

**LAWS 2191 – Animals and the Law – 2 credits  
Fall 2018  
Professor: Jodi Lazare**

**SYLLABUS**

Class time: Thursday 4:00-5:50 PM

Class location: Weldon 411

Email: jodi.lazare@dal.ca

Office hours: Tuesday 1:00-3:00 PM or by appointment

Office: Weldon 426

Phone: (902) 494-1034

**Course content**

This seminar examines the law as it relates to nonhuman animals. It looks at how they are conceptualized by the law and whether that conception is appropriate today. Should animals continue to be viewed as property, or objects of the law, or should they be viewed as subjects of law and holders of rights? More fundamentally, why should the law concern itself with nonhuman animals at all?

That basic question provides the backdrop for studying the Canadian legal framework related to animals and a number of current issues relating to society's use of animals.

Specifically, as outlined in the reading calendar, we will look at Canadian federal and provincial law on a range subjects: the legal status of animals, criminal prohibitions on animal cruelty, protection of the health of animals, animals in captivity, scientific research on animals, food production and means of advocating on behalf animals.

By the end of this seminar, you should be able to articulate thoughtful arguments about:

- The distinction between animal welfare and animal rights
- The property designation of animals and its implications in several areas of law
- Whose interests are protected by the law's approach to animals
- The degree to which current legal frameworks protect animal interests
- The prospect of legal personhood for animals
- Means of using the law to advance the interests of animals

As a paper course, the objectives of this seminar extend beyond the animal question. As a paper course, this seminar is also designed to help you build fundamental legal skills. These include:

- The ability to engage in relevant and effective legal research

- The ability to make a compelling and well-organized written legal argument
- The ability to engage in thoughtful dialogue amongst your peers
- The ability to effectively present your research

### Course materials

There is no required text for this class. Where copyright permits, readings — required and optional — are available on Brightspace. Otherwise, two copies of the following text will be placed on reserve in the Dunn Law Library:

- Lesli Bisgould, *Animals and the Law* (Toronto: Irwin Law, 2011)

Two other books are also available on reserve. You may want to consult these in preparation for your research papers:

- Peter Sankoff, Vaughan Black & Katie Sykes, eds, *Canadian Perspectives on Animals and the Law* (Toronto: Irwin Law, 2015)
- Angus Taylor, *Animals and Ethics: An Overview of the Philosophical Debate*, 3d ed (Peterborough: Broadview Press, 2009)

### Assessment

Your performance in the course will be evaluated according to the following breakdown: Descriptions of each element are below.

<b>Attendance &amp; participation</b>	<b>5%</b>
<b>Facilitate a class discussion</b>	<b>5%</b>
<b>Major paper</b>	<b>70%</b>
<b>Peer review exercise</b>	<b>15%</b>
<b>Participation in research roundtable</b>	<b>5%</b>

- **Attendance & participation (5%)**: The success of this seminar depends on your meaningful engagement throughout the semester. This grade is determined on the basis of meaningful participation in class discussion that reflects thoughtful attention to the assigned readings. Students may miss up to two sessions without notice. Additional unjustified absences will affect your grade.
- **Facilitate a class discussion (5%)**: Beginning in the second week of class, two students will facilitate the class discussion of the day's assigned materials. Students may pose discussion questions or lead an exercise. Students should not simply summarize the content of the materials. A sign-up sheet with dates will be distributed in the first class.

- **Major paper (70%):**  
**Deadline 1: *First Draft (for peer review)* – Friday, November 9, 4:00 PM\*\*\***  
(see explanation below, under Peer review exercise)  
**Deadline 2: *Final Draft* – Tuesday, December 4, 4:00 PM**

The final draft should be submitted by hard copy to reception. Please ensure papers are date and time stamped upon submission. Papers should be between 25 (minimum) and 35 (maximum) pages, **double-spaced, Times New Roman, 12-pt, default (1-inch) margins**. Please also include a **table of contents** on the first page, and a **bibliography** at the end.

Papers must adhere to the law school's "Major Paper Guidelines" available online at: <https://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>. Remember that all citations must adhere to the *Canadian Guide to Uniform Legal Citation* (the "*McGill Guide*"). Further details are set out **below**. (We will talk in class about how to develop, research and write a major paper.)

Animal law contains a wide-range of subject matter and you may write on any subject that relates to the law as it relates to nonhuman animals. I am happy to discuss proposed topics in advance of your choice. (For this, please come see me in my office.) **Please send me (by email) your final paper topic by Friday, September 28, 4:00 PM.**

As your papers will be reviewed and commented on by a classmate, I will not read drafts before the final deadline. You are, however, **required** to meet with me about your papers, as you progress. **Please email me to set up an appointment, which should take place before Friday, November 2, 4:00 PM.** Before meeting, please send me a rough outline and working bibliography of your paper. Outlines can be in point form or more developed; the idea is to demonstrate that your paper is underway. This meeting will be considered in evaluating the organization of your paper.

- **Peer review exercise (15%):** You are expected to read and comment on another student's paper. Comment entails four component parts: (a) maximum three pages (double-spaced) of written comments; (b) completion of the writing checklist for five of the identified elements (elements to be chosen by the paper's author); (c) mark-up of the paper (this mark-up can be modest); and (d) oral feedback to your partner relating to the first three components. A class session is set aside for a discussion of your feedback. You should exchange papers with your partner (or group members, depending on numbers) by **November 9, 4:00 PM\*\*\*** and you should provide the components (a) – (c) to your partner on and submit a copy of them to me on **November 22, at the beginning of class.**

\*\*\*The November 9 deadline is subject to agreement between peer review partners. Upon mutual agreement, you may plan to exchange papers up until **November 15**.

- **Participation in research roundtable (5%)**: Our last two classes will be devoted to sharing our research. Each student will have a designated amount of time (TBD based on final attendance numbers) to present their paper topic and questions to the class. Each brief presentation will be followed by questions from classmates and a roundtable discussion. Students may use audiovisual equipment, but this is by no means required.

### **Administrative matters**

- **Computer use in class**: When determining whether and how to use a computer or other device during class, please keep in mind that the success of this class depends on your active participation. As this is a paper course, there is much less of a need for precise notes than in exam courses. I therefore ask, and have confidence that, you will use your devices only in ways that contribute to the class — for example, to look up things that arise in our discussions and share the details with the group. Please do not use your computers for unrelated matters during the class. This will necessarily detract from your participation and will be distracting to both your peers and the professor.
- **Student requests for accommodations**: Requests for special accommodation for reasons such as illness, injury or family emergency will require an application to the Law School Studies Committee. Such requests (for example, for assignment extensions) must be made to Associate Dean Michael Deturbide or the Director of Student Services, or to Dana-Lyn Mackenzie, Director, Student Services and Engagement, as soon as possible, **before** a scheduled exam or a deadline for an assignment, and will generally require medical documentation. **Retroactive accommodation will not be provided.** Please note that individual professors cannot entertain accommodation requests.

Students may request accommodation for either classroom participation or the writing of tests and exams due to barriers related to disability, religious obligation, or any characteristic under the Nova Scotia Human Rights Act. Students who require such accommodation must make their request to the Advising and Access Services Center (AASC) at the outset of the regular academic year. Please visit [www.dal.ca/access](http://www.dal.ca/access) for more information and to obtain the Request for Accommodation – Form A. Students may also contact the Advising and Access Services Centre directly at 494-2836.

- **Submission of Major Papers and Assignments**: Major papers and assignments must be submitted in hard copy. Students should hand papers in to the place stipulated by the instructor and ensure they are date and time stamped. Please read the law school policy on late penalties: <https://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>

Please note students may also be required to provide an identical electronic copy of their paper to the instructor by the due date. Papers may be submitted by the instructor to a text-matching software service to check for originality. Students wishing to choose an alternative method of checking the authenticity of their work must indicate to the instructor, by no later than the add/drop date of the course, which one of the following alternative methods they choose:

- a) submit copies of multiple drafts demonstrating development of their work
  - b) submit copies of sources
  - c) submit an annotated bibliography
- **Plagiarism**: All students must read the University policies on plagiarism and academic honesty <http://academicintegrity.dal.ca/> and the Law School policy on plagiarism <http://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>. Any paper or assignment submitted by a student at the Schulich School of Law may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above and should consult with the instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.