



Course Information:

Course Name: Animals & Justice Seminar
Course Number: Law 648
Professor Name: Matthew Liebman
Number of Units: 3 Units
Semester/Year: SPRING 2023

Professor Contact:

Office: Kendrick 312
Phone: 415-422-6111 (email preferred)
Email: mliebman2@usfca.edu
Office Hours: Monday 11:00 am – 12:00 pm or by appointment

Course Schedule:

Day(s)/Time(s): Monday 2:00 pm – 4:50 pm
Room: 104

Course Description:

This class will explore the relationship between animals and justice through two lenses: First, what does justice for animals demand of us, legally, politically, and culturally? Second, how does the animal rights movement intersect with movements for human social justice? Through an examination of litigation campaigns and policy questions, this seminar will investigate topics such as: the entitlement of animals to just treatment under the law; litigation strategies to establish justice for animals; whether animals themselves have a concept of justice within their own communities; the connections between anthropocentrism (human-centeredness) and colonialism, racism, ableism, sexism, and heteronormativity; what an intersectional animal justice movement might look like; and specific case studies involving the overlap between animal legal advocacy and social justice in cases involving labor exploitation and civil liberties at slaughterhouses, animal cruelty crimes and incarceration, environmental racism in industrial animal agriculture, and cultural practices. Each student will draft and present a paper on a topic related to animals and justice. Animal Law is *not* a prerequisite.

Course Materials

The required text for this class is Elizabeth Fajans and Mary Falk's *Scholarly Writing for Law Students: Seminar Papers, Law Review Notes and Law Review Competition Papers* (5th ed. 2017).

Additional reading and course materials will be available online, through Westlaw or Lexis, and on Canvas.

Learning Outcomes

USF School of Law Learning Outcomes:

1. Knowledge and understanding of legal doctrine and policy.
2. Legal analysis and reasoning.
3. Legal research.
4. Professional legal skills, including independent and critical thought, effective problem solving, and good work habits.
5. Communication, including written and oral.
6. Professional identity and ethical responsibility.
7. Capacity for, awareness of, and openness to working in a diverse environment, from a global perspective, and toward the advancement of social justice.

This course is designed to ensure that students achieve competence in all of the following:

1. Be able to think critically about how the law protects, or fails to protect, animals;
2. Be able to effectively analyze legal issues concerning animals;
3. Connect doctrinal legal issues with broader philosophical values, especially justice, fairness, and equality;

4. Understand the connections and disconnections between the animal protection movement and movements for human social justice;
5. Communicate effectively orally and in writing;
6. Gain experience in conceptualizing and writing a publication-quality law review article;

Grading

1. **Grading Option:**
Grading will be based on a COMBINATION system.
2. **Contributing Factors:**
 - 60% research paper (600 points)
 - 10% outline (100 points)
 - 10% first draft (100 points)
 - 10% presentation (100 points)
 - 30% final draft (300 points)
 - 20% class participation (200 points)
 - 20% weekly journals (200 points, 20 points per journal).

Research Paper (60%): Each student will write a paper of at least 20 pages (at least 5,000 words), on the topic of their choosing related to animals and justice. This course can satisfy your upper level research and writing requirement (in which case your paper will need to be at least 25 pages long and meet all other writing requirements).

Each student must complete each of the following required stages of the paper. You may submit them through Canvas by 11:59 pm on the date on which they are due:

- **Sunday, January 29: topic and research plan due (no grade)**
 - Your *topic* is the general area in which you want to write, with some preliminary ideas about specific directions you might go in, plus a *research plan* of how you will go about narrowing down your general topic into a more specific thesis. It should be approximately 1-2 pages.
- **Sunday, February 12: statement of thesis and outline of the paper (10% of final grade or 100 points)**
 - By this stage, you will have narrowed the general area of your paper down to a *statement of your thesis* (that is, an original argument), which the rest of your paper will elucidate and defend. This assignment includes the statement of your thesis and an outline of the full paper. The outline should include each of the substantive sections of your paper with appropriate subheadings and references to the sources you will use. It should be approximately 5 pages.
- **Sunday, March 26: substantive first draft (10% of final grade or 100 points)**
 - By this point in the semester, you should have converted most of your outline to a *substantive first draft*, with a complete introduction and conclusion and

most of your background and argument sections filled out. Your substantive first draft should be at least 10 pages, with the remaining sections fully outlined.

- **Wednesday, April 26: final draft (30% of final grade)**

Late submissions will be penalized 10% of the points available for that assignment per day (or portion of a day) that they are late.

Your paper must be double-spaced and written in 12-point Times New Roman font, with one-inch margins on each side. The paper must include extensive citations in Blue Book format. The paper must rely on multiple different sources.

At the end of the semester, each student will give a 25-minute conference-style presentation on their paper topic. In addition to the presentation-in-chief, each student will respond to 5 minutes of questions from classmates. You will be graded based on (1) the clarity, thoroughness, and substance of your topic, (2) the quality of your presentation (including any visual aids or PowerPoint), and (3) your responsiveness to questioning.

Participation (20%): This is a seminar class, so we will all benefit from robust conversation and discussion, even on topics that aren't related to your own paper topic. I expect regular participation throughout the semester. **My expectation is that every student will speak at least once during every class.** The weekly journals, discussed next, will be a good source of ideas to bring to our classroom discussions. Voluntary participation is expected, but **please note that I may also be cold-calling on students throughout the class.** My intent is not to grill you or embarrass you, but rather to elicit your contribution to the learning process. I don't expect you to have all the answers, but I do expect you to be prepared and to be ready to work through the difficult questions this class raises. **If for any reason you are unable to do the reading before a given class, please let me know privately in advance and I will not call on you.** Please know that I strongly welcome the expression of positions that are contrary to my own (and the expression of positions that are contrary to *your* own, for that matter).

Weekly Journals (20%): You will be required to submit a weekly journal entry via Canvas that demonstrates that you have done the reading and engaged with the ideas it raises. The journal entry can be a disagreement with the reasoning of an article or case, a policy idea for reforming an aspect of the law, something that you found surprising in the reading, or anything else that is topical and legally-focused. Your entries should be between 250 and 500 words. Journals will be due every week that we have class, with the exception of the first week and the last three weeks, for a total of ten journals. **The entry should be submitted by 10:00 am every Monday, before we cover the material later that day.** Your journals may be discussed in class; if you've written about something personal that you'd rather not share with the class, please note that in your entry. Late journal entries will be penalized.

What We Should Expect of Each Other

I respect each of you for the hard work and dedication you've committed to your law school career. Please let me know how I can support you in this class and beyond.

For this class, you should expect me to (1) come to class prepared to share my knowledge and experiences in animal law with you, (2) encourage and support a diverse range of viewpoints, opinions, and life-experiences, regardless of whether I agree with them personally, (3) treat each of you respectfully as the colleagues that you are, and (4) work with each of you individually to meet your unique needs and expectations. Please let me know if I fail to meet your expectations as a professor and colleague.

In return, I expect that you will (1) attend each class having done the reading, (2) come prepared to discuss your impressions, opinions, and questions about the topics we're covering, (3) treat your classmates with respect and kindness, even when you disagree, and (4) participate in conversations and discussions to ensure the free exchange of diverse ideas.

Difficult Discussions

In this seminar, we'll be discussing important and deeply personal issues related to our identities, including discussions of race, nationality, (dis)ability, class, and gender. I will try my best to discuss these issues sensitively, but I will probably screw up. I not only invite but *encourage* you to [call me in](#) when that happens, either during class discussion or through any out-of-class means you're comfortable with (e.g., email, office hours). I promise it won't hurt our relationship or your grade. I am still learning too. My philosophy is that we need to have these conversations, even when doing so is uncomfortable. Often that means being quiet and listening, especially for those of us from groups with disproportionate power, but sometimes it means venturing an idea, even if we're not entirely sure how it will be received. My only request is that we be compassionate and assume the best of each other. We will work together to craft a class communication agreement about how to foster mutual respect for each other.

Mindful Minutes

We will begin each class with a minute or two of mindfulness, which simply entails a moment of quietness focused on some object of concentration, typically the breath. John Kabat-Zinn describes mindfulness as "awareness that arises through paying attention, on purpose, in the present moment, non-judgmentally." Although mindfulness and meditation can be spiritual, please rest assured this is not a religious or indoctrinating practice. The purpose of this exercise is fundamentally practical: to temporarily set aside the distractions that may be taking up our mental real estate so that we can bring our full attention to the class and connect with each other as colleagues. Mindfulness can also be effective at empowering people to receive and process traumatic information, which animal law and social justice sometimes entail. If this practice doesn't work for you, that's fine; please just sit quietly and enjoy the silence.

A Note on Graphic Videos

This course will include videos. This is in recognition of two facts: first, students learn best through a variety of different media; second, if a picture is worth a thousand words, a video is worth a million – some of the things we do to animals have to be seen to be believed. Documentary evidence of animal treatment is a major catalyst for legal, policy, and social reform. I know many of these videos are graphic and very difficult to watch. I encourage you to try. That said, I don't want to traumatize you. I've tried to mostly choose videos that aren't too graphic. I ask you to do your best, but I don't expect you to endure any video that is truly too much to bear. Please feel free to speak with me if you find the course materials difficult to work with and I can recommend some resources.

Class meeting schedule and assignments:

The course topics and reading assignments may change a bit throughout the semester. Per the ABA requirements, you should allocate at least 6 hours of out-of-class preparation time per week to this seminar. If your course preparation consistently takes longer than this, please let me know.

Please be sure to read articles marked with an asterisk especially closely, as they will be focal points of analysis, deconstruction, and discussion.*

Week 1: Monday, January 9, 2023 – Introducing Animals and Justice

- Topics: What is this course about? Why did you choose this seminar? How can we create the most welcoming and inclusive learning environment for exploring the issues this course raises? What is animal law? What is justice?
- Assignments:
 - Fajans & Falk, Chapter 1: *Introduction: Scholarly Writing in Law School*
 - Fajans & Falk, Chapter 2: *Exploration: Choosing and Narrowing a Topic*
 - *Justice*, BLACK'S LAW DICTIONARY (11th ed. 2019) (Canvas).
 - Natalie Neysa Alund, *NY Animal Sanctuary Owner Faces Felony After Refusing to Return Stray Cows from Beef Farm*, USA TODAY (Aug. 3, 2022), <https://www.usatoday.com/story/news/nation/2022/08/03/new-york-animal-sanctuary-cow-grand-larceny/10223773002/>.
 - Matthew Liebman, *Key Animal Law in the United States*, in ROUTLEDGE HANDBOOK OF ANIMAL WELFARE 436 (Andrew Knight, Clive Phillips, Paula Sparks, eds. 2022) (Canvas).
- Optional:
 - Robert C. Solomon, *A PASSION FOR JUSTICE: EMOTIONS AND THE ORIGINS OF THE SOCIAL CONTRACT* (1990), pp. 102-111, 138-149 (Canvas).
 - Marc Bekoff and Jessica Pierce, *WILD JUSTICE: THE MORAL LIVES OF ANIMALS* (2009), pp. 113-129 (Canvas).
 - David Miller, *Justice*, STANFORD ENCYCLOPEDIA OF PHILOSOPHY (Fall 2017), <https://plato.stanford.edu/archives/fall2017/entries/justice/>.

Week 2: Monday, January 16, 2023 – NO CLASS (Martin Luther King Day)

Week 3: Monday, January 23, 2023 – Are Animals Entitled to Justice?

- Journal #1 due on Canvas
- Topics: What is justice? Who is entitled to justice and why? Are animals entitled to justice? If so, what does justice require of us? What's the relationship between justice and rights? Should animals have legal rights and legal standing?

- Assignments:
 - Fajans & Falk, Chapter 3: *Inspiration: Finding and Developing a Thesis*
 - *Martha C. Nussbaum, *Beyond “Compassion and Humanity”*: Justice for Nonhuman Animals, in ANIMAL RIGHTS: CURRENT DEBATES AND NEW DIRECTIONS 299 (Cass R. Sunstein & Martha C. Nussbaum eds., 2004) (Canvas).
 - Matthew Liebman, *Animal Plaintiffs* (work in progress) (Canvas) (skim).
 - Katherine Gammon, *After Half a Century in Captivity, Tokitae the Performing Orca Could Finally Go Home*, THE GUARDIAN, Aug. 13, 2022, <https://www.theguardian.com/environment/2022/aug/13/toki-the-orca-captivity-miami-seaquarium>
 - TEDx Talks, *Orca Stories – Ingrid Visser*, YOUTUBE (Jul. 17, 2018), <https://www.youtube.com/watch?v=Zs9wgDalC3s>.
 - Katie Surma, *Port Townsend Recognizes Rights of Endangered Southern Resident Orcas*, SEATTLE TIMES (Dec. 7, 2022), <https://www.seattletimes.com/seattle-news/environment/port-townsend-recognizes-rights-of-endangered-southern-resident-orcas/>.

Week 4: Monday, January 30, 2023 – Animal Oppression

- Journal #2 due on Canvas
- Topics: What is oppression? Are animals oppressed? What is social justice? Is animal liberation a social justice issue?
- Assignments:
 - Fajans & Falk, Chapter 4: *The Mostly Research Stage*
 - *Robert C. Jones, *Animal Rights is a Social Justice Issue*, 18 CONTEMP. JUST. REV. 467 (2015) (Canvas).
 - *Lori Gruen, *The Faces of Animal Oppression*, in DANCING WITH IRIS: THE PHILOSOPHY OF IRIS MARION YOUNG 161 (Ann Ferguson, and Mechthild Nagel eds., 2009), pp. 161-172 (Canvas).

Week 5: Monday, February 6, 2023 – Intersectionality and “Total Liberation”

- Journal #3 due on Canvas
- Topics: How and why are certain humans animalized? How and why are certain animals humanized? Are the oppressions of animals and humans linked, both in theory and in practice? Should marginalized humans resist exclusion by emphasizing their humanity or by critiquing the very concept of “the human” itself? If oppressions are linked, how should resistances be linked? Is animal rights a left-wing or right-wing concept?
- Assignments
 - Fajans & Falk, Chapter 5: *The Writing Process: Getting it Down on Paper*
 - TED, *Kimberlé Crenshaw – The Urgency of Intersectionality*, YOUTUBE (Dec. 7, 2016), <https://www.youtube.com/watch?v=akOe5-UsQ2o>.
 - *Maneesha Deckha, *Intersectionality and Posthumanist Visions of Equality*, 23 WIS. J.L. GENDER & SOC'Y 249 (2008) (Canvas).
 - DAVID NAGUIB PELLOW, TOTAL LIBERATION: THE POWER AND PROMISE OF ANIMAL RIGHTS AND THE RADICAL EARTH MOVEMENT (2014), pp. 1-21 (Canvas).

- *Jones v. UPS Ground Freight*, 683 F.3d 1283, 1297-1298 (11th Cir. 2012) (note: you only need to read the discussion of racist slurs on pages 1297-98, not the entire case).
- Olivia Olander, *Trump Calls Pelosi ‘An Animal’*, Politico (Nov. 7, 2022), <https://www.politico.com/news/2022/11/07/trump-calls-pelosi-animal-00065578>.
- Jill Colvin, *Trump Defends ‘Animals’ Remark, Says He’ll Always Use It*, ASSOC. PRESS (May 17, 2018), <https://apnews.com/article/3c690381c5de49aea6103c9719568323>.
- David Brennan, *Eric Trump Calls Black Lives Matter Protesters ‘Animals,’* NEWSWEEK (June 21, 2020), <https://www.newsweek.com/eric-trump-calls-black-lives-matter-protesters-animals-rally-tulsa-1512374>.
- John Connor Cleveland, *Why Animal Welfare Is a Conservative Cause*, NATIONAL REVIEW (April 19, 2016), <https://www.nationalreview.com/2016/04/why-animal-welfare-conservative-cause/>.
- Optional
 - Will Kymlicka and Sue Donaldson, *Animal Rights, Multiculturalism, and the Left*, 45 JOURNAL OF SOCIAL PHILOSOPHY 116 (2014) (Canvas).

Week 6: Monday, February 13, 2023 – Animals and Gender

- Journal #4 due on Canvas
- Topics: How do our conceptions about gender, biological sex, and sexuality affect our views about animals? How does the biological sex of animals relate to their exploitation? How have women led the animal rights movement? How do philosophies of animal rights relate to women’s reproductive rights? Can one be both pro-choice and pro-animal or do rights for animals require rights for fetuses? How should the legal system deal with such ethical and political questions?
- Assignments
 - Fajans & Falk, Chapter 6: *The Writing Process: Revising and Polishing*
 - *Marya Torrez, *Combatting Reproductive Oppression: Why Reproductive Justice Cannot Stop at the Species Border*, 20 CARDOZO J.L. & GENDER 265 (2014).
 - EMILY GAARDER, WOMEN AND THE ANIMAL RIGHTS MOVEMENT (2011), pp. 41-60 (Canvas).
 - pattrice jones, *Queering Animal Liberation (MVF 2018)*, YOUTUBE (Nov. 16, 2018), <https://www.youtube.com/watch?v=36oPVbrU5uY>.
- Optional
 - Zachary A. Kramer, *Of Meat and Manhood*, 89 WASH. U. L. REV. 287 (2011).
 - Kathryn Gillespie, *Sexualized Violence and the Gendered Commodification of the Animal Body in Pacific Northwest US Dairy Production*, 21 GENDER, PLACE & CULTURE 1321 (2014) (Canvas).
 - Sherry F. Colb, *Is “Pro-Choice Ethical Vegan” an Oxymoron?*, JUSTIA: VERDICT (Nov. 11, 2015), <https://verdict.justia.com/2015/11/11/is-pro-choice-ethical-vegan-an-oxymoron>.

- pattrice jones, *Queer Eros in the Enchanted Forest: The Spirit of Stonewall as Sustainable Energy*, 6 QED: A JOURNAL IN GLBTQ WORLDMAKING 76 (2019).

Week 7: Tuesday, February 21, 2023 – Animals and Indigenous Nations

- *NOTE: Monday, Feb. 20, is Presidents Day and a holiday. Tuesday, Feb. 21 is an administrative Monday, so we will meet that day.*
- Journal #5 due on Canvas
- Topics: What is the relationship between anthropocentrism and settler colonialism? How did the European colonization of North America influence the legal structure that governs our relationships with both Indigenous people and the nonhuman world? How might a Re-engagement with traditional Indigenous belief systems address animal exploitation? Are Native cultural practices that involve animals or cause animal suffering ethically just? How, if at all, should they be regulated?
- Assignments
 - Fajans & Falk, Chapter 7: *Footnotes and the Ethical Use of Borrowed Materials*
 - *Sarah Deer & Liz Murphy, “*Animals May Take Pity on Us*”: *Using Traditional Tribal Beliefs to Address Animal Abuse and Family Violence Within Tribal Nations*, 43 MITCHELL HAMLINE L. REV. 703 (2017).
 - Dylan Forest, *Decolonizing Veganism: An Interview with Dr. Margaret Robinson*, ANIMAL PEOPLE FORUM (Sept. 23, 2020), <https://animalpeopleforum.org/2020/09/23/decolonizing-veganism-an-interview-with-dr-margaret-robinson/>.

Week 8: Monday, February 27, 2023 – Animals, Race, and Culture: The Case of San Francisco’s Live Animal Markets

- Journal #6 due on Canvas
- Topics: How do we balance the rights of animals and the rights of historically marginalized human communities? Is it racist to critique another culture for its treatment of animals? Is it speciesist to excuse mistreatment of animals on cultural grounds? How should lawyers, legislators, and community leaders deal with human-animal conflicts?
- Assignments
 - *CLAIRE JEAN KIM, DANGEROUS CROSSINGS: RACE, SPECIES, AND NATURE IN A MULTICULTURAL AGE (2015), pp. 63-140, 181-204 (chapters 3, 4, and 6) (Canvas).
 - *Cold-Blooded Cruelty at Live Markets*, ANIMAL OUTLOOK, <https://animaloutlook.org/investigations/live-market-cruelty/>.
 - Dan Noyes, *Coronavirus Impact: Calls Mount to Close Live Animal Markets in Bay Area Amid COVID-19 Crisis*, ABC7 (May 6, 2020), <https://abc7news.com/how-did-coronavirus-start-live-animal-markets-bay-area-wuhan-china/6157111/>.
 - KPIX CBS SF Bay Area, *CHINATOWN: Animal Rights Activists Free Chicken From San Francisco Chinatown Market*, YOUTUBE (May 31, 2017), <https://www.youtube.com/watch?v=3qtR-UW6ORY>

- *SF Bay Area Wet Markets Still Open With Live Fowl, Rabbits... Gruesome, Appalling Video*, TMZ (April 28, 2020), <https://www.tnz.com/2020/04/28/san-francisco-oakland-wet-markets-chicken-fowl-rabbits-caged-live-animals-coronavirus-china/>.

Week 9: Monday, March 6, 2023 – NO CLASS (Spring Break)

Week 10: Monday, March 13, 2023 – Animals and (Dis)ability

- Journal #7 due on Canvas
- Topics: How do our conceptions about the ideal mind and the ideal body influence our conceptions of humans and other animals? Does the privileging of rationality reflect ableism? Does it reflect anthropocentrism? Are there other ways of being-in-the-world that are less concerned with the traditional Western valuation of rationality and autonomy? Should the legal system extend rights to those who cannot participate in the social contract? If so, on what basis? Is there a basis for extending such rights to humans who lack rationality and autonomy but denying such rights to nonhumans?
- Assignments
 - Fajans & Falk, Chapter 8: *Writing with Care*
 - *Sunaura Taylor, *Beasts of Burden: Disability Studies and Animal Rights*, 19 QUI PARLE 191 (2011) (Canvas).
 - *Richard L. Cupp Jr., *Cognitively Impaired Humans, Intelligent Animals, and Legal Personhood*, 69 FLA. L. REV. 465 (2017) (focus on sections II and III; you can skim section I).
 - *Nonhuman Rights Project, Inc. v. R.W. Commerford & Sons, Inc.*, 192 Conn. App. 36, 216 A.3d 839 (2019).
- Optional
 - Stephen Drake, *Connecting Disability Rights and Animal Rights – A Really Bad Idea*, NOT DEAD YET (Oct. 11, 2010), <https://notdeadyet.org/2010/10/connecting-disability-rights-and-animal.html>.

Week 11: Monday, March 20, 2023 – Animals and Anti-Black Racism

- Journal #8 due on Canvas
- Topics: How are anthropocentrism and anti-Blackness linked? Does anti-Blackness influence policies related to animals? How has the animal rights movement analogized animal exploitation to slavery? Is the comparison valid? Was PETA's 13th Amendment lawsuit an act of intersectional solidarity or a crude appropriation of Black suffering? Has the animal rights movement been sufficiently responsive to movements for racial justice? How have Black people and other people of color contributed to the animal rights movement?
- Assignments
 - Fajans & Falk, Chapter 9: *Writing with Style*

- *Alice Walker, *Am I Blue?*, in *LIVING BY THE WORD: SELECTED WRITINGS 1973-1987* 3 (1989) (Canvas).
- *BÉNÉDICTE BOISSERON, *AFRO-DOG: BLACKNESS AND THE ANIMAL QUESTION* (2018), pp. 1-36 (Canvas).
- *Tilikum ex rel. People for the Ethical Treatment of Animals, Inc. v. Sea World Parks & Entm't, Inc.*, 842 F. Supp. 2d 1259 (S.D. Cal. 2012).
- *SeaWorld of Pain*, THE DAILY SHOW (Feb. 15, 2012), <http://www.cc.com/video-clips/g144yr/the-daily-show-with-jon-stewart-seaworld-of-pain>.
- Charlie Mitchell, *Is the Vegan Movement Ready to Reckon with Racism?*, CIVIL EATS (Aug. 26, 2020), <https://civileats.com/2020/08/26/is-the-vegan-movement-ready-to-reckon-with-racism/>.
- Vidya Rao, *Black and Vegan, Why So Many Black Americans are Embracing the Plant-Based Life*, TODAY (Feb. 26, 2021), <https://www.today.com/food/black-vegan-why-so-many-black-americans-are-embracing-plant-t209743>.
- Optional
 - Angela P. Harris, *Should People of Color Support Animal Rights?*, 5 J. ANIMAL L. 15 (2009).
 - Claire Jean Kim, *Moral Extensionism or Racist Exploitation? The Use of Holocaust and Slavery Analogies in the Animal Liberation Movement*, 33 NEW POLITICAL SCIENCE 311 (2011) (Canvas).
 - Jeffrey S. Kerr, Martina Bernstein, Amanda Schwoerke & Matthew D. Strugar, *A Slave by Any Other Name Is Still a Slave: The Tilikum Case and Application of the Thirteenth Amendment to Nonhuman Animals*, 19 ANIMAL L. 221 (2013).
 - Shontel Stewart, *Man's Best Friend? How Dogs Have Been Used to Oppress African Americans*, 25 MICH. J. OF RACE & L. 183 (2020).

Week 12: Monday, March 27, 2023 – Animals and Food Justice

- Journal #9 due on Canvas
- Topics: What's the relationship between justice and what we eat? What does justice require for farmed animals? Is it enough to treat them "humanely?" Or does justice require the elimination of their exploitation? How are human rights violated in the meat industry? How do our current methods of planning, growing, distributing, and consuming food reinforce existing social inequalities? How should we respond to the policy and legal concerns raised by food injustice?
- Assignments
 - Fajans & Falk, Chapter 10: *The Law Review Process: Evaluating and Editing the Work of Others*
 - Animal Save Movement, *Message from Angela Davis*, YOUTUBE (Oct. 14, 2020), <https://www.youtube.com/watch?v=sP43IdCxVI4>.
 - *Delcianna J. Winders & Elan Abrell, *Slaughterhouse Workers, Animals, and the Environment: The Need for a Rights-Centered Regulatory Framework in the United States That Recognizes Interconnected Interests*, 23 HEALTH & HUMAN RIGHTS J. 21 (2021) (Canvas).

- *Andrea Freeman, *The Unbearable Whiteness of Milk: Food Oppression and the USDA*, 3 UC IRVINE L. REV. 1251 (2013).
- “*When We’re Dead and Buried, Our Bones Will Keep Hurting:*” *Workers’ Rights Under Threat in US Meat and Poultry Plants*, HUMAN RIGHTS WATCH (Sept. 4, 2019), <https://www.hrw.org/report/2019/09/04/when-were-dead-and-buried-our-bones-will-keep-hurting/workers-rights-under-threat#> (summary only).
- Optional
 - Jonathan Dickstein, Jan Dutkiewicz, Jishnu Guha-Majumdar, & Drew Robert Winter, *Veganism as Left Praxis*, CAPITALISM, NATURE, SOCIALISM (2020) (Canvas).
 - Matthew Liebman, *At the Cost of an Animal*, LAW & POLITICAL ECONOMY PROJECT (Nov. 11, 2020), <https://lpeproject.org/blog/at-the-cost-of-an-animal/>.
 - *Industrial Animal Agriculture: Exploiting Workers and Animals*, ANIMAL LEGAL DEFENSE FUND (July 28, 2020), <https://aldf.org/article/industrial-animal-agriculture-exploiting-workers-and-animals/>.
 - Al Jazeera English, *Outbreak: Coronavirus in America’s Poultry Plants*, YOUTUBE (Oct. 21, 2020), <https://www.youtube.com/watch?v=mjCW3a2Btu4>.
 - Catriona Rueda Esquibel & Luz Calvo, *Decolonize Your Diet: A Manifesto*, 2 NINETEEN SIXTY NINE 1 (2013) (Canvas).

Week 13: Monday, April 3, 2023 – Animals and Criminal Justice

- Journal #10 due on Canvas
- Topics: What does justice require in the context of crime and punishment? Does justice require that we punish people who harm animals? What kinds of punishment are just? Does incarceration work? Should the animal rights movement promote the incarceration of animal abusers or is caging humans inconsistent with an ethic of liberation? Are there other methods of reducing crimes against animals without incarceration?
- Assignments
 - *JUSTIN MARCEAU, *BEYOND CAGES: ANIMAL LAW AND CRIMINAL PUNISHMENT* (2019), pp. 12-24. (Canvas).
 - *Brittany Hill, *Restoring Justice for Animal Victims*, 17 ANIMAL & NATURAL RESOURCE L. REV. 217 (2021) (Canvas).
 - Animal Legal Defense Fund, *Position Statement – Sentencing for Animal Cruelty Crimes* (no date) (Canvas).
 - *L.I. Mom Accused In Pet Torture Case Pleads Guilty*, CBS NEW YORK (Feb. 24, 2011), <https://newyork.cbslocal.com/2011/02/24/l-i-mom-accused-in-pet-torture-case-pleads-guilty/>.
 - *Martinez v. State*, 48 S.W. 3d 273 (Tex. App. 2001).
- Optional
 - Mary Maerz, *In Defense of Pro-Carceral Animal Law: Understanding the Dichotomy between Empirical Criminological Perturbation and Social Movement Values and Development*, 9 Braz. J. Pub. Pol’y 173 (2019) (Canvas).
 - Melissa Harris-Perry, *Michael Vick, Racial History and Animal Rights*, THE NATION (Dec. 30, 2010), <https://www.thenation.com/article/archive/michael-vick-racial-history-and-animal-rights/>.

Week 14: Monday, April 10, 2023 – Animals and Environmental/Climate Justice

- No journal this week
- Topics: How do the environmental costs of animal exploitation, especially factory farming, disproportionately affect communities of color? How is the climate crisis exacerbated by animal exploitation? How does the climate crisis pose questions of justice to animals? Do we owe animals a duty to not destroy their habitat? How should the legal system respond to these obligations?
- Assignments
 - Fajans & Falk, Chapter 11: *Getting Mileage: Winning Awards, Publishing Your Work, and Joining the Conversation*
 - *Christine Ball-Blakely, *CAFOs: Plaguing North Carolina Communities of Color*, 18 SUSTAINABLE DEVELOPMENT LAW & POLICY 4 (2017) (Canvas).
 - *McKiver v. Murphy-Brown, LLC*, 980 F.3d 937, 946-950, 977-984 (4th Cir. 2020) (read Section I of the majority and the Wilkinson concurrence).
 - Lee Miller, *Environmental Justice is Climate Justice is Justice for Animals*, LAW & POLITICAL ECONOMY PROJECT (Dec. 2, 2020), <https://lpeproject.org/blog/environmental-justice-is-climate-justice-is-justice-for-animals/>.
 - Umair Irfan, *Report: We Have to Change How We Eat and Grow Food to Fight Climate Change*, VOX (Aug. 8, 2019), <https://www.vox.com/2019/8/8/20758461/climate-change-report-2019-un-ipcc-land-food>.
- Optional
 - Daisy Simmons, *What is ‘Climate Justice’?*, YALE CLIMATE CONNECTIONS (July 29, 2020), <https://yaleclimateconnections.org/2020/07/what-is-climate-justice/>.
 - Angie Pepper, *Adapting to Climate Change: What We Owe to Other Animals*, 36 JOURNAL OF APPLIED PHILOSOPHY 592 (2019) (Canvas).
 - David Schlosberg, *An Ethic of Ecological Justice for the Anthropocene*, ABC: ABC RELIGION & ETHICS (Jun. 25, 2019), <https://www.abc.net.au/religion/an-ethic-of-ecological-justice-for-the-anthropocene/11246010>.

Week 15: Monday, April 17, 2023 – TBD

Week 16: Monday, April 24, 2023 – Paper Presentations and Outro

Hours of Work per Class

The American Bar Association standards for accrediting law schools contain a formula for calculating the amount of work that constitutes one credit hour. According to ABA Standard 310(b)(1), “a ‘credit hour’ is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.” This is a 3-credit hour class, meaning that we will spend three 50-minute blocks of time together

each week. All told, applying the ABA standard to the number of credits offered for this class, you should plan on spending a total of **9 hours per week (3 in class and 6 preparing for class) on course-related work.**

The School of Law is committed to providing the best educational and community experience for our students. At present, almost all of our courses are being hosted in person.

If the COVID virus becomes more widespread, we may be required by the University and the Department of Public Health to make changes in safety protocols which would alter the instructional modality of this course. Any changes will be communicated with as much notice as possible.

Students who are unable to come to class physically due to illness or quarantining will use the Zoom link in Canvas to access the course.

The ABA requires that students must attend at least 80% of all class sessions. Attendance for ABA purposes will be managed in three categories this semester:

- a. **Present in class:** will count as present for attendance purposes.
- b. **Excused absence and present on Zoom:** will count as present for attendance purposes for the first four absences (meets twice a week) or two absences (meets once a week) per class as long as the absences are approved by the Registrar's Office due to isolation or quarantine requirements. After four absences, a student who cannot return to in-person classes must contact Amy Flynn, Associate Dean of Academic Affairs at amflynn@usfca.edu. In order to be excused and able to be present on Zoom, a student **must email both their professor and the Registrar's Office (lawregistrar@usfca.edu) at least an hour before the start of that class.**
- c. **Standard absence:** If a student is going to miss class for a non-illness-related reason, they should notify their professor as they normally would. If Zoom is enabled, they are still welcome to join.

If you are feeling unwell or you are showing any symptoms of COVID-19, it is critical that **you do not come to school**. Send an email to your professor and the Registrar's Office (lawregistrar@usfca.edu) **as soon as you know you are ill, but at least one hour before class begins** explaining that you are unwell. Join the class via the Zoom link on your class Canvas page. While you will be able to view the professor and slides and listen to classroom lectures and discussions, the professor will not be interacting with students on Zoom while they are teaching in person. The Registrar's Office will follow up with you regarding protocol for returning to campus.

Communication:

All official School of Law and University communications are sent exclusively to students' USF email addresses.

Attendance:

The School of Law requires students to attend classes regularly, complete assignments in a timely manner, and be prepared for and participate in class. The law school attendance policy follows the ABA standard that students must attend at least 80% of the scheduled class sessions for any given course in order to receive credit. If a student has exceeded the allowable class absences, they may be administratively withdrawn and/or receive a failing grade for the course. For full detail, please see the *Academic Policies for the JD & Graduate Tax Programs*: <https://myusf.usfca.edu/law/student-services>

Attendance in synchronous online classes means attending live classes at their scheduled time. Failure to attend the live class will result in being marked "absent," even if you watch the class recording at a later time.

Tracking:

Taking attendance is required at the School of Law. USF policy requires that I notify the Registrar if a student is in danger of exceeding the permissible number of absences. Compliance with attendance rules is regulated by the Honor Code.

Students with Disabilities:

The University of San Francisco is committed to providing equal access to students with disabilities. If you are a student with a disability, or if you think you may have a disability, please contact Student Disability Services (SDS) at sds@usfca.edu or 415 422-2613, to speak with a disability specialist (please note that SDS follows privacy and confidentiality protocols). If you are eligible for accommodations, please request that your accommodation letter be sent as soon as possible (students are encouraged to contact SDS at the beginning of the semester), as accommodations are not retroactive. Once I (and/or the Law Registrar's Office, as appropriate) have been notified by SDS of your accommodations, we can discuss your accommodations and ensure your access to this class. For more information, please visit the SDS website: <https://www.usfca.edu/student-disability-services>.

DRALSA Info:

The Disability Rights & Advocacy Law Student Association (DRALSA) is available as an additional resource for students with disabilities who have questions or need assistance with any disability-related issues including obtaining documentation, communicating with SDS and professors, applying for accommodations, and requesting support in the classroom. Students are encouraged to reach out to DRALSA at dralsa.usfca@gmail.com if they are in need of support.

Academic Dishonesty

The law school defines academic dishonesty as engaging in any dishonest conduct in connection with any examination, written work, or other academic activity. **This includes plagiarism and using unattributed quotations from any source.** The University of San Francisco takes academic dishonesty very seriously. You are responsible for knowing and adhering to the explicit details of our policy as listed here in the *School of Law Honor Code*:
<https://myusf.usfca.edu/law/student-services>

Academic and Bar Exam Success Program (ABES)

ABES gives all students the necessary skills and mindsets to be successful in their classes, on the bar, and in their first jobs as attorneys. ABES teaches students study skills and techniques, legal analysis and writing, and exam-taking strategies through integrated instruction, workshops, courses, and one-on-one meetings.