a reference to the source of the idea(s); or submitting essentially the same paper in two different courses (unless both instructors have given their permission in advance). Receiving or giving help on a take-home paper, examination, or quiz is also cheating, unless expressly permitted by the instructor (as in collaborative projects).

**Class Participation**
The course will function as a seminar in which we will spend most of the class time discussing the reading topics as a group. Through our discussions we will identify and explore the issues raised in the readings. Because the seminar format treats learning as a collaborative process in which we all participate equally, it is essential that students attend class prepared and actively participate in class discussions.

**Class Conduct**
This course covers a number of issues about which some people may hold strong feelings. Part of the goal of the class is to enable students to learn from each other and communicate their thoughts on contemporary issues in articulate and compelling ways. While everyone is entitled to their thoughts and encouraged to share them, please do so in a constructive way. Treat everyone in the classroom with respect, regardless of whether you disagree with their opinions.

**Required Assignments** – to be submitted on NYU Brightspace.
Success in the course is also dependent on the timely completion of the following:

**Book Review** – Due March 23
You must read a book related to animals and the law and write an academic book review of the book (750-1250 words). A list of books will be provided.

**Final project - Due TBD**
You must either write a research essay (minimum of 1500 word) or a creative projective. If you choose a creative project, you will need to hand in an “artist statement” alongside it. Contact with me to discuss this further if you’re interested in this option.

**Discussion Leaders**: For each class, students will be responsible for presenting on and leading our discussion about the topics addressed in the readings. Leaders should come to class prepared with several discussion questions for the class based on issues raised by the readings that they found interesting or provocative. Students are expected to coordinate with partners outside of class.

**Attendance and Participation**: I expect regular attendance and thoughtful participation from all students. My assessment of the quality of your performance on these items will account for 25% of your grade in this class.
Grading
Class Attendance/Participation: 25%
Book Review: 20%
Discussion leading: 25%
Project: 30%

Course Schedule

Readings on the syllabus are subject to change, but students will be advised of any changes in advance. The reading assignments listed under each day must be completed by the beginning of class that day.

WEEK 1 – January 26: Course Introduction

WEEK 2 – February 2: The Anthropocentric Terrain of Law
• Oliver v. Anaheim, No. 11-55492 (9th Cir. 2012)

WEEK 3 – February 9: Animal Agency in Legal History: Animals on Trial

WEEK 4 – February 16: Welfare v. Rights

WEEK 5 – February 23: Property v. Persons

WEEK 6 – March 2: No Class

WEEK 7 – March 9: Standing and the Challenges of Enforcement

WEEK 8 - March 16: Spring Break - No Class

WEEK 8 – March 23: Anti-Cruelty v. Anti-Carceral?

***Book Review Due on Brightspace

WEEK 9 – March 30: Farm Animal Law (or the Lack Thereof)
• Delcianna Winders. “Beyond the Law? Interrogating the Scope of Common Farming Exemptions.” (draft)

WEEK 10 – April 7: Captive Animal Law (or the Lack Thereof)

WEEK 11 – April 14: Habeus I
• Jess Eisen “From Falling Heavens to Business as Usual: Rethinking Habeas Corpus for Nonhuman Animals” in Gruen and Marceau

WEEK 12 – April 21: Habeus II
Film: Unlocking the Cage
WEEK 13 – April 28: Wild Animal Law (or the Lack Thereof)


WEEK 14 – May 4: TBA

Final Project Due: TBA