

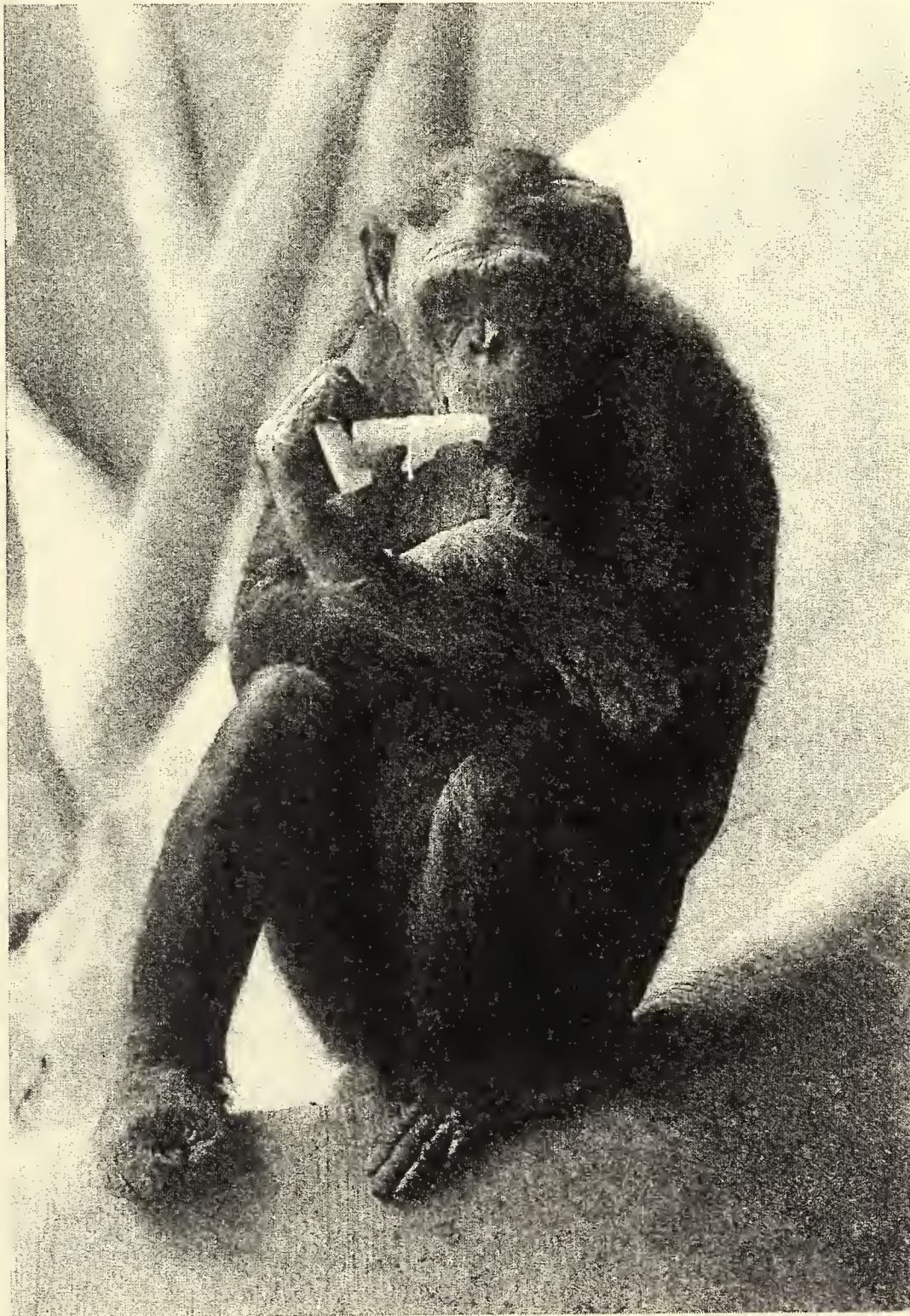


UNIVERSITY OF TORONTO
FACULTY OF LAW



Introduction to Animals and the Law

LAW253HIS F



Lesli Bisgould
2011/12



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Animals and the Law – Reading List

Week 1 – What is an Animal?

Angus Taylor, “From Aristotle to Darwin”, in *Animals and Ethics: An Overview of the Philosophical Debate*, 3d ed (Broadview Press, 2009), pp. 33-56

Rene Descartes, *A Discourse on Method, Part V, Meditations and Principles in Writings*, (J.M. Dent and Sons Ltd., 1975), pp. 33-47

Voltaire, *Dictionnaire Philosophique* (1769), (Garnier Freres, 1961), “Betes” p. 51

Jeremy Bentham, “Introduction to the Principles of Morals and Legislation”
in *The Works of Jeremy Bentham*, Vol. 1 (Simpkin, Marshall & Co., 1843) pp. 142-143

Charles Darwin, *The Descent of Man* (2nd ed., Clowes and Sons, 1874), pp. 124-126

R. I. M. Dunbar, *What’s in a Classification?* in “The Great Ape Project”, (St. Martin’s Press, 1993), pp. 109-112

Week 2 - European Animal Trials

E.P. Evans, *The Criminal Prosecution and Capital Punishment of Animals – The Lost History of Europe’s Animal Trials* (Faber and Faber Limited, 1988), Chapter 1

Week 3 – The Problem of Being a Legal Thing

J.M. Coetzee, *The Lives of Animals* (Princeton U. Press, 1999) 58-67

Gary L. Francione, *Animals, Property and the Law* (Temple U. Press, 1995), 33-49, 50-64

Wendy A Adams, “Human Subjects and Animal Objects: Animals as ‘Other’ in Law” (2009) 3:1 J Animal L & Ethics 29

Week 4 – Laws of General Application: anti-cruelty in the *Criminal Code*

5&6 Will. IV c. 59 (1835), ss. 1 and 3

Crankshaw’s Criminal Code of Canada, ss. 444-447

Criminal Code of Canada, R.S.C. c.C-34, ss.444 - 447.1

R. v. Menard (1978), 43 C.C.C. (2d) 458 (Q.C.A.)

R. v. Power (2003), 176 C.C.C. (3d) 209 (Ont. C.A.)

John Sorenson, “‘Some Strange Things Happening in Our Country’: Opposing Proposed Changes in Anti-Cruelty Laws in Canada” (2003) 12:3 Social & Legal Studies 378

Week 5 – animals as companions

Rogers v Rogers, [1980] OJ No 2229 (Dist Ct).

Gardiner-Simpson v Cross, 2008 NSSM 78

Ireland v Ireland, 2010 SKQB 454

Pezzente v McClain, 2005 BCPC 0352

Ferguson v. Birchmount Boarding Kennels Ltd. (2006), 79 O.R. (3d) 681 (Div. Ct.)

Re Wishart Estate, 1992 CanLII 2679 (NBQB).

R v Huggins, 2010 ONCA 746

Week 6 – animals as food

Charlotte Montgomery, “Agriculture: Keeping Humans Fed” in *Blood Relations: Animals, Humans and Politics* (Between the Lines, 2000), Chapter 4

Ford v. Wiley (1889) 23 Q.B. 203

R. v. Pacific Meat Company Limited (1957) 27 C. R. 128 (B.C.Co.Ct.)

R v Bakic, 2004 SKPC 134

R v Elliott, 2009 NSPC 5

Week 7 – animals as tools of research

Charlotte Montgomery, “Research: Keeping Humans Alive” in *Blood Relations: Animals, Humans and Politics* (Between the Lines, 2000), Chapter 3

CCAC: “Categories of Invasiveness in Animal Experiments (1991)”, CCAC
CCAC Survey of Animal Use – 2009 (excerpts)

Harvard College v. Canada (Commissioner of Patents) 2002 SCC 76

Wendy A. Adams, “The Myth of Ethical Neutrality” (2003) 39 Can. Bus. L.J. 181

Abraham Drassinower, “Property, Patents and Ethics: A Comment on Wendy Adams’ “The Myth of Ethical Neutrality” (2003) 39 Can. Bus. L. J. 214

Week 8 – animals as wild

Vaughan Black, “Rights Gone Wild” (2005) 54 U.N.B. L.J. 3

Week 9 – animals as entertainers

R v Borges

Week 10 – from property to person

Baily v. Poindexter’s Ex’r, (1858) 14 Gratt. 132 (Va. C.A.) (excerpt)

Marjorie Spiegel, *The Dreaded Comparison – Human and Animals Slavery* (2nd ed.) (Mirror Books, 1988), pp. 15-30 and 37-41

John Livingstone, “Rightness or Rights?”, (1984) 22:2 Osgoode Hall L.J. 309

Re British North America Act 1867 (UK), [1930] 1 DLR 98 (PC).

Manesha Deckha, “Feminism, Intersectionality and the Capabilities Approach for Animals” in *L’animal dans la spirale des besoins de l’humain* (Yvon Blais, 2010) 339

Lee Hall and Anthony Waters, “From Property to Person: The Case of Evelyn Hart” (2000) 11 Seton Hall Const. L.J. 1

Week 11 – review and conclusion

