

CALL FOR PAPERS

An Uncomfortable Conversation: Human Use of Animals

March 30-31, 2012

Emory University Center for Ethics and School of Law, Atlanta, Georgia 30322

This workshop seeks to examine the issues surrounding human use of animals through the lens of vulnerability and resilience. Animals and humans share vulnerability to suffering and deprivation based on biological capacities and environmental change. Animals may experience vulnerability more acutely, however, as a result of human use. Individuals and entities using animals, often in ways that cause animal suffering, argue that animal use is necessary to support human well-being, and the human-animal hierarchy should stand. Re-framing issues of human use of animals in terms of vulnerability moves beyond the human-animal hierarchy to address the root justifications and objections to animal use.

We will examine legal, social, and cultural responses to human use of animals. Animals are used for food, clothing, research, entertainment, sport, law enforcement, search and rescue, religious sacrifice, physical and emotional support, and companionship. From early time, religious and philosophical thought has embraced human use of animals. Currently, law permits use of animals, subject to certain restrictions. Animals are property under law, and their interests are protected when they align with human interests. Because humans profit economically and socially from the use of animals, those interests often diverge, and animal protections are placed in jeopardy. Unlike protections for perceived disadvantaged human groups, no constitutional or other legal floor guards the basic liberties of animals.

Scholars and advocates concerned about animal well-being argue from rights- or interest-based perspectives that more human uses of animals should be prohibited, or, alternatively, that animals should be granted a status higher than property under the law, such as quasi- or living property or personhood. These arguments have limitations, as they do not change the human-animal hierarchy. Strong human rights or interests in using animals will always trump animal rights or interests. Similarly, animals treated as living property or persons under the law have competing claims with human persons, making it unlikely that animals will prevail.

WORKSHOP CONTACTS:

Martha Albertson Fineman, Emory University School of Law, mfineman@law.emory.edu

Ani B. Satz, Emory University School of Law, asatz@law.emory.edu

David J. Wolfson, Milbank, dwolfson@milbank.com

SUBMISSIONS PROCEDURE:

Please email a paper proposal by February 1, 2012 to Emily Hlavaty, FLT Program Coordinator: emily.hlavaty@emory.edu

**Various resources on vulnerability and resilience can be found on the Vulnerability and the Human Condition Initiative website at:

web.gs.emory.edu/vulnerability/resources/Publications.html

**Decisions will be made by February 8th. Working paper drafts will be due March 19th so they can be distributed prior to the Workshop.

WORKSHOP DETAILS:

The Workshop begins Friday at 4PM in the Common Room of the Emory Center for Ethics and will be followed by dinner. The Center for Ethics is located at 1531 Dickey Drive, Atlanta, Georgia, 30322.

Presentations and panels continue on Saturday from 9:30 AM to approximately 5PM. Breakfast and lunch will be provided.

GUIDING QUESTIONS:

**Where do our obligations to animals originate—their capacity to suffer or other morally relevant properties; rights; relation to humans, and/or vulnerability to harm?

**How should these obligations shape state responsibility for and legal regulation of human use of animals?

**Are animals made vulnerable by their legal status as property, human creation, or use, and how should individuals, private entities, or the state respond to such vulnerability?

**What is the significance of the fact that humans create and control the permanent dependency of domestic animals?

**How is the vulnerability of animals linked to human vulnerability? What is the significance of this link for individual, private firm, and state responses?

**How should law balance animal and human vulnerability in instances of competing interests?

**How can we think of providing resilience for animals, and how should this resilience be fostered when it impedes human development of land or human use of animals?

**Are humans obligated to assist wild animals displaced or otherwise endangered by humans?

**Should humans provide wild or feral animals tools of resilience such as food, shelter, and vaccinations, especially when such resilience may harm domestic animals?

**Is the human use of animals justified in medical and other testing when alternatives exist?