



Animal Law Podcast: Transcript for Episode 91, Interview with Raffael Fasel & Sean Butler

Mariann Sullivan: Welcome to the Animal Law Podcast, Raffael and Sean.

Raffael Fasel: Pleasure to be here.

Sean Butler: Good to see you again, Mariann.

Mariann: It is lovely to see both of you. We can actually see each other, for those of you out there listening. At least for the moment we can, assuming our tech holds up, and it is really exciting to see you both and to hear what you're doing because it sounds like it could have enormous effects on the spread of animal law and the teaching of animal law, not just in the US, which is not where either of you is normally located, but worldwide. The Law Lecturers Workshop Series is a really huge undertaking. And the next one is in Vermont and is US focused, and we'll get into all the details of that later. And we'll also include those details in the show notes, for people who want to refer to them.

But tell us kind of overall, the general plans for the future for this Law Lecturers workshop series and what your big goals are.

Sean: Our main goal is the normalization of animal rights law as a subject. Obviously, it's been explored and studied for a long time. There's some excellent research and some excellent academics working on it.

It's never been a law course. Animal rights law has never been a course in itself. So what we're trying to do is, starting at Cambridge, where Raffael and I both teach, what we're trying to do is to expand it, to have law schools in the US, in Europe and elsewhere in the world teaching animal rights law so that students can be engaged in it.

That'll hopefully then lead to people doing more PhDs in it, more people teaching it, so it becomes a subject that everyone can debate and everyone can regard as a real subject.

Mariann: So tell me the idea behind it and why you think it is needed. What is currently being taught in law schools? Because there are certainly a lot of animal law courses, at least in this country.

I know you're planning on going international, but for the moment, we can talk about the US and there are animal law courses. I teach one. And what do you think needs to be expanded in the study of animals and the law.

Raffael: So you're quite right, Mariann. There's a lot of animal law courses being taught, or at least a few, all around the world.

The Animal Legal Defense Fund has quite a helpful database providing an overview of that. I think they have around 200 courses or so in Northern America, some in the UK, there's a bunch in Australia, New Zealand as well as other parts of the world. So there are animal law courses. There's only a few animal rights law courses out there.

We think we're teaching the first one in Europe, at least the first English language animal rights law courses. I know there's a few taught in the US, Steven Wise and others, folks at Louis and Clark doing great work on that front too. Now what's the difference? The way we see it is the two work in slightly different sort of paradigms, if you like.

So animal law courses, although they can and sometimes do cover animal rights questions, that is questions about personhood, about maybe dignity, about rights that are more akin to maybe human rights, fundamental rights than to rights that mirror existing animal protection acts or anti cruelty statutes.

So there are some courses that have that as a component, but their focus is on a different paradigm. And that's the paradigm of us humans using and killing animals and having some legal restrictions of course imposed on that, often perhaps not very effective practically, but they exist on the books. And those courses, I think for good reason, because that's their focus, they aim at exploring with their students what those laws on the books are, what the different anti cruelty norms are. If they're in a country where there's more progressive welfare based norms that are a bit more positive in what they require.

That's excellent. But they will focus on that. And what these courses don't do, in our view, or sufficiently at least, is something we want to do, namely focus on another paradigm, the rights paradigm that we can see emerging as part of legal developments that are ongoing. So this is happening on the ground.

We're not just making this stuff up. If you look at, say the Non-humans Rights Project's cases, if you look at the Happy case, for instance, or new cases that are being brought in California now, if you look at what's happening in India with fundamental rights being declared for birds and other types of animals, if you look at Pakistan, Cavan in Islamabad.

So this is stuff that's happening on the ground and there's lots of interesting scholarship being written on this other paradigm where animals are no longer just items for us to use and kill under certain restrictions, but where they are, maybe subjects of rights, rights holders, themselves.

And that's the paradigm that we want to explore that we think is really interesting.

Mariann: I want to say before we go any further, that another person who has taught animal rights law is Sherry Colb, who taught at Cornell until her recent, very, very sad death. And I also teach at Cornell and it was an interesting step for me to teach at someplace where somebody was teaching from a very philosophical rights point of view and leaving me more with the nuts and bolts. What Steve Wise used to call animal slave law, I think, or maybe he still does. My course is called animal law. It's not specifically animal welfare law.

I think most courses are called animal law, at least in the US, and I do cover those topics. Do you cover also some about animal welfare law, as what's wrong with it? Or why you believe we should be going in a different direction? I guess my basic question is, is there overlap between these two topics?

Raffael: I think there is an overlap, the way we structure the Cambridge Animal Rights Law course is we start off by really showing students a few videos to give them a sense of the amazing capacities that different animals have. So we look into chimpanzees and how they may have a sense of fairness, elephants and how they express grief and all that.

But really what we do right after that is look into the history. And then the status quo of animal welfare laws, right? So we very much cover animal welfare laws because we think that you need to understand where we are right now, how we got here also, by looking into the history. But understanding where we are right

now for it to then make sense to look into why some people are going beyond that rights. Why we're seeing habeas corpus cases being brought. Why we're seeing Estrellita in Ecuador, where environmental law is now being connected in interesting ways with animal rights. So why is this happening at all?

We think that students need to first understand the status quo of animal welfare law in order for them to explore with us the philosophy, the legal theory, the cases, legislation that's being drafted on animal rights more specifically. So there's overlaps. So in that sense, you might say it's a question of where we put our focus and we put the focus on the rights paradigm, as we tend to call it, rather than the welfare paradigm.

Mariann: Let's talk a little bit more about the workshop that you'll be doing, because I could talk about this topic all day long and we do have a limited amount of time, but I really want to get back to the struggle that I have, and I imagine a lot of people have who are teaching this, between how much there is to cover, between the facts of what the law is currently, and as you say, the philosophical and jurisprudential considerations involved in what the law should be. But I do want to talk a little bit more about the workshop because that's a place where people who really, really are interested in this can get a chance to learn more about how they might be able to actually teach animal law or animal rights law or animal welfare law, if they want to I guess. Though, I don't think I've ever heard of a course that was called Animal Welfare Law. They're usually either animal law or animal rights law. They're usually animal law and the focus, I guess, can be very different. I've seen some courses where people really just seem to talk about dogs and cats, which is really shocking to me.

So the workshop itself, describe what it would be like for someone to arrive in Vermont (and tell us when this is...Beautiful Vermont, it's not in the winter, don't worry) and take this course. Can you just tell us the basic outline?

Sean: What we want to do is to help people who are existing law lecturers or would like to teach law.

We're helping them to teach their own animal rights law course. And to do that, we basically tell them everything we've done. We talk about our model for teaching animal rights law. We talk about the months that Raffael and I spent designing the course for Cambridge and our sort of thinking behind it and what we were trying to achieve.

We then talk about the sort of structure of it and the basic elements. So we give them all our handouts and lecture notes and reading lists and all of those things because what we're trying to do is to make it as easy as possible for people to design and give their own their own course. So turn up Monday morning or maybe Monday lunchtime, and we'll spend a couple of days with you and we'll talk you through.

We'll go through all the lectures. We'll talk about, as I say, the sort of design of the course. So for two days, we'll talk about our plans for the course, our idea, and picking up what Raffael said, we do teach animal welfare to start with. But we're doing that because essentially we've got a law reform model in our minds and of course, like any law reform principle you have to start with where the law is now and then really pose the question whether the law is satisfying people's needs or moral or social values. So we start with the nature of animals and then we move on to the history of animal welfare and then the current legal system, both in UK and Europe.

And then we also cover, to a limited extent, the US and other countries. So that essentially sets the scene for people and says, "okay, so here's what animal welfare law, animal welfare does. Here's what it achieves. Here's the how it has progressed, and here's what it looks like in the case of say, farmed animals or domestic pets or zoo animals or laboratory animals."

And then we pose the question, which is, "Is that enough? Could the law do more? Is the law appropriate? Is it sufficient?" And of course, that's where the nature of sentience comes in. The nature of animals and knowledge and awareness, emotion, that I think we're all very aware of. Because those attributes, those mental attributes, if you like, are the reason for saying, "Shouldn't we be doing more?"

So, David Favre obviously explored this with the idea of living property as a fourth form of property. So shouldn't we be doing more? Is the law really treating animals sufficiently well? Do welfare laws go far enough? And I think it's probably fair to say that, in many cases, welfare laws on the books are often quite good.

In some countries, welfare laws on the books aren't very good and there's sort of gaps and exclusions. Plus of course, the whole issue with enforcement. So that takes us to the point where we're saying, "well, maybe there's a different approach," because of course, animal welfare by definition is limited in what it can do.

As Rafael said, it can specify or determine how we treat animals, how we look after them, how we treat them, and how we kill them. But it's still working within that framework of use, exploitation some people call it. So then we get to the point of saying, "well, maybe the whole principle, the whole idea of welfare for animals is just insufficient. It's the wrong story, it's the wrong narrative."

And that then leads us to the next stage, which is to, like any good law reform, say, "well, what else could we do?" And that of course introduces animal rights. So the idea of rights, like rights for humans, is the concept that animals are perhaps not property, but certainly not simply objects.

Now yes. We then explore the philosophy, the jurisprudence, the idea "can animals have rights?" Remember the recent New York case where there was a concern over granting rights, habeas corpus in this case, because the animal couldn't take responsibilities. So we explore the different notions, different grounds for having rights, and then we look at what's being done.

So we look at a lot of the cases, obviously Steven Wise has a lot of habeas corpus cases in the US, but then looking at cases elsewhere in the world, Raffael's already referred to some of them. We're seeing in other countries where courts and judges are willing to recognize that animals perhaps do have rights, and that perhaps simply compliance with welfare isn't enough.

That actually we should go further. We should recognize personhood, if you like, and therefore rights that would go with that. So we talk about cases, we talk about real cases around the world. And then like any good law reform, we look and say, "well, what would law look like? What would animal rights look like?" And there's some excellent work being done.

The Finnish lawyer society has produced an excellent proposed constitutional amendment. There are a number of other treaties or draft treaties, proposed treaties, The Cetacean Society, for example. The Great Ape project. All of these are looking at and drafting what rights might look like, because we really don't.

We don't know which animals would have rights. Do you have to be sentient? Do you have to be vertebrate? Do you have to have a nearness to humans? Do you have to have a similar DNA? Do you have to pass some sort of criterion, or wisdom or, awareness or self-awareness? So we don't know which animals will have rights and we don't know what rights they'd have.

You know, you look at the various human rights conventions and some of them applicable. I guess, for it to have any meaning an animal's going to have to have a right to life. And of course, a right to life means a right not to be killed.

Probably a right to bodily integrity, which means you can't be used, you can't be experimented on. Those are for starters. But then there's some really interesting work being done on things like fair labor, the idea of animals as labor, animals as workers, and how they should be treated, what rights they should have.

Just along the same sort of idea as human rights. So we then explore what sort of rights we could grant to animals and how will they would be structured and how they'd be designed. Things like rights for wild animals, how will that work out? Anyway, we do all that in two days.

On the third day, the students rest. Well, they don't really rest. I was just saying that. On the third day, the students go away and write their own course and what we say to them is basically think about the university where you're teaching or plan to teach. Think about where the course would fit in, how many weeks, how many hours, lectures, structure of it.

Is it examination, dissertation? Is it a discussion sort? So think about the structure of the course you're going to want to teach and then design it. And then the last two days, on Friday, they come back. And they, each of them, have an hour or so and they present the course to us.

And I have to say, Raffel and I, and our colleague over, did this in Antwerp in the summer, and it was fantastic. We had a dozen law lecturers all coming back on the Thursday and Friday presenting where it was going to fit into their university, where it was going to fit into a course, an undergraduate course, or a master's course.

They described all the lectures, they described all the content and it was fantastic to see. Now obviously they've all still got a lot of work to do, but by doing it this way, we are helping them a bit. We're not proselytizing for our course, we make quite clear the sort of design elements and so we leave it to them to emphasize the parts they like, emphasize the parts they're more comfortable with, redesign it if they want. We don't mind.

And so by the end of the week, hopefully, and in this was the case in Antwerp, they go away with a fully designed course with content, lecture, outline, and some sort of reading list as well. So that's the plan for Vermont.

Mariann: Yeah, it sounds fascinating and I'm really interested to hear that they come back with very different ideas.

I mean, obviously some of them would be structural. I'm thinking about places I've taught, like sometimes you only have the opportunity to do a seminar as opposed to a lecture course. Sometimes it's the reverse. So, those things would vary understandably. But do you also find really interesting variations in the approach that people take, I mean, I know you've only taught this workshop once and so you don't have a huge experience, but it probably gives you some idea of how it'll work out.

Do they take very different approaches to the way they, not just structure it, but convey the information regarding animals that they think people need to have in order to propose... Well, I'm assuming that most of them want to propose change, but maybe some of them just want to teach what animal law is like. It's hard to imagine that anybody is motivated just by finding it an interesting topic on its own. But do they take really different approaches?

Raffael: They absolutely do, Mariann, and so we've actually had the opportunity to teach the workshop twice before, so once in Antwerp and the year before that in Cambridge.

And both times we went away being really struck by how people bring to this workshop and their own courses, their own expertise, and also the constraints within which they have to work, right? So we've had people who said, "oh, my university is very open minded. They don't mind me taking an activist approach at all. So I'm really gonna push the animal rights angle." And in that case the person also brought in a feminist component and a sort of social justice component, which they thought was going to work really well with their school. But we've had other people who said, "no, my school, they're a bit conservative. They are just about willing to offer this course. So I think I'm just going to stick to sort of describing what welfare laws are like, describing some of the changes we're seeing in the courts, some of the cases that are being brought." So people taking very much different angles based on what's their own expertise, what do they want to bring to it?

We've had people with sort of an environmental rights background and they said, "oh, I like your animal rights stuff, but I think you're really not putting enough emphasis on the rights for rivers, the rights for mountains, cases and legislation that we are seeing around the world. So I want to do that more than you've been doing in your course. I'm just going to use what you've given me, but I'm going to add some extra stuff to it. I'm going to maybe cut some things from your course as well." It's been really rewarding to see.

And again, I'd like to pick up a point that Sean's mentioned. We come and briefly present our course, but then we often come away learning lots that we can then incorporate into our course. So this is very much an opportunity for us, as well as hopefully others, to benefit from how different people approach their courses. And very often I think people go away learning lots from others, often more than from us, I think.

Mariann: When I first started teaching animal law, I worked at a court at the time. One of the judges said to me, "How would that be more than one class? What would you even talk about?" And like, you could teach it every single day for eight hours. And it encompasses the entire world really, in so many different things.

One of the things I find most challenging, I imagine a lot of people do, about teaching animal law, it's very hard to understand. At least the impact of current law without reference to the facts and the students. This would not be so true in your workshops. I don't know whether it would be true in your Cambridge course, but frequently my students with a few notable exceptions of activists who go into law school because they care about animals.

They know nothing. They have decided to take this course in animal law. They like animals, they care about animals. It just unnerves me every year to realize even these people, and they're very bright, young people, they know so little about the way animals are treated. It's really a wake up call. You know, we all think everybody knows everything about factory farming and the horrors of it, but people really don't.

So I always find it challenging to get them to understand the facts about what's happening to animals. And I'm wondering if you find that to be the case and how you deal with the facts.

Raffael: It's an interesting question. I never thought about it that way.

So to some extent I think...so, yes, it's true. Students are always surprised to hear how bad the situation is, what exactly is going on and how, picking up a point mentioned earlier about, how the law as applied in practice isn't always the same as it is on the books, right? That's true. Students are surprised to hear about.

But they're very quick to pick up on everything and make up their minds as to what they think about it, how they think it should be changed. And I think at the same time, we've also had a lot of students who already come into the course

knowing either a lot about the specific topic or being students with a particular kind of motivation, right? That maybe they're really interested in social justice issues. Right?

In fact, we've had one student who came up to us after a lecture once and who said, "I'm really glad that you're offering this course. When I decided to go to law school, I wanted to change the world, and then I was sitting in a tort law class and I was sitting in a crime class, and it just wasn't really what I was expecting. So I'm really glad that you guys are offering this course."

So I think that the motivation is really there, even if yes, as you suggest Mariann, sometimes the factual knowledge, we still need to provide.

Mariann: Do you find it challenging to not sound crazy, when you tell people what's happening? The way I do it is I have the students do it, tell each other.

I have them prepare presentations about various industries, so it's not all coming from me, the crazy animal rights activist professor. Do you find it challenging to convey all that information, what's going on in factory farms? Or is it relatively easy to work the factual information in?

Sean: It's an interesting question, the extent to which students, our students, anyone really understands what goes on behind the factory walls. In many ways, I think perhaps Rafa and I have been lucky that many of the students we've taught have been enthusiastic already when they arrive. With a degree, certainly of passion, and a degree of awareness.

I think where animal rights law is interesting for people is that, unlike animal welfare law reform, animal rights law is not simply an incremental process of change. Animal rights law is a challenge to the entire system.

So welfare law's been around, you know, 200 years and it's made significant strides. It's made significant change and improvement to the quality of lives of billions of animals. There's no doubt about that, but it is essentially incremental because it works around how we do things. It works around existing farming, existing laboratory experiments, existing zoos, existing wild animals.

So what animal welfare law does is to look at that, understand it, understand meanings, interpretations. It's the law. And like much law reform it progresses steadily, but sometimes slowly. What animal rights law does is quite different because in animal rights law, there is no reflection or consideration of how one

could improve the lot of an animal in a factory farm. In animal rights law, there is no factory farm.

We're not talking about how to reduce the amount of killing of say fish or whales or whatever in the wild, because they would be independent. They would have personhood, killing them would simply be something that's allowed.

So animal rights law presents people with, and I think Raffael used the word before, a paradigm change. And it's a huge paradigm change. It's one that obviously people like Gary Francione have likened it, and others have likened it, to slavery and the abolition of slavery. The scale of animal rights law, the change that we brought out would be enormous.

And I think I seem to find that many of our students warm to the idea that change and improvement of the quality of lives of animals doesn't have to be simply an incremental thing. It can be a huge and fundamental thing.

Mariann: I find that there seems to be a rising sentiment among activists, not among lawyers, that the law has been and will continue to be a total dead end for animals. The people practicing animal law are just irrelevant, and it all has to come from different kinds of activism, that we can't achieve change through the law. It's not dissimilar to what you are really saying, Sean. That the only useful role for lawyers really in this atmosphere, is to defend activists from having to go to prison, if that's possible.

I find that sentiment more and more as more radical activism is increasing in this country and obviously in the UK, as well. Do you run into that sentiment and how do you feel about it? How do you respond to it?

Raffael: So I don't think I've personally run into that sentiment before, but the way I would approach it, and I think the way we approach it in our course, is to say, that law sometimes follows, and sometimes it leads, right?

So if you pursue activism without an understanding of the theory or without a vision for what's possible, what's being done also in other parts of the world as part of scholarship, the different options that people are exploring or studying, on a more theoretical level, yes, but that can provide a bigger picture perhaps, then I think you're missing something. But equally, if you're just focused on the pure theory and in your ivory tower, then you're also missing something that's very important, namely, the change that's possible on the ground, right? For

instance, in one of the classes we teach on welfarism versus abolitionism, a dichotomy?

We discuss the debate, and we also looked specifically into that issue of what's the use of pursuing a utopian strategy? That may be great in theory, but it's very hard to achieve in practice. But equally, what's the use of just pursuing a practical approach, but without reflecting more broadly on the theoretical, legal, doctrinal, jurisprudential, philosophical, what have you, questions?

So we do, I think, at the end of the day, take a middle ground where we think both sides are really important. And yes, sometimes activists need to change people's opinions and need to make change on the ground happen, but sometimes also the law can lead and the rest will follow later. It's more of a middle ground sort of situation.

That's how I see it, at least.

Mariann: I totally agree. I'm always telling my students there has to be a vision. What's happening to animals is so bad, I think people can become very, very active and not really have in their head an idea of how it should be. And I think it really helps to have an idea of how it should be.

Even if you're so far away from it, it's hard to imagine getting there. You still have to know what your destination is. So I agree with you that it's really important.

Some of the topics that I teach, not to make this all about me, but making it all about me, they kind of don't really fit within animal rights or animal welfare. They're more kind of things that are tangentially relevant to animals, legal concerns that are tangentially relevant to animals. They kind of involve human concerns that affect animals. And one of the main things is consumer protection law issues, because that's become a very big focus of litigation in the US well, in the UK as well and in Europe too, on both sides when companies lie about the horrific cruelty they're imposing. You know, slap a humane label on factory farmed chicken or, and the other side of it, when vegan companies label their food with terms like cheese and butter and the industry gets all upset and sues them, things like that. It's not really about animals at all, but it seems like it's a very big focus for a lot of legal activists on behalf of animals.

The other issue that's become so (important), just in the past few years, because of the work of Direct Action Everywhere, is activist defense. And you know, there are huge activist defense issues, particularly I think here in this country.

There are some First Amendment issues, the ag gag laws, all of that. How does those things fit into your course and maybe into the thinking of some of your students.

I would expect when you're teaching a course in the US these would be hot topics for a lot of people interested in teaching.

Raffael: Yes. Great question. So it takes me back to something I broached earlier, namely the fact that different people will come at this in very different ways, right? As we've witnessed in our workshops, and as I'm sure we will see in the Vermont workshop as well. So, because of the constraints within which Sean and I were working at Cambridge, we opted for a course that does not look into some of those legal areas where animals are affected, yes, but it's more of an indirect sort of effect of how say consumer laws are structured, to use that example. But it's very well possible that someone who will come to the workshop, they'll say, "oh, that's what I wanna focus, because that's so important in my particular state where I'm gonna teach and my students are gonna be really interested in that question, or they're gonna be interested in the ag gag question because the law is still on the books in my state."

So we only cover that in very descriptive, we have a sort of comparative session on different jurisdictions, and we look into the US where we cover ag gag laws, and we also look into Switzerland where ag gag laws don't exist, right?

So we do cover it, but quite briefly and quite descriptively. And other people may want to come at this and say, "no, I wanna do this differently." And there's so many right ways of doing it and we don't wanna say that ours is the only right way.

Mariann: People must come away from this course having so many different ideas of how to teach this, that it's impossible to imagine teaching it in a two credit course. I mean, there's so much to cover. I think I already said that, but I'm saying it over and over again.

And I want to ask you my favorite question. This isn't directly relevant, but I think about this all the time. In this day and age, when it's hard to characterize any of the things that we do to animals, which are just absolutely horrifying, as necessary in any sensible interpretation of the word necessary. In animal welfare, both in the UK and in the United States, and I'm sure in many other countries as well, the basic principle of the basic animal welfare law is that you can't cause animals to suffer unnecessarily, that's like the real basic. If that law was actually enforced, and I know it never will be or it would be hard to get it

enforced, does it sort of collapse animal welfare and animal rights? Because we live in a different world than when all of these things started to be done, and now we don't actually need to do any of them, and we know that. I just basically gave a speech.

You can either say yes or no, or you can offer your thoughts, but I think about that all the time. Cruelty laws are so fascinating, I just find them such interesting laws.

Raffael: I know that Sean covers this in the lecture.

He teaches the one point that I will make on this is that something we try to really drive home, a message that we're trying to drive home to students, is that you can understand the term rights in very many different ways. And in particular, we focus on two different ways, the thin way and the thick way.

The thin rights. And the thick rights. So one way of approaching the situation you're describing is to say, "Well, yes, animals already have that thin right to be not imposed any suffering that is considered unnecessary, right? However, by virtue of how that provision is actually being interpreted, they're not really getting anything thick out of it.

It might be possible to interpret it in more expansive, more protective ways. And that's something Sean discusses as part of the class he teaches. But because it's not being done, animals are not actually getting any thick rights out of it, right? So you could...

Mariann: Or any rights all really, pretty much.

Raffael: Or any rights worth calling that at all. There's still some that are going to say, "Well, but you know, there's a duty imposed on humans and therefore..." so, yes. And they will potentially try to argue, "Why can't you build on that? And try to have small rights being stapled on top of each other and at the end of the day, you're gonna arrive at something bigger, potentially."

But yes, we want to show students that even if you have those kinds of protections, as long as they're not interpreted in a more protective, more expansive way, you're not going to get to that animal rights paradigm that people are trying to pursue in other ways.

Sean: I'd just like to pick up on what Raffael said and also come back round to your own comments and question.

I mean, I think part of the nature of animal welfare and animal welfare laws are that they've got words in them that need to be defined and understood and interpreted and disputed. And of course, part of the problem with animal welfare laws is there are a lot of rather soggy or vague words like necessary.

And they can be pushed in all sorts of ways so I think that sort of debate is unavoidable within the nature of animal welfare. And I want to come back to something you said earlier about, how this is all going to get done and squeezed into a couple of credits. I think the point is that animal rights law is, if you like, just a subset of animal law.

So when we talk about animal law, I guess we're talking about laws that have an animal component to it, whether it's trust law or family law, divorce or more traditional cruelty and welfare and so on. Property and ownership. Within all that, there's a space for animal rights law.

And animal rights law certainly isn't at odds with animal welfare. because both topics, both fields are trying to improve the benefit, the lot of animals, but animal rights is proposing or setting out, if you like, that there's a different way. It's simply saying, "yeah, if you are interested in improving the lot of animals, You obviously you can go down the welfare route and that's made significant change and there's a lot of progress still to be made, or you could go down the rights route."

I mean, you've talked about the idea of sort of giving people a vision. In many ways, I would like to think that animal rights could be a very worthwhile vision because of its capacity for transformation of the lives of animals. Absolute transformation, as simple as that, because there wouldn't be debates about whether the cruelty was necessary.

There wouldn't be debates about the size of a farrowing crate or the nature of an animal shed and whether it's large enough and whether the air quality is good enough. There wouldn't be those debates because the nature of rights is that those things simply would not be possible.

I would like to think... This is gonna take 50 years. I would like to imagine that people will look back in 50 years time, I don't know whether you'll still be doing these, Mariann, in 50 years. *both laugh* But if you are, I'd like to come back, and you'll say to me, "Sean, how..."

Mariann: I'll be in a medical journal if I am. *both laugh*

Sean: Well, and we'll be talking to people and they'll say, "How did you do this? How did you let this happen? How did you imagine that these sentient, intelligent, aware, emotional animals, how do you imagine you could treat them so, not just badly, but in such an uncaring way?" So I would like to think that animal rights law is a vision.

Now, just to sort of put the health warning on, obviously we are not advocates for animal rights, we're an educational charity. What we're here to do is to inform. One of the reasons that we're doing these large scale courses now is, because I said at the beginning, we want to normalize animal rights law. We want people to discuss it, to explore it, to think about it, to expand it, maybe to agree with it, maybe to disagree.

I'm sure there'll be a number of very well thought out arguments that say, "look, let's get on with welfare. Let's improve welfare for animals rather than progressing this pie in the sky rights story." But what I really want is people to engage with it and recognize it as a real subject and one that's worthy of their thought and reflection.

And that's why we're really hoping that the people who come to Vermont will, take away some of these ideas, take away a plan to teach animal rights law as a subset of perhaps their own animal law course to give their students a sense that animal rights law is something worth reflecting on, contributing to and helping to refine and develop.

Mariann: I love that idea and I wish we all had the opportunity to have, as they do at Lewis and Clark, five or six courses on animals and the law and of all the different ways of looking at it. I try to cram it all into... Well, I was lucky enough to have Professor Colb teaching a second course, but that will no longer be the case, and I still try... I cover Steve Wise's work and I try to cover some of the rights of nature work around the world, but it's really hard to get all of this in in two credits. We definitely need an entire curriculum. That is absolutely true, and one of the courses certainly has to be on animal rights, the pure. Everything else is so compromising, but somebody has to be setting out the pure thought.

But speaking of 50 years from now, I tend to be on the pessimist side of the view, I'm not sure anybody will be here in 50 years. How does the climate crisis, ever worsening, ever more frightening, affect the potential to achieve rights for animals? Is it going to make people recognize more clearly that we are all in this together, or are people just going to say, "Ah, we can't worry about animals, we're all dying."

Raffael: So I'm personally a bit more of an optimist, Mariann.

Mariann: Almost everyone is.

Raffael: Otherwise, I couldn't sleep at night, but I like Jeff Sebo's work and take on this. So in *Saving Animals, Saving Ourselves*, I think he makes a very powerful case as to why all these things are interconnected. And of course, the hope is that a sufficient number of people will actually read the book or understand the idea and act based on it.

But yes, I would personally try to live by that maxim, at least for now.

Mariann: I hope that is the case. As I said, barring a medical miracle, I probably won't be around to find out what happens 50 years from now. But I hope you're going strong and every law school has a course in animal rights law.

Taking a step back, can you just share the logistical details for the Vermont Chorus, how people can register and what it involves?

Raffael: Yes. So the workshop in Vermont will be held in Burlington, it's going to be from the 8th to the 12th of May.

Mariann: Oh, so it's not at the law school?

Raffael: It's actually not at the law school, but it is organized in collaboration with the Animal Law and Policy Institute at Vermont Law and Graduate School, but for logistical reasons, really, we decided to do it in Burlington rather than on the law school campus. So it's going to be a bit easier for people to get there, I think, and to find accommodation.

So from the eighth to the 12th of May, it's organized in collaboration with Delcianna Winders in Laura Ireland. They've been terrific. So the deadline for applications, we've just extended it actually. So deadline is the 20th of January. So we particularly welcome applications from candidates based in the US or in Canada.

Should be pretty convenient for people from either of these countries to get to Burlington. We look for people who are in a position to offer an animal rights law course or a module, perhaps in an existing course within the next, ideally two years or so. So they would probably be either professors or people who are adjunct professors or perhaps a PhD student who is able to offer a course as part of their PhD program.

We were discussing this earlier with Mariann off the record, but we really take a broad approach here. So if anyone really knows of, or is able to get in touch with a law school where they'd be keen to offer a course and they can do so in the next few years, then please do apply. You'd be very welcome to apply.

We do take a broad approach and equally, if people from other countries are interested in applying, they can apply too. So we are open to other people as well.

Mariann: Yeah, that sounds terrific. I know you have some scholarships and participants generally have to cover their own travel and lodging, but you're basically presenting the course itself for free, I understand. Is that true? And tell us who's helping out and how you're pulling that off?

Raffael: Absolutely. So all this wouldn't be possible without the generous support from our donors. So the Brooks Institute for Animal Rights Law and Policy have been really generous donors to our center. And the International Society for Animal Rights, they've specifically also given very generous donations to making this workshop happen. We're also supported by the Jeremy Kohler Foundation in the UK, as well.

As far as the specifics are concerned for the workshop, yes, everything we give people is for free. So all our materials, the syllabus, the lecture slides, the reading lists, all this we make available for free to people.

In fact, everyone who's joining the workshop will also become a part of our Animal Rights Law Teaching Network, which is an online platform, really an online network, where people who have participated in previous instances of the workshop all become members, all or those who want to make their materials available to others.

So there's going to be a large list of syllabi to select from, a reading list that people make available from maybe someone teaching an LLM course. And if you're interested in teaching an LLM course, go on our website and see if there's an LLM syllabus there. Perhaps if people want to have a guest lecturer, perhaps they can use that platform to look for someone. "Oh, I'm really looking for someone who knows something about the status of animals in family law," say, and chances are there's going to be an expert in the network on that specific question who might be willing to come and give an online talk or maybe even travel to your university to give a talk on that. So it's gonna be a terrific resource, I think, for people all around the world.

So the network's already got quite a few people in it, but this is going to grow year by year. So every participant in the Vermont workshop will also become a member of that online teaching network. So that's going to be a great asset.

We do have a hardship fund available for people who cannot afford to travel to Burlington, who may not have university funding they can draw on. So we do have a hardship fund so people can really come if they don't have any other money to support them. Sean, am I forgetting something? I think that largely covers the logistics.

Sean: Just to add, Eva Bernet Kempers is now working with us and is a JRA with the center and she organized the Antwerp program and she's now both running the network and is organizing this Vermont program. So just to add that, just to get in touch with her, all of this is on our website.

Mariann, can I just come back around? I think we've covered the logistics. You asked about climate change and the sort of relevance of that and I think it is actually terribly relevant because it seems to me that animal rights law is a vision.

Rights for animals as a vision is part of two bigger stories. One of them is about the challenge to human exceptionalism. It's about challenging the human way of living and living in the world and how we make decisions and how we decide how we can live and how we can make use of the planet and what's around us.

Because it's really forcing us to say, “well, there are other creatures on the planet who we shouldn't just be stewards of them. They actually have some personhood of their own. They have an identity of their own. We should be thinking rather more about others and less about ourselves.”

So that's one part, and that's where I think climate change involves us being willing not to do that which we're capable of doing because of a wider or a greater reason. The other thing that animal rights is part of, I think, is a challenge to violence because in a way, the way we treat animals is probably the last area of condoned violence that we have.

It's the last area where we legally recognize a level of violence that can be carried out, and I think that links it with other movements that are concerned with violence obviously, race and the other social justice movements, race discrimination, sexual discrimination and so on.

Animal rights is part of those two very big pictures. So I think people might find it an interesting or an attractive vision.

Mariann: I think that's a perfect way to end this. That's a very moving observation. The connection to violence and how completely condoned it is to use violence against animals and what that does to us and what it does to so many people.

I wish I could come take this course, but I can't, but I wish I could because it sounds like it's going to be outstanding. Best of luck with it.

I guess this is the third iteration of the course, I hope it is just the third among many, because you have much to say and it's very exciting to think of all these people coming together to talk about how to teach people about animals and having, as you said, a vision, creating that vision of where we should be headed and how to use the law to get there.

So thank you so much for doing it and thanks for joining us today on the Animal Law Podcast.

Raffael: Thanks a lot for having us Mariann. It's been a pleasure.

Sean: Thank you very much.