

# Animal Law as an Interdisciplinary Academic Program

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Around the world an increasing number of legal questions concerning nonhuman animals is finding its way to the courtroom. While most cases revolve around infringements against laws that protect nonhuman animals in recent years also the legal status of nonhuman animals has been debated in court. And although Animal Law is still a relatively new field of law, Animal Law courses are increasingly being taught at law schools worldwide. Students, however, sign up for animal law programs with divergent expectations. Some are motivated to learn about animal rights, some prefer a focus on animal welfare and others expect to study animal regulations. All of this, together with the increasing awareness of nonhuman animals in the legal system, makes it opportune to define “What is Animal Law?”

Since animal law includes different branches the subject can be taught in various ways as part of the academic program. One branch of animal law is animal welfare. This is the traditional focus on the protection of animals which imposes actions on human beings as to how to treat nonhuman animals. Animal welfare is the underlying factor of most legislation on nonhuman animals and seeks to secure a certain standard for nonhuman animals kept by humans. Another branch is animal rights. Here the focus is on getting nonhumans animals one or an infinite number of rights in the legal system.

When legal professionals address law that affects nonhuman animals, it can be done in a purely descriptive matter (*de lege lata*) including the existing laws at place or it can also adjudicate upon the law as it should be (*de lege ferenda*). By incorporating these two it is possible to include branches from both welfare and rights point of view. This gives Animal Law the potential to be both the product and the producer of a worldview.

The laws on nonhuman animals are developed under the influence of the moral consideration and scientific results on nonhuman animals. This gives animal law an interdisciplinary aspect. A scientific understanding of an animals' individuality drives the need to draft laws that protect it. The impetus for scientific research on e.g. animal sentience is in its turn a certain degree of moral consideration. An example of this interplay is the case of the lobster. For a long time it was a common understanding that lobsters, as an invertebrate have no feeling of pain. Therefore lobsters were cooked by placing them into boiling water. A practice which to this day is still common. However, science has consistently shown that lobsters experience pain even indicating they are very sensitive to changes in temperature. The knowledge of the lobster feeling pain might make society want to take these nonhuman animals into moral consideration. This is the case in Switzerland where lobster now have to be stunned or killed before being placed into boiling water. The case of the lobster is an example of how animal law, science and moral interplay and can call for changes in the legal system.

To get back to the main question of clarifying what is Animal Law. Educational programs containing the phrase Animal Law can incorporate more than one branch, both animal welfare and animal rights, even if they each have a different focus and purpose. This provides the opportunity to cover the laws at place and the effects they have for the nonhuman animals while also discussing the possibility of expanding laws or even granting them another place in the legal system with potential rights.