

Legal Issues and Animal Rights

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The well-being of animals is an important matter of legal and ethical discussion. The lives of people and animals are closely interrelated, as the latter ones can be found in households, entertainment, research, services, and wildlife. For the coexistence of humans and animals to be harmonious and mutually beneficial, it should be regulated by law. It would be fair to state that a well-developed legal system for the protection of animal rights is a crucial aspect of a civilized society. In fact, animal rights should be covered by a separate branch of the legal system: animal law, which stands at the intersection of statutory and case law.

The Development of the Animal Rights Movement

The unfair treatment of animals is typical for the earliest stages of the human species' evolution when human society was primitive and uncivilized. Since the dawn of our history, humans as a smarter and often stronger species got used to exploiting animals for their own interests. For instance, various parts of animals' bodies were used to provide food products, clothes, or tools. As humans developed, animals were used for entertainment, scientific research, and hard physical work. Consequently, people developed a feeling that the value of animals is reducible to the use that they may bring to humans, so they were routinely and systematically disrespected, mistreated, and abused.

Yet, as human society grew more civilized, people gradually started realizing that animals are animate beings as well, which means that their needs and interests should also be taken into account. The question of animal rights has become a matter of intense philosophical, cultural, environmental, and legal discussions for many decades. In particular, people started disputing whether animals also belong to "subjects-of-a-life," which would mean that they have

their own life of inherent value and deserve equal treatment (Eisen, 2018, p. 491). As of now, most developed countries have legal provisions that protect the rights and freedoms of animals, and the legal branch enclosing these regulations is commonly referred to as animal law.

Nonetheless, as the article by Eisen (2018) illustrates, a lot of work still needs to be done to improve the legal mechanism for animal rights protection. The protection of animal rights is an increasingly pressing legal challenge for most states, as western society is witnessing numerous moral movements.

Law and Animal Rights Protection

Animal law and animal legal studies have turned into a global matter, and they cover all the aspects of human-animal interaction to ensure that it is mutually safe and beneficial. The three most thoroughly covered spheres of animal rights are related to the protection of endangered species, natural habitats, and biological diversity (Peters, 2017). The most important animal rights advancement rests in the fact that global law has recognized animals not as things but as living beings and subjects of law. However, these actions are rather full-scale, while there are a lot of minor problems that should be regulated at the level of particular countries.

In the United States, the rights of animals are covered by the Animal Welfare Act, which is the essential animal law document. The act was signed in effect in 1966, and it defines minimum standards for the treatment of animals in the spheres of scientific research, exhibitions, trade, and transport. At the same time, environmental law covers the spheres of fishing and wildlife and protects wild animals from poaching. Criminal law prosecutes people accused of accidental or intentional animal cruelty. The tort law punishes veterinary specialists for wrongful decisions and actions that harm the health or life of an animal. The entertainment law defines the

circumstances at which captive wild animals should be kept in zoos, circuses, or aquariums. All these laws function not only at the federal but also at the international level.

Animal rights protection is important since cruelty against animals has an adverse impact on humans. For instance, Peters (2017) argues that increasing public health problems and associated expenditures are partially caused by the excessive consumption of animal food. He also argues that global warming is induced, among other things, by the abundance of cattle waste, that some genetic information is lost through the extinction of species, and that wildlife poaching may fuel international military conflicts (Peters, 2017). Finally, the regulations on animal rights are necessary for humans to stay moral, ethical, and civilized.

Challenges and Legal Cases

As of now, the U.S. has succeeded in prohibiting the unethical testing of medicines or cosmetics on animals, greyhound racing, and rodeos. Furthermore, the U.S. legal system has promoted the establishment of free-range egg production, which is more humane towards chickens (Rollin, 2011). A lot of success has been achieved in tackling poaching and illegal animal trade.

At the same time, while there is an extensive system of legal protection for wild animals and, in particular, endangered species, the rights of farm animals are poorly unprotected. For example, the constitutional law of the U.S. covers Ag-Gag cases, where people are punished for making the truth public about the lives of animals in agricultural facilities. In this way, the law prevents the public from knowing about the crimes committed against domestic animals, which is an example of how the law defends animal abuse.

Among the most controversial animal rights issues, there is a “foie gras” problem. Foie gras is a luxurious food product of French cuisine, which is made out of the liver of a forcefully fattened duck or goose. The process of fattening is extremely cruel and inhumane, as the animal suffers from incredible pain. Yet, as of now, American law allows foie gras production, as it defines geese as commercial goods rather than living animals.

Another serious legal case is called “puppy mills,” and it stands for the problem of large commercial dog breeders, which breed animals at an enormous scale and exclusively for profit while neglecting their welfare. These dogs are often left without proper nutrition, sanitation, or water, and the adult dogs that are used for breeding purposes are constantly exhausted and killed as soon as they become useless. As a result, these facilities breed dogs with hereditary diseases and behavioral disorders. Currently, only two states have legally prohibited commercial pet breeding and sales, and instead, they promote adoption practices. At the same time, all the other states still allow this form of animal abuse.

Fur production is also in dispute, as the public pressures fashion houses to stop using fur in their designs. Despite the growing social dissatisfaction with the current state of affairs, the government seems to be hesitant to close such a profitable fashion industry niche. Fortunately, most fashion designers are conscious enough to stop using animals for leather and fur.

Finally, the issue of animals in captivity is also a matter of heated debate. The supporters of the animal rights protection movement demand that the government enforces laws to prohibit keeping wild animals in captivity as pets or for entertainment purposes. In fact, humans cannot provide such large mammals as tigers or bears with favorable circumstances for their life and

reproduction. Not only is it cruel to keep these wild animals in inhumane conditions, but also it poses a serious threat to the public.

Conclusion

The movement for animal rights protection is growing at a rapid pace, and the global community made significant legal advancements to protect endangered species and biological diversity. At the same time, there are a lot of minor issues associated with the violation of animal rights, and those need to be addressed at the federal level. While the American legal system covers the most basic animal rights, there are numerous controversies that are actively disputed. In particular, the legal cases of foie gras, puppy mills, Ag-Gag, fur production, and wild animals in captivity are among the most pressing issues that require decisive legal action. It is important for the state to enforce animal protection regulations in order to develop morally and culturally and to minimize the risk that animal abuse may impose on humans. After developed states introduce comprehensive legal systems to ensure animal rights, they should stimulate developing countries to impose the same laws.

References

- Eisen, J. (2018). Beyond Rights and Welfare: Democracy, Dialogue, and the Animal Welfare Act. *University of Michigan Journal of Law Reform*, 51(3), 469-547.
- Peters, A. (2017). Introduction to Symposium on Global Animal Law (Part I): Animals Matter in International Law and International Law Matters for Animals. *AJIL Unbound*, 111, 252-256. doi: 10.1017/aju.2017.70
- Rollin, B. (2011). Animal Rights as a Mainstream Phenomenon. *Animals*, 1(1), 102-115. doi: 10.3390/ani1010102

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