

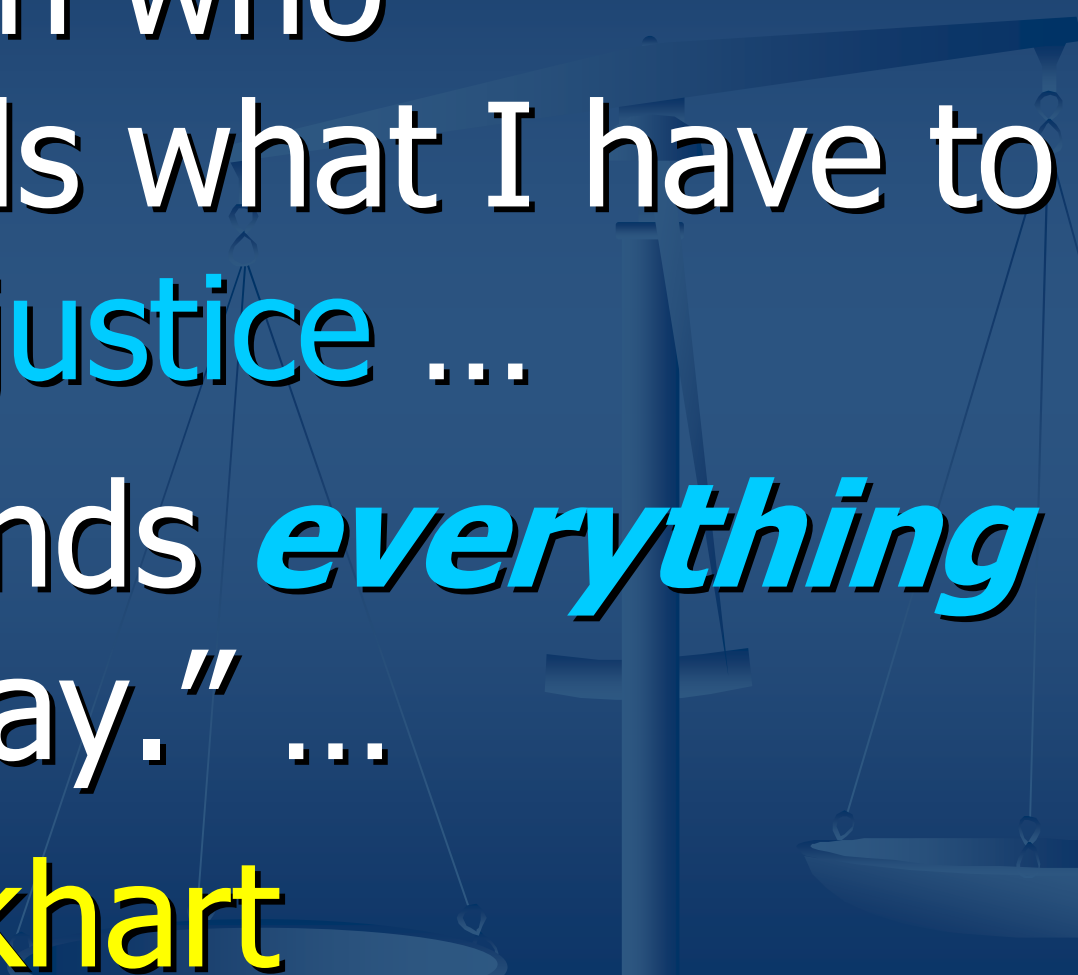
World Religions and Animal Law



October 18, 2008

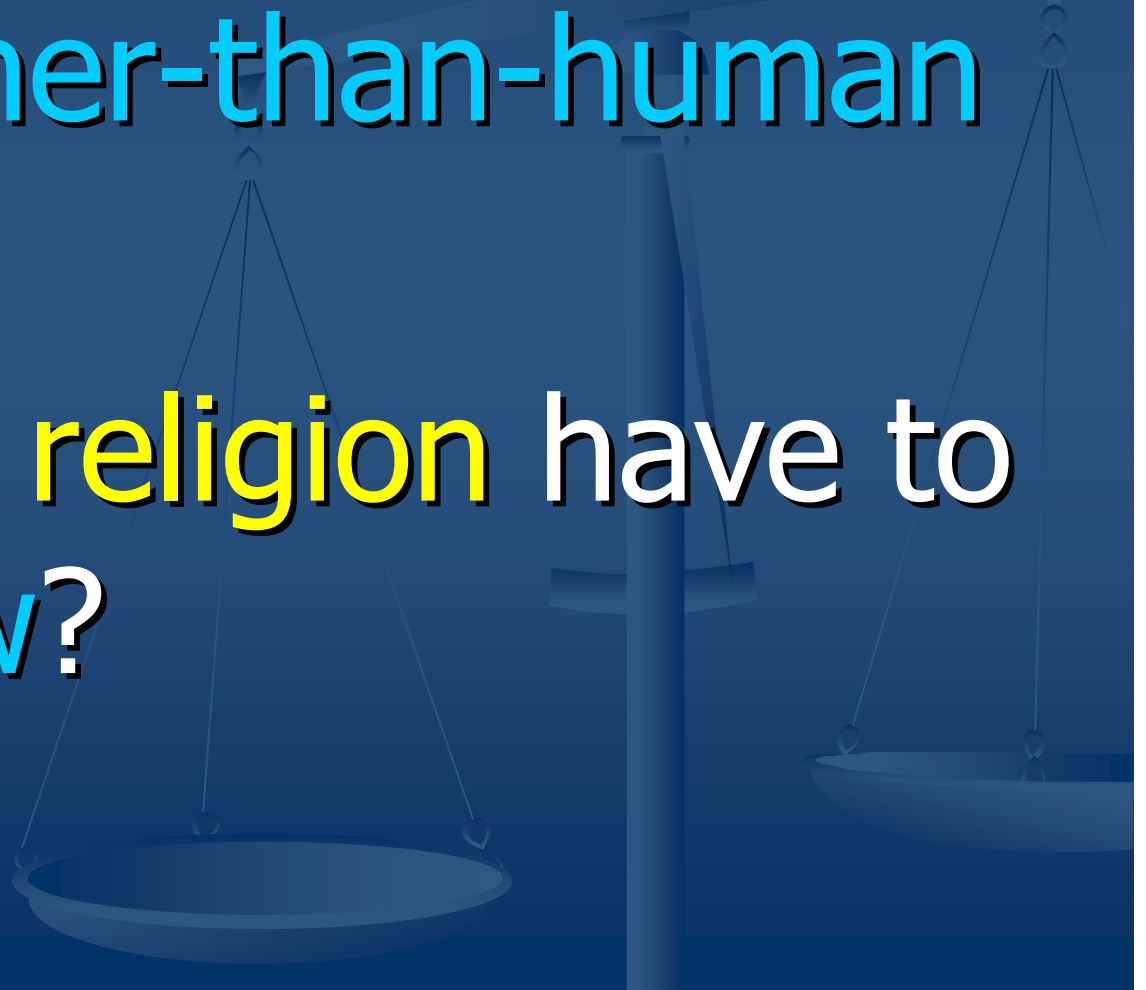
Paul Waldau

Religion and Animals Institute

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- “The person who understands what I have to say about **justice** ...
 - ...understands ***everything*** I have to say.” ...
 - **Meister Eckhart**

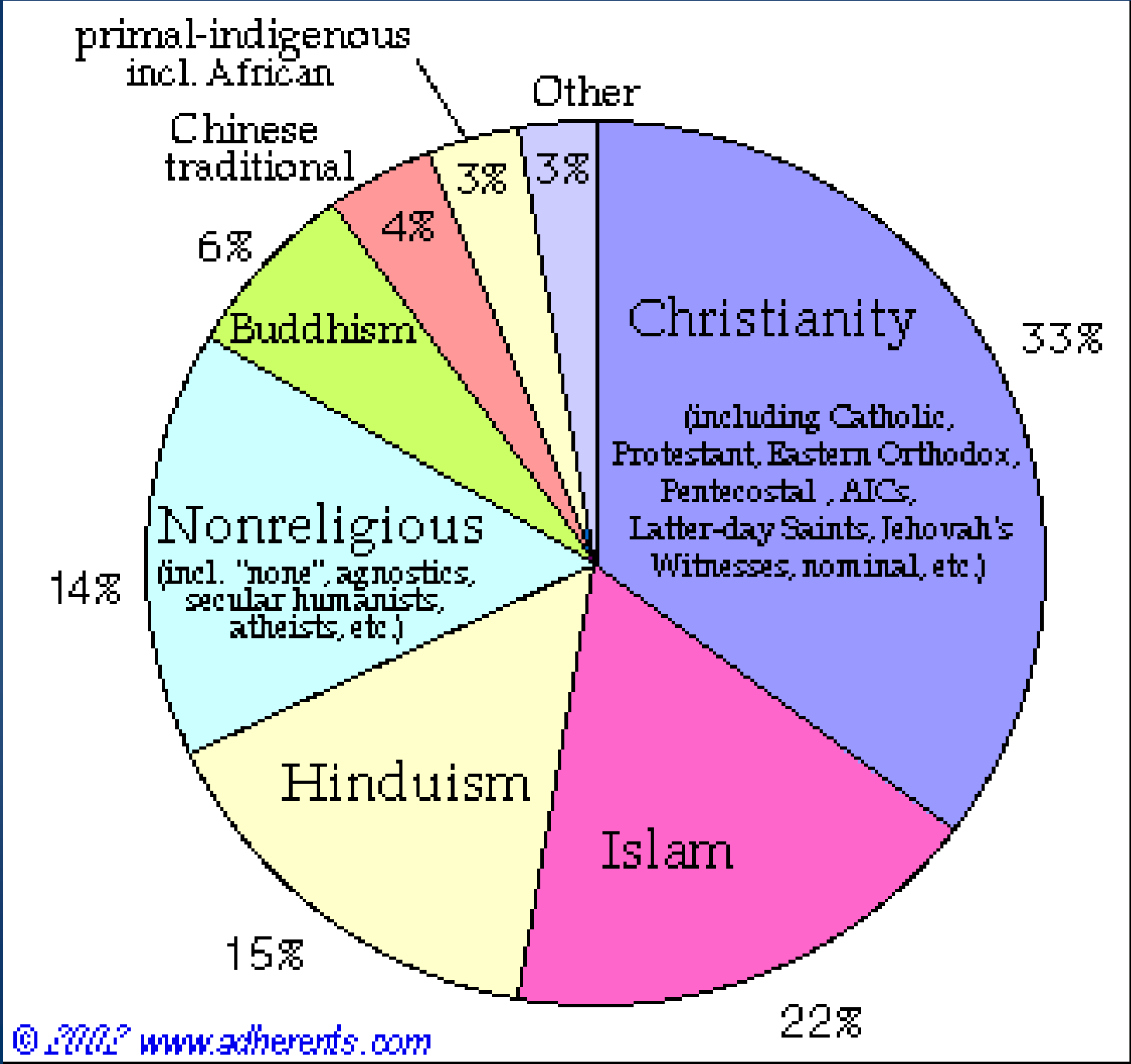
two basic questions

- What might **religion** have to do with **other-than-human animals**?
- What does **religion** have to do with **law**?



“World Religions”

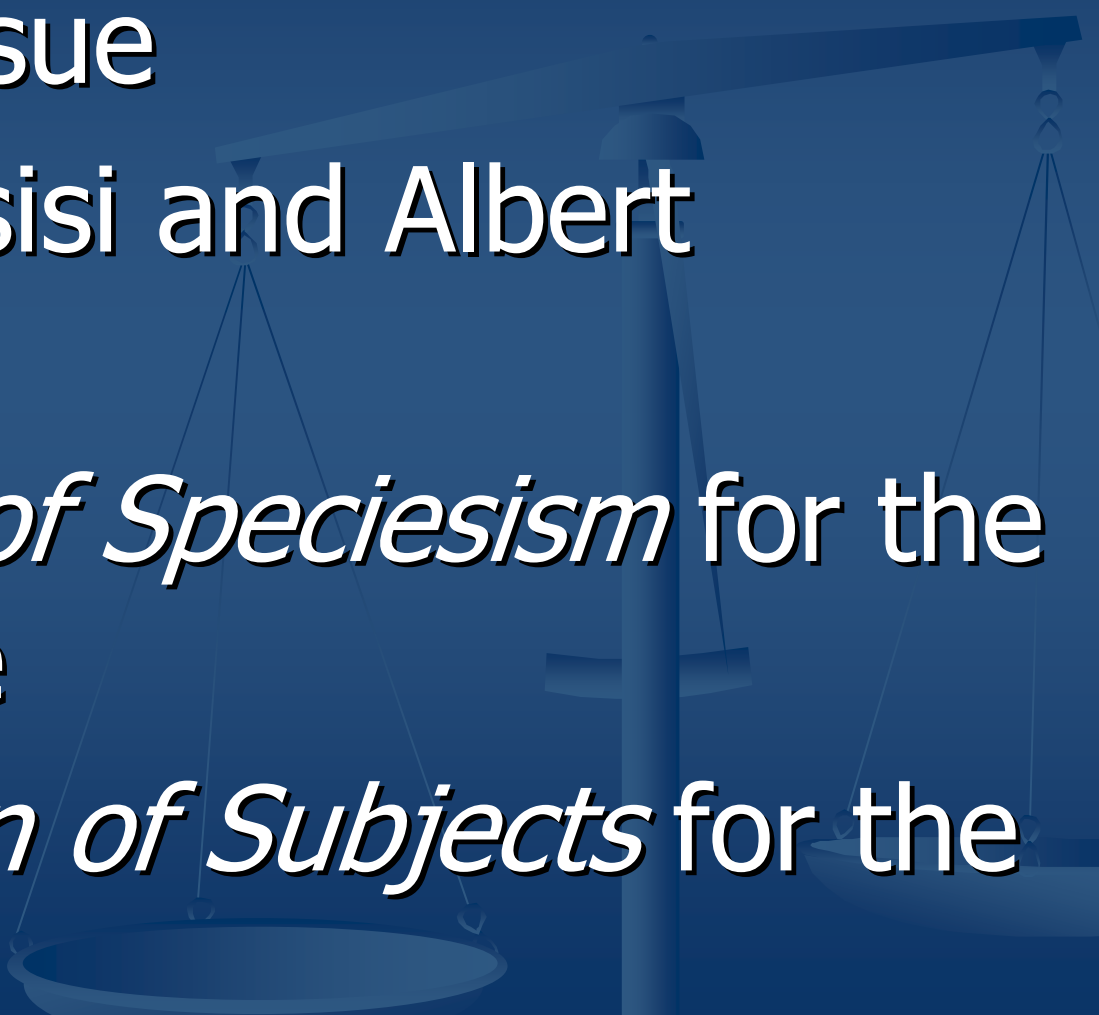
- sometimes = only 3 largest religions—Christianities, Islams and Hinduisms
- Sometimes = “the big five”—Judaism & Buddhism added
- Sometimes includes Chinese traditions of Taoism & Confucianism, Sikh and Jain traditions from India, even Bahai tradition (Islamic roots)



“World Religions”

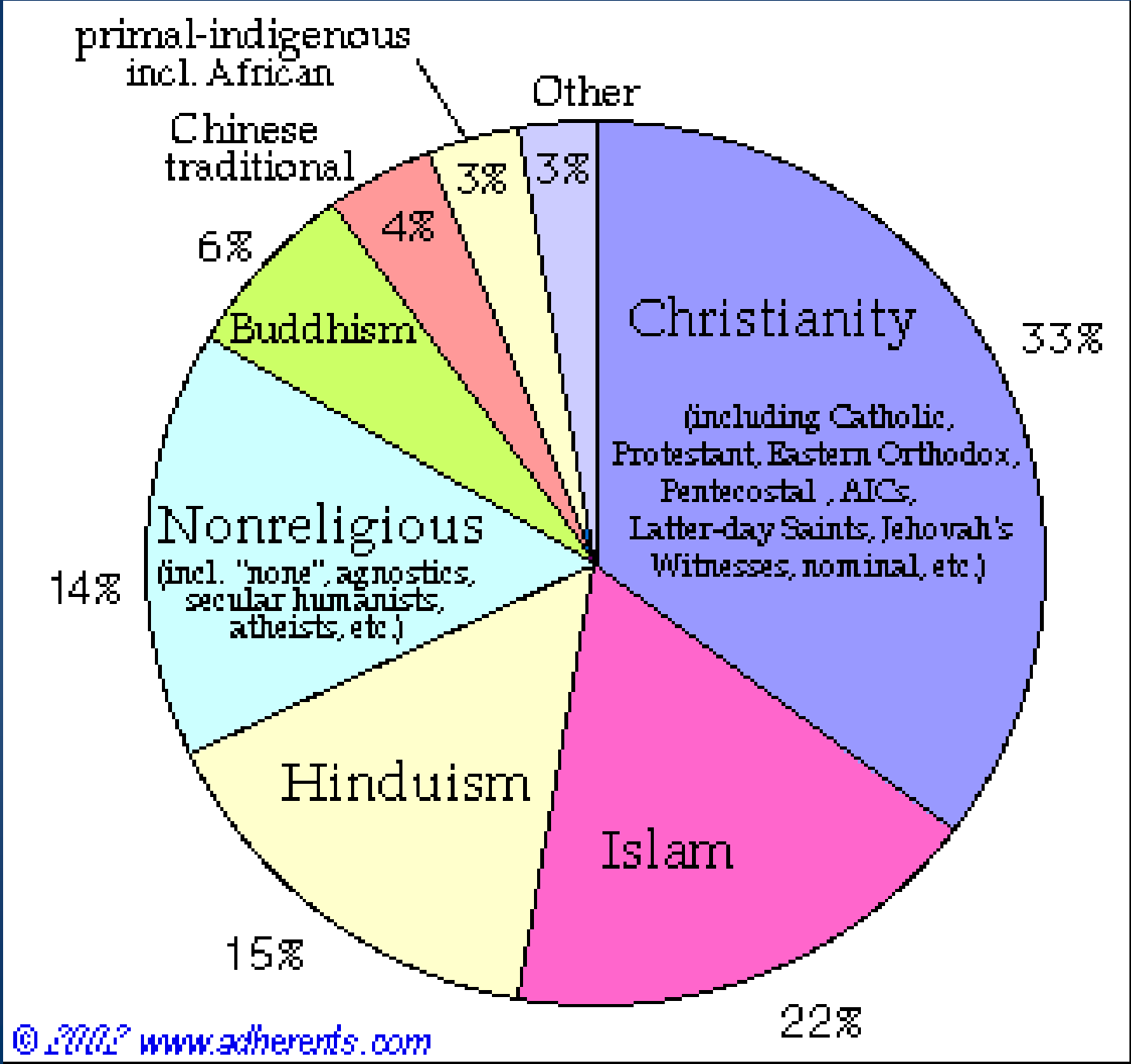
- What I mean is far broader—“religions around the world”
- Indigenous traditions, religion in small scale societies help us stay in touch with our possibilities
- The most familiar religious traditions can come in unfriendly versions
- BUT there are—always have been—***clearly*** friendly versions as well

“World Religions”

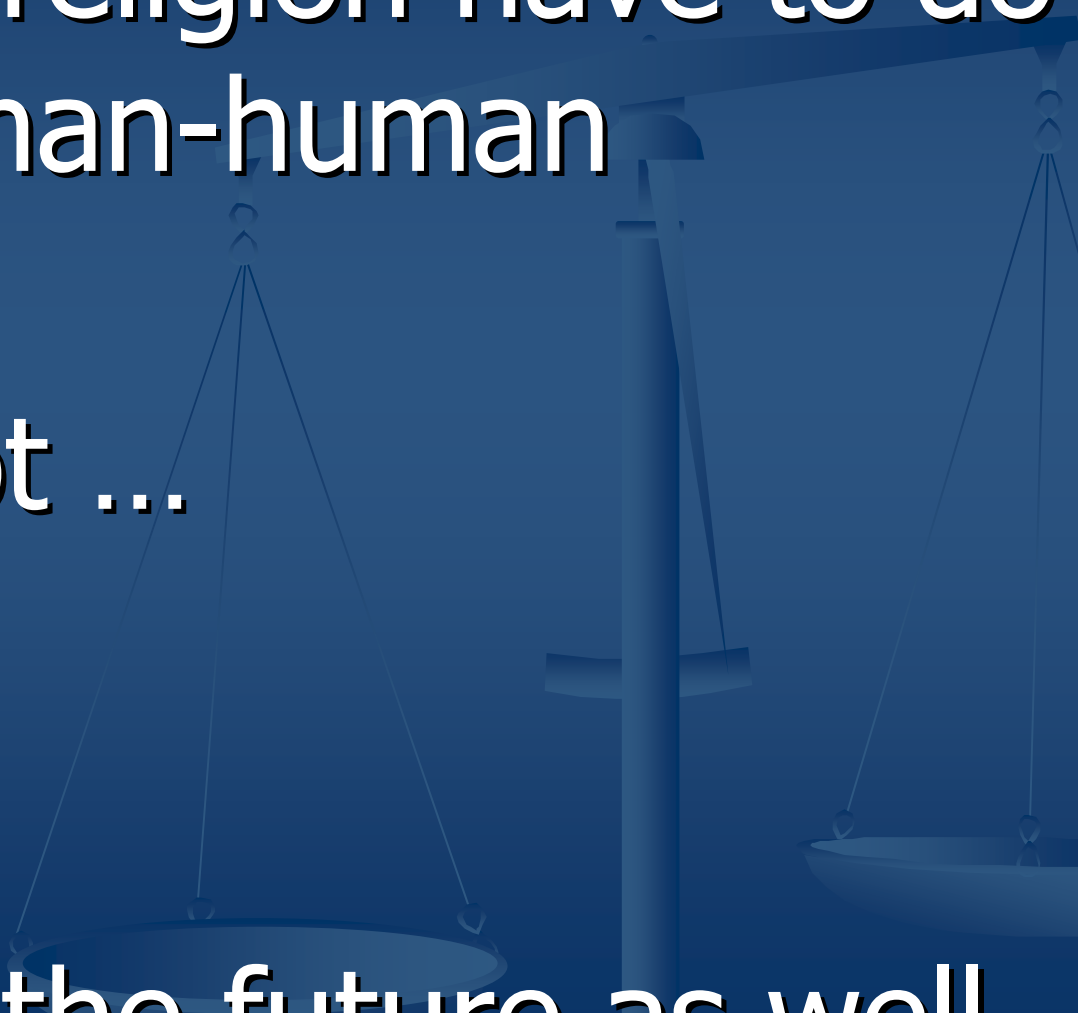
- Christianity has been well analyzed on animals issue
 - Francis of Assisi and Albert Schweitzer
 - *The Specter of Speciesism* for the dismissal side
 - *A Communion of Subjects* for the riches
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Bottom Line

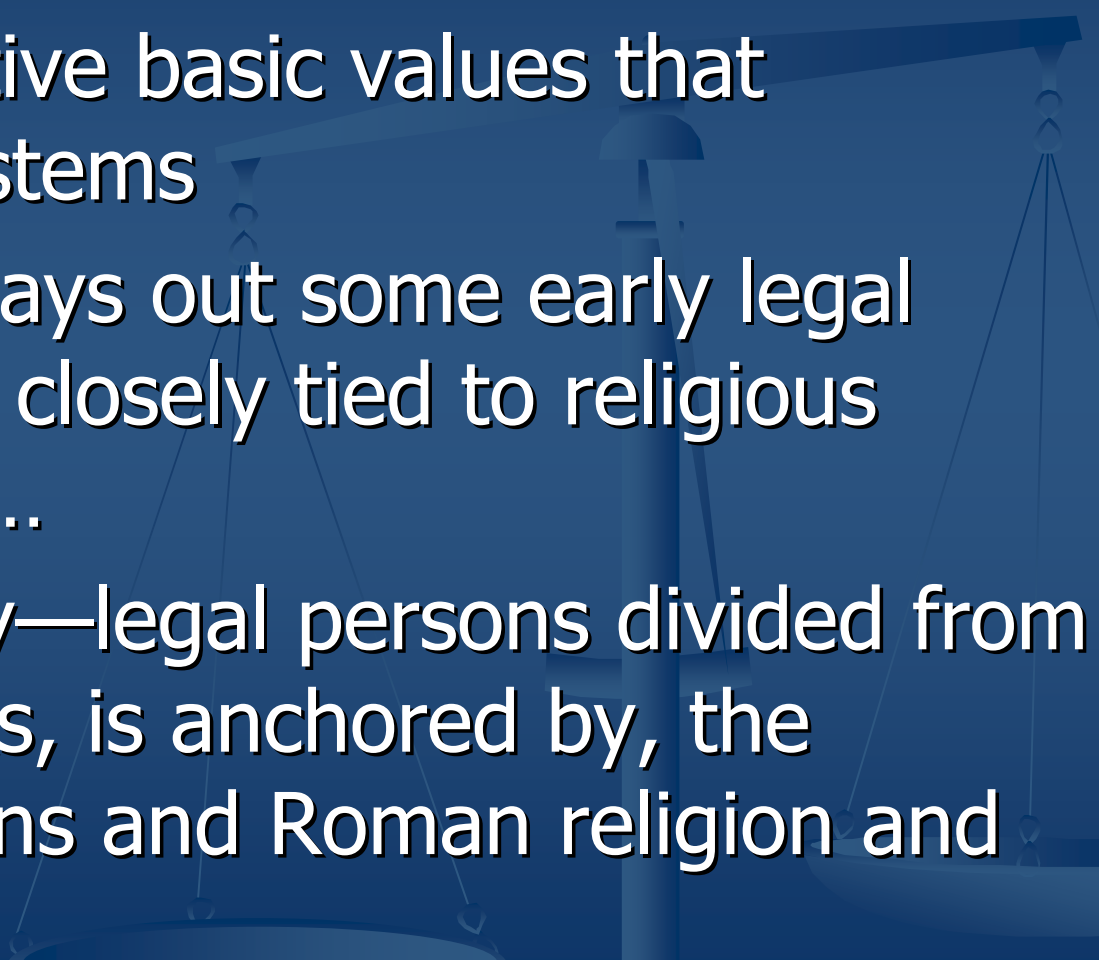
- Religions do impact greatly what everyone thinks and is able to feel about other living beings and the more-than-human world
- E.g., “humans and animals”
- *un*-scientific ... anti-scientific
- Irony—prevails in science & education
- 2nd e.g.—our culture and meat-eating



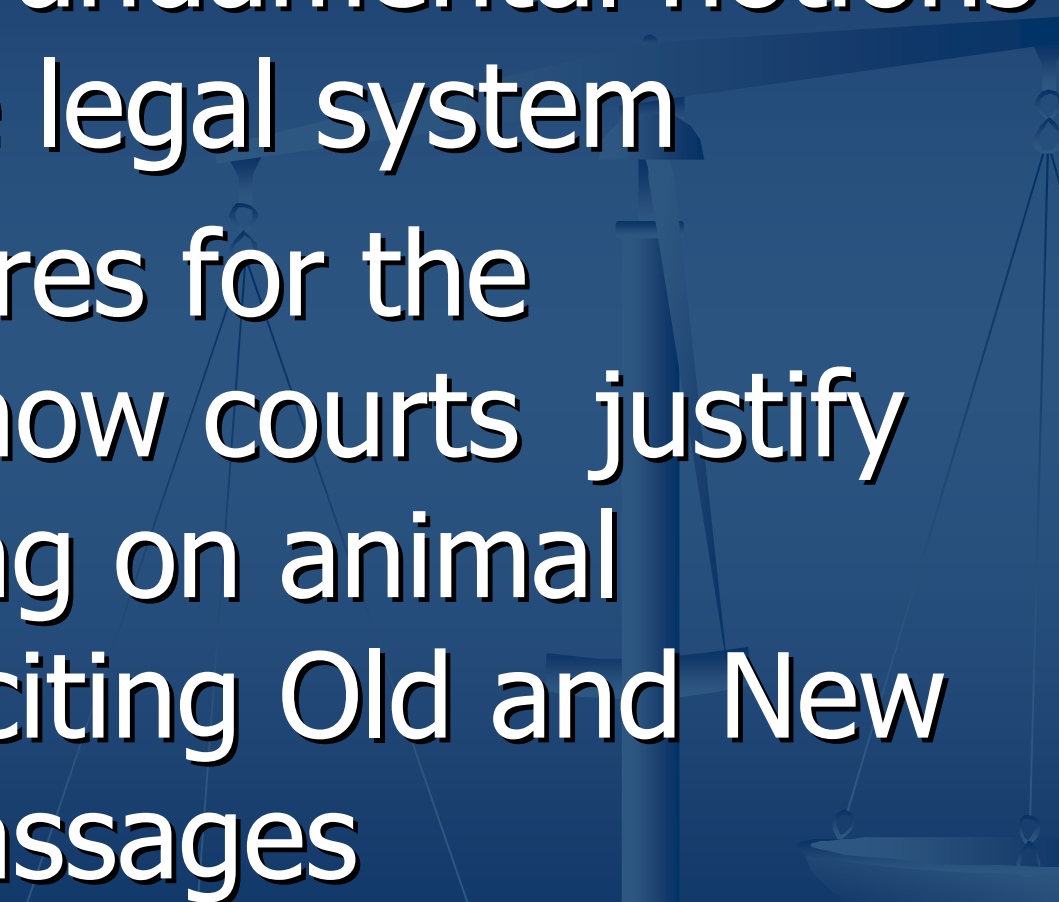
1st Answer

- What might religion have to do with other-than-human animals?
 - Answer: a lot ...
 - Historically
 - Presently
 - No doubt in the future as well
- 

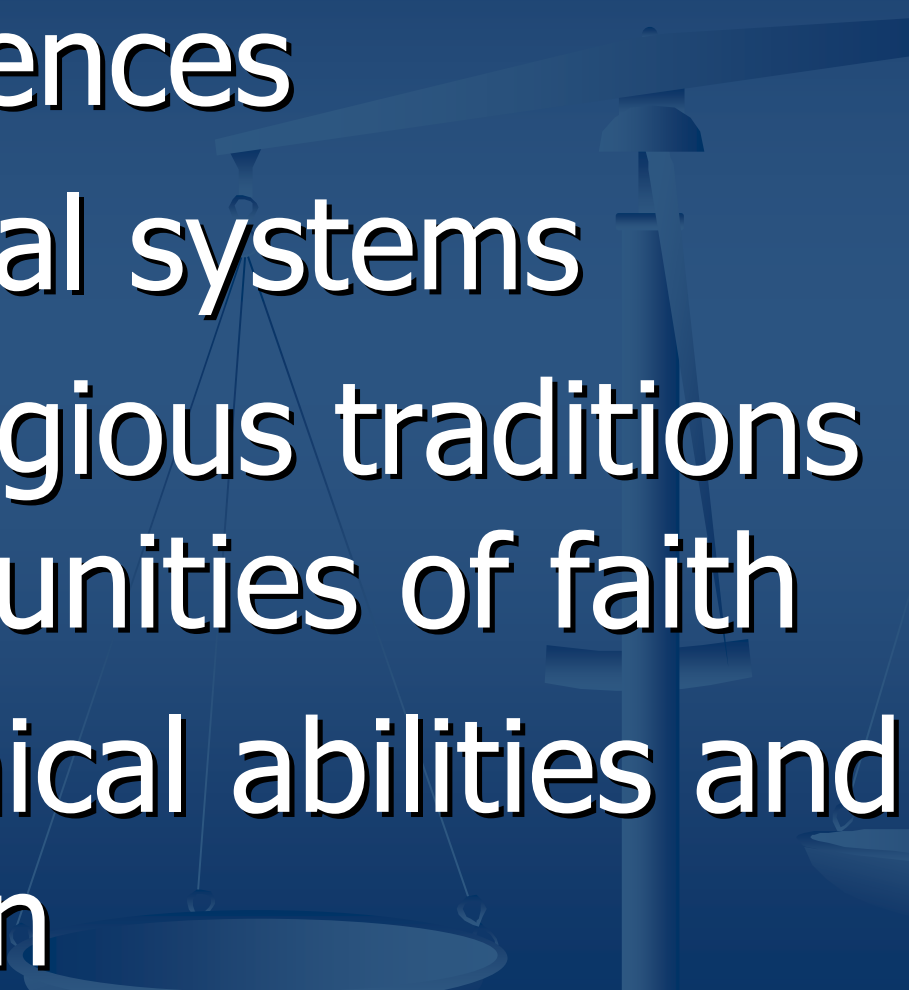
2nd Question

- What does religion have to do with law?
 - Again, *very* formative basic values that undergird legal systems
 - *Rattling the Cage* lays out some early legal codes ... obviously closely tied to religious views at the time ...
 - Basic conceptuality—legal persons divided from legal things—tracks, is anchored by, the Abrahamic traditions and Roman religion and values
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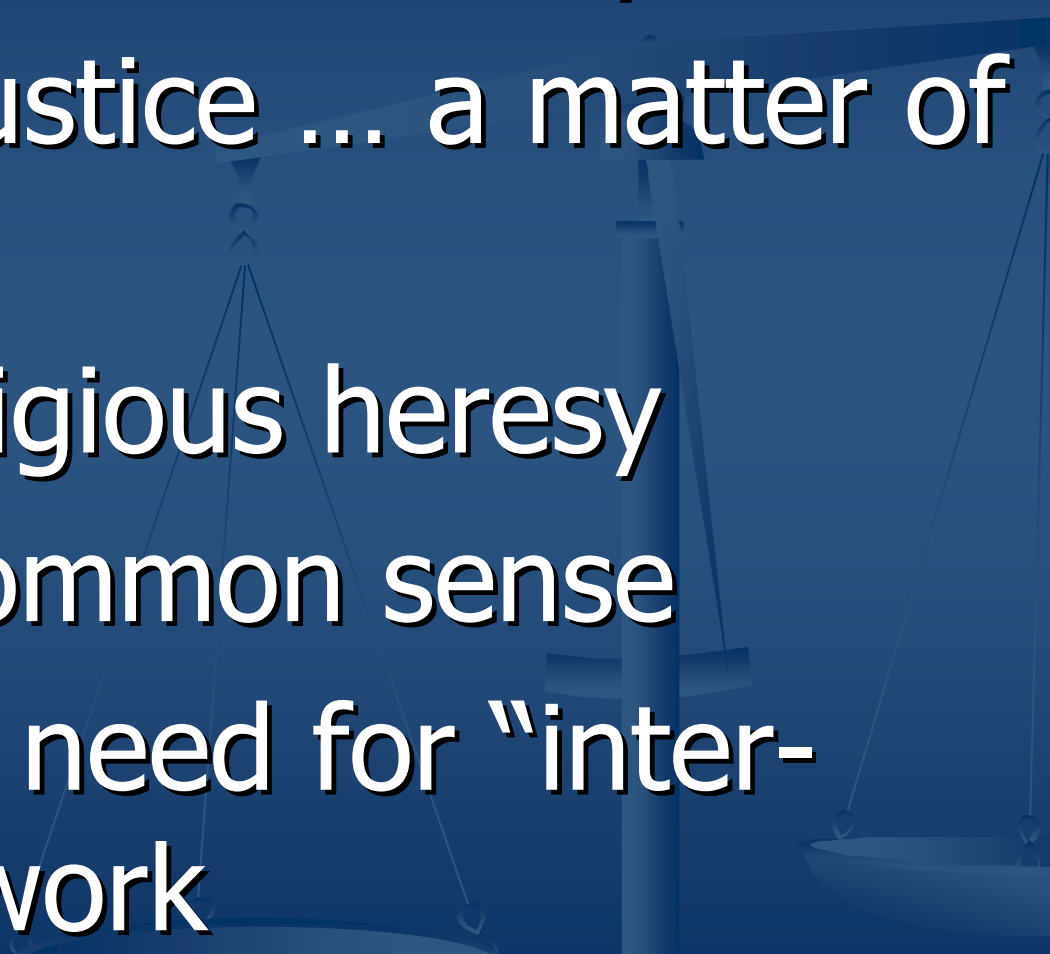
Religious Roots for Law

- formation of fundamental notions that drive the legal system
 - Curious features for the uninitiated—how courts justify their reasoning on animal decisions by citing Old and New Testament passages
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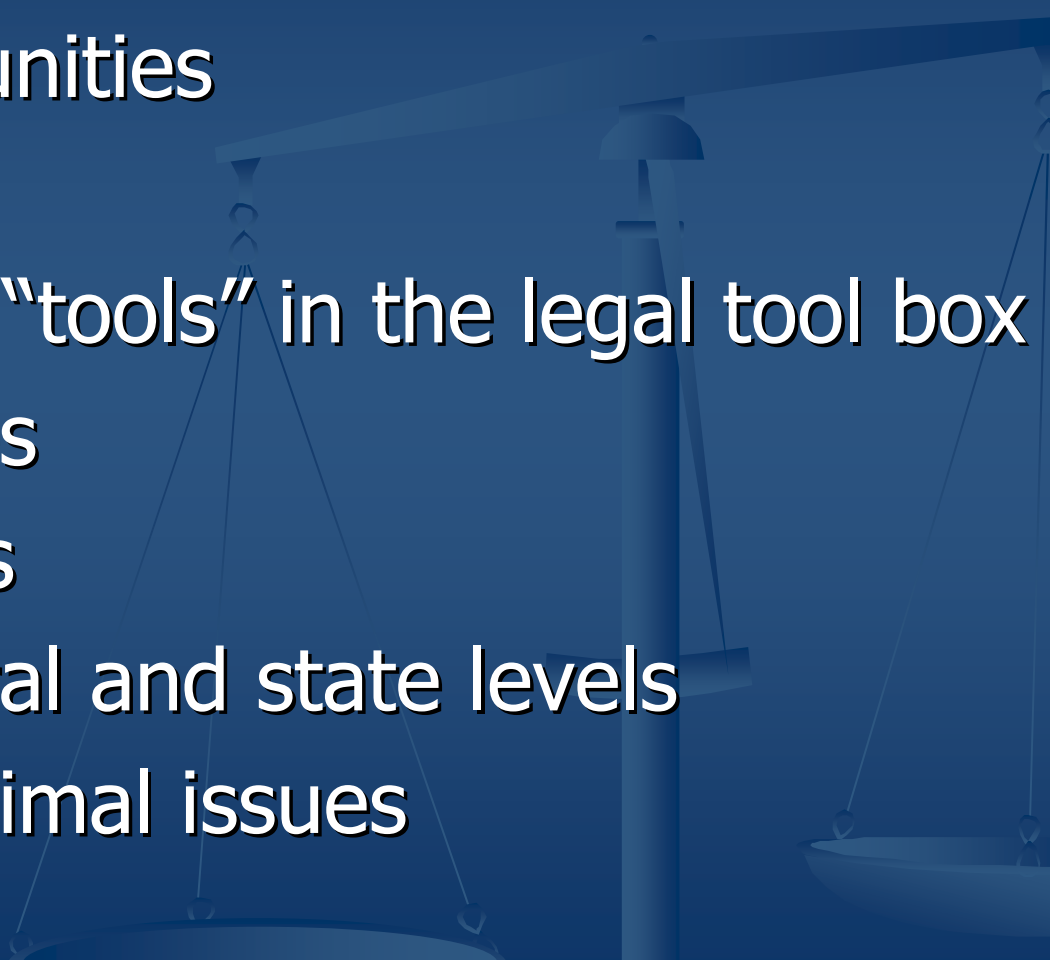
Back to the present ...overlapping invitations...

- via our sciences
 - via our legal systems
 - via our religious traditions
and communities of faith
 - via our ethical abilities and
imagination
- 

The Terrain We Walk Today

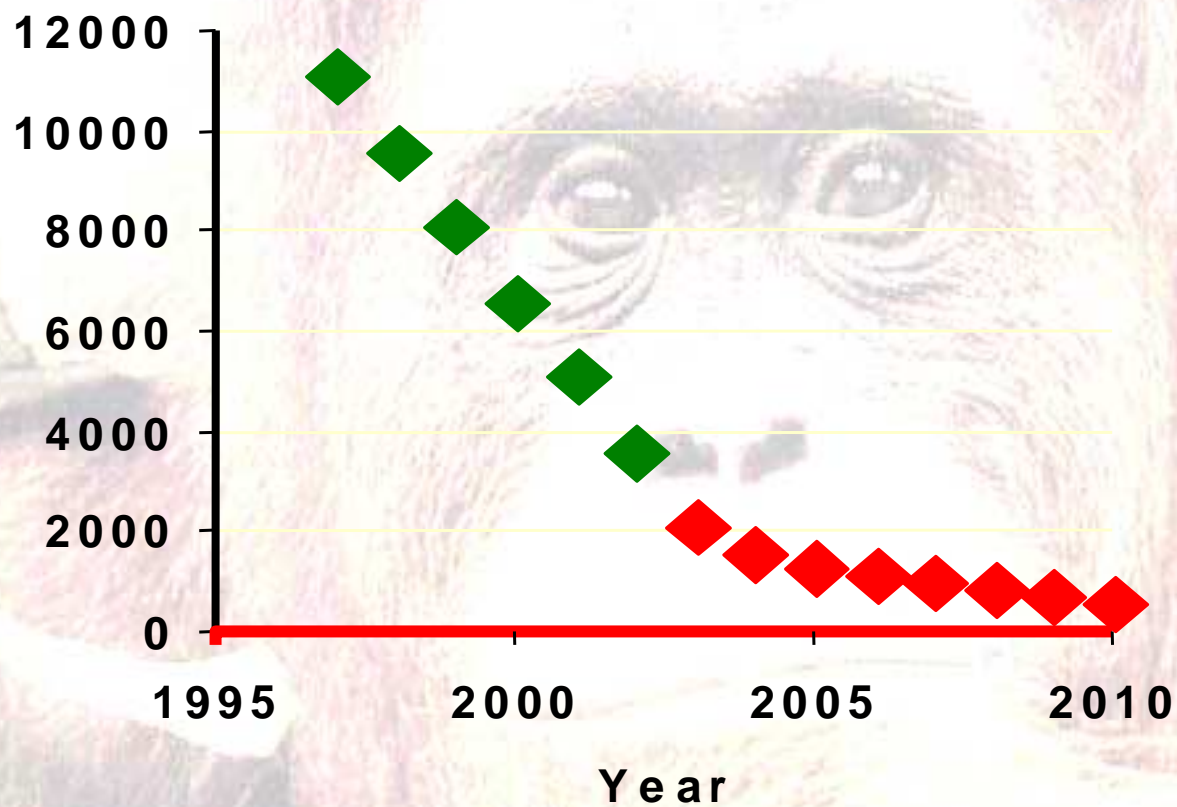
- “The animal piece is everywhere”
 - A matter of justice ... a matter of spirituality
 - For some, religious heresy
 - For others, common sense
 - In education, need for “inter-disciplinary” work
- 

“Inter-disciplinary”

- Tapping into the potential and relevance of
 - ... religious communities
 - ... science
 - ... the flexibility of “tools” in the legal tool box
 - Charts on increases
 - animal law courses
 - legislation at federal and state levels
 - interest in farm animal issues
 - Contrasts with →
- 

Orangutan numbers on Sumatra

van et al (in press)

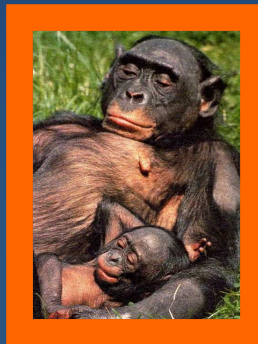


(nonhuman) great ape numbers

93% lost in 20th century



gorilla



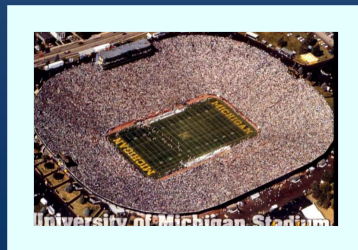
bonobo



chimpanzee



orangutan



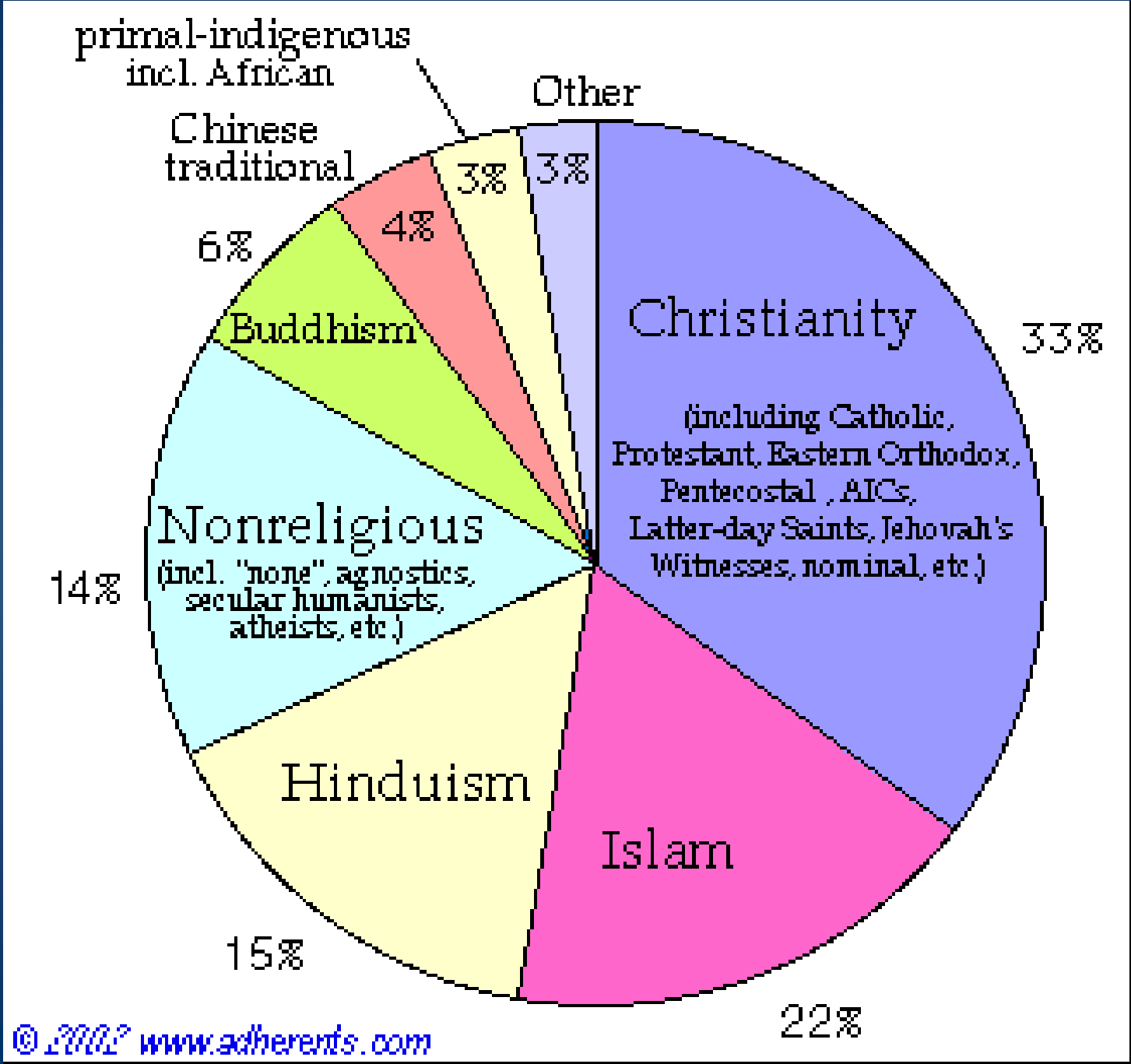
human



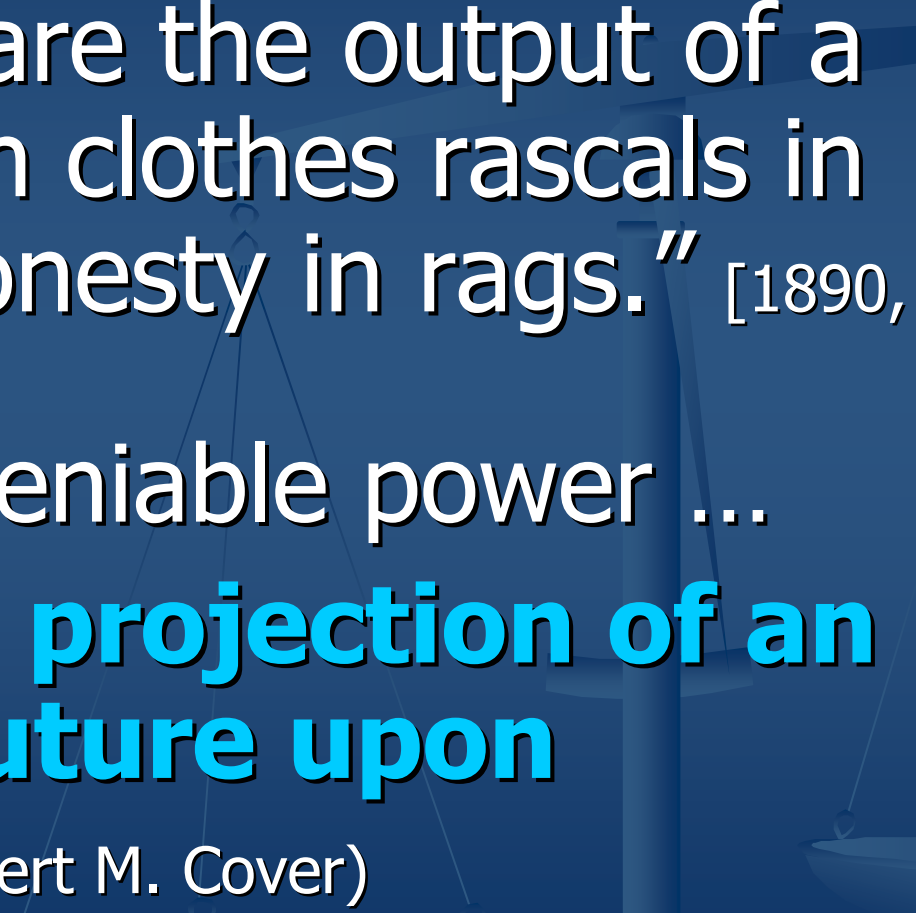


Reasons for suspicion about law alone being the solution

- Will Rogers' caveat about law impacting *humans*
- "People who love sausage and respect the law ...
- ... should never watch either one being made."
- The irony of Rogers' use of an animal image
- **Want change? look again at demographics**



Bad News and Good News

- "...Our laws are the output of a system which clothes rascals in robes and honesty in rags." [1890, Mary Ellen Lease]
 - Law has undeniable power ...
 - **"Law is the projection of an imagined future upon reality."** (Robert M. Cover)
- 

ethics, ecological awareness,
“spirituality”, compassion

- “The person who understands what I have to say about justice ... [fill in the blank]
- ...understands *everything* I have to say.”

Why?

- **“we cannot be truly ourselves in any adequate manner without all our companion beings throughout the earth.**
- **This larger community constitutes our greater self.”**

(Thomas Berry, Prologue, *A Communion of Subjects*, 2006, Columbia University Press)

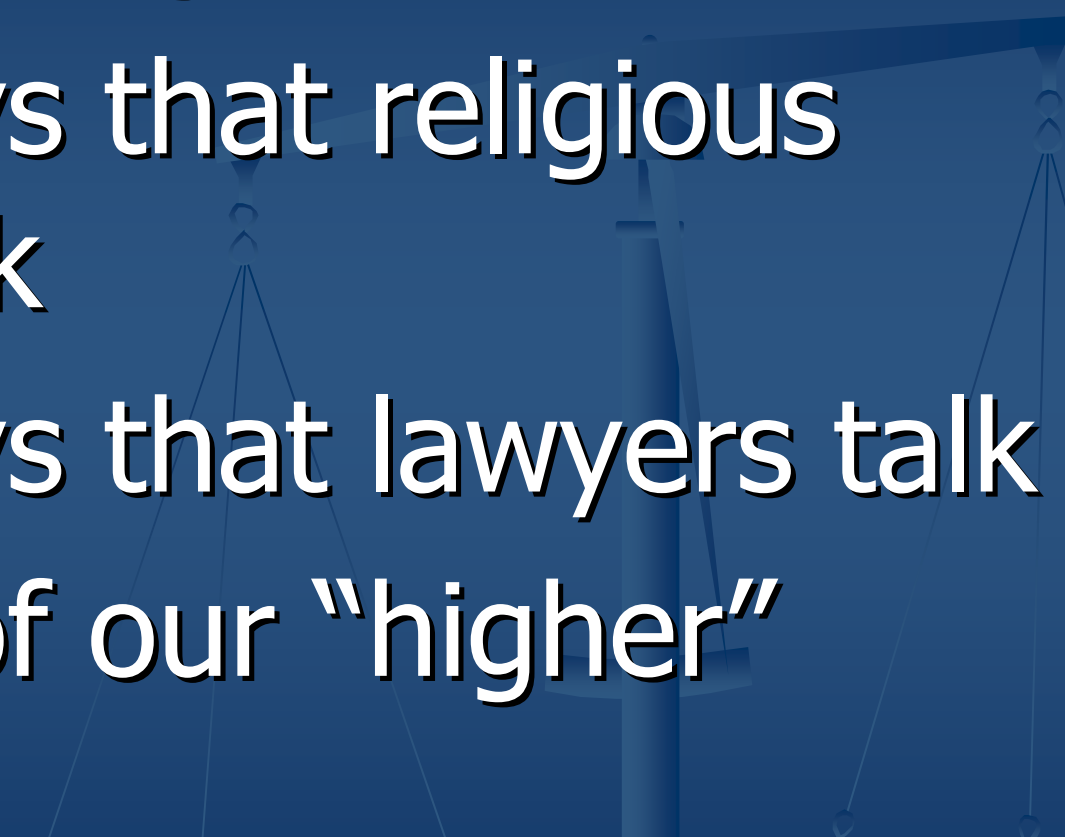
Beyond general observations...

- Practical reasons for considering alliances with religious communities
- Are ... the possibilities and the numbers → →

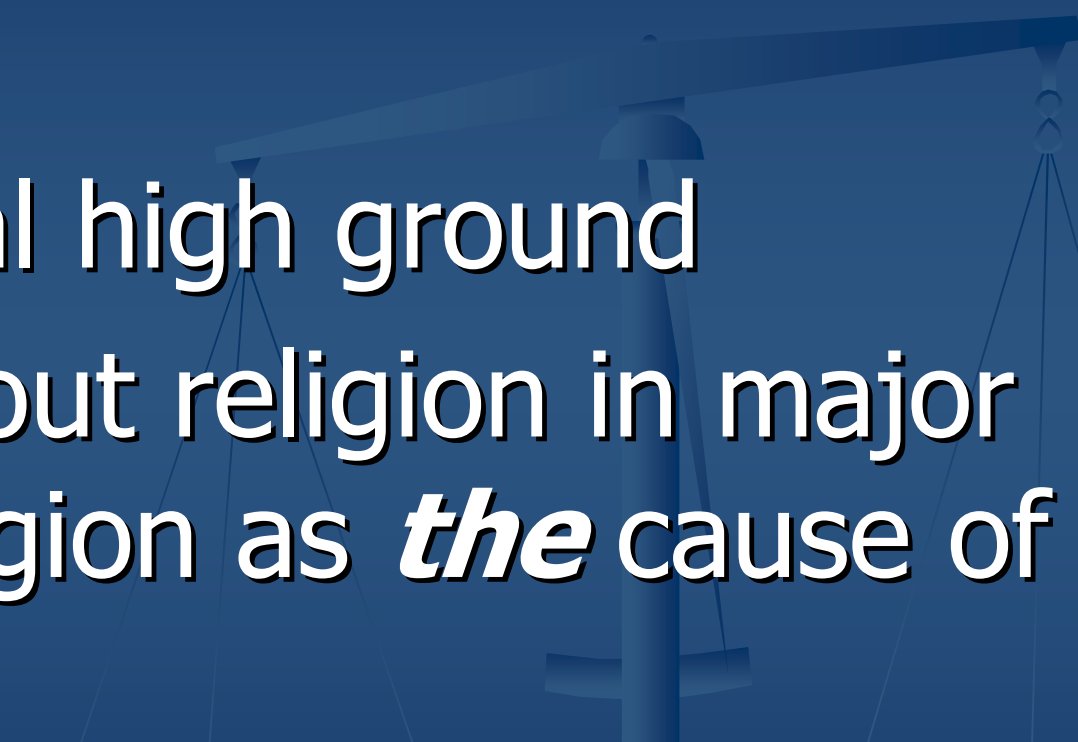
“Every choice we make ...

- can be a celebration
- of the world we want.”
- Our next question, **our next step** ...
- ***How*** do ***we*** get to a better communal handling of this fundamental insight?

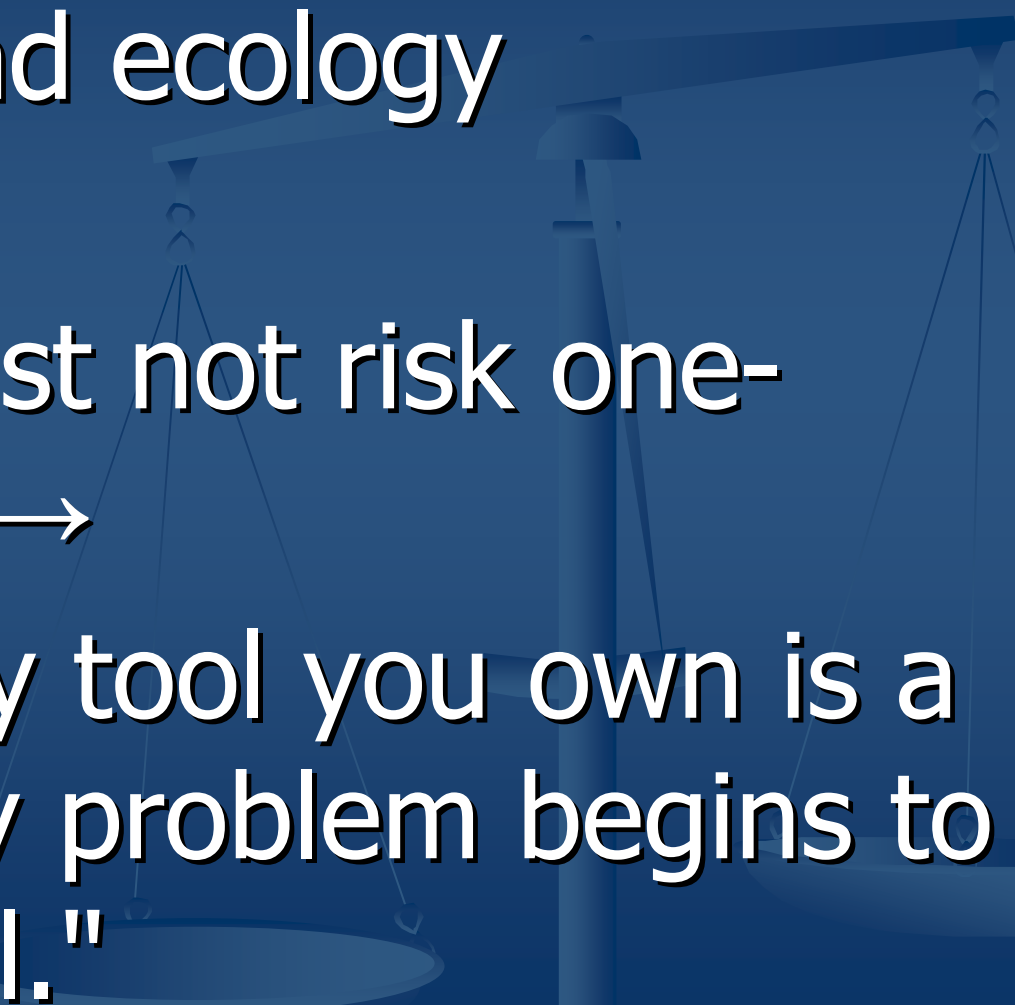
Challenges

- Diversity of religions
 - Peculiar ways that religious believers talk
 - Peculiar ways that lawyers talk
 - Resistance of our “higher” education
- 

“Our own history”

- History of animal protection movement
 - claim to moral high ground
 - negativity about religion in major figures ... religion as *the* cause of the problem
- 

“Our own history”

- more receptivity in Tom Regan and religion and ecology movement
 - Animal law must not risk one-dimensionality →
 - “When the only tool you own is a hammer, every problem begins to resemble a nail.”
- 

Some suggestions to consider

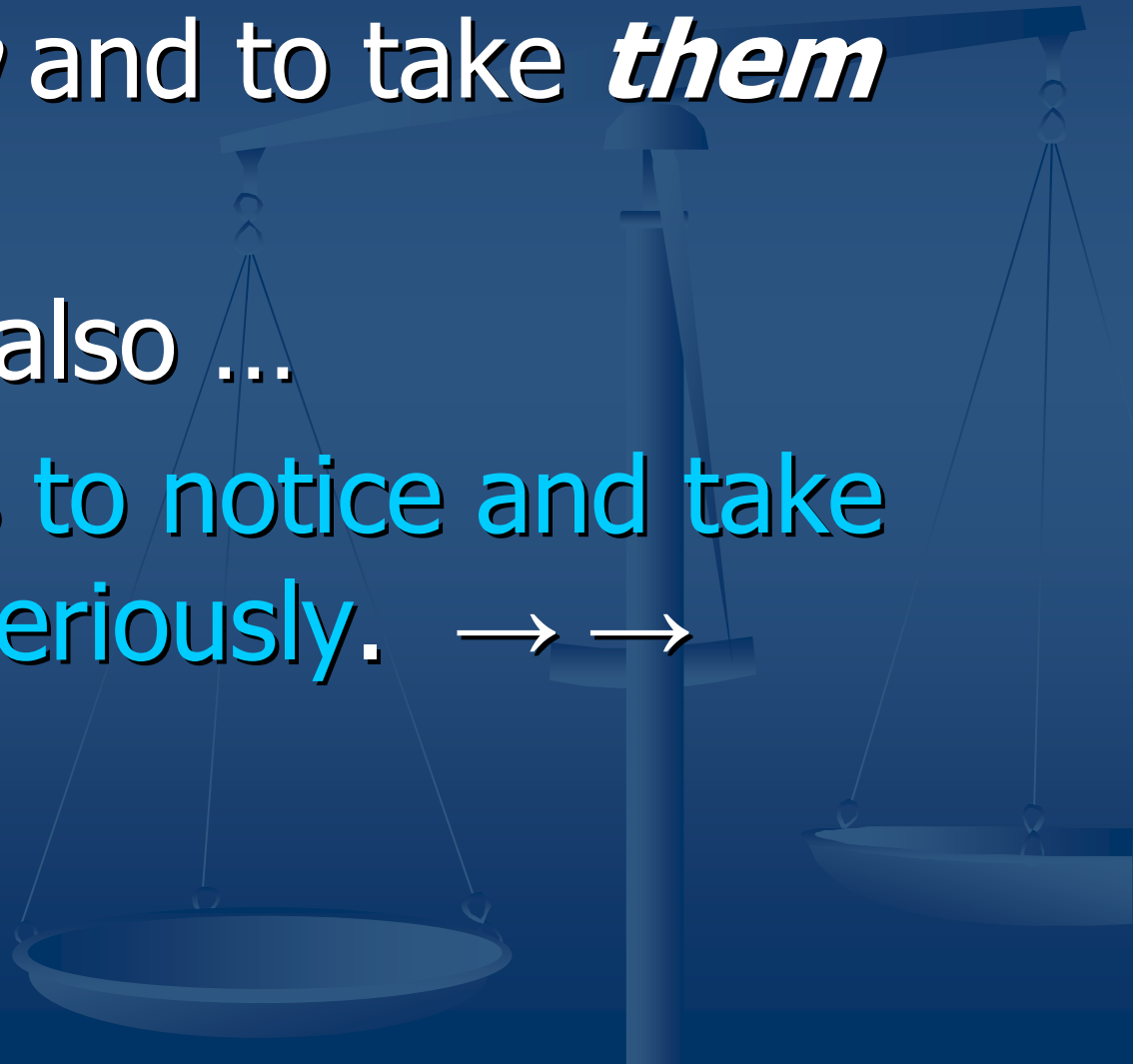
- Some intransigence on the “animal issue”
- Use key notions and values from the traditions themselves:
 - (1) find the center of the religion that is more important than humans alone
 - (2) tap concern for “spiritual”/ethical
 - (3) see the possibilities—creation ... “and God saw that it was very good”

... more suggestions ...

- (4) consider the technical—sacramental tradition in Catholicism and Eastern Orthodox traditions
- (5) be sensitive to subtraditions and individuals of extreme power – St. Francis, Schweitzer
- (6) sayings of Buddha, Mohammed, Jesus
- (7) blessings ceremonies
- (8) “pastoral” value of services where nonhuman animals can attend regularly
- (9) could religious communities take over sheltering in the local communities?

An Irony

- Other animals' invitations to us to notice *them* and to take *them* seriously...
- ... are really also ...
- ... invitations to notice and take *ourselves* seriously. → →





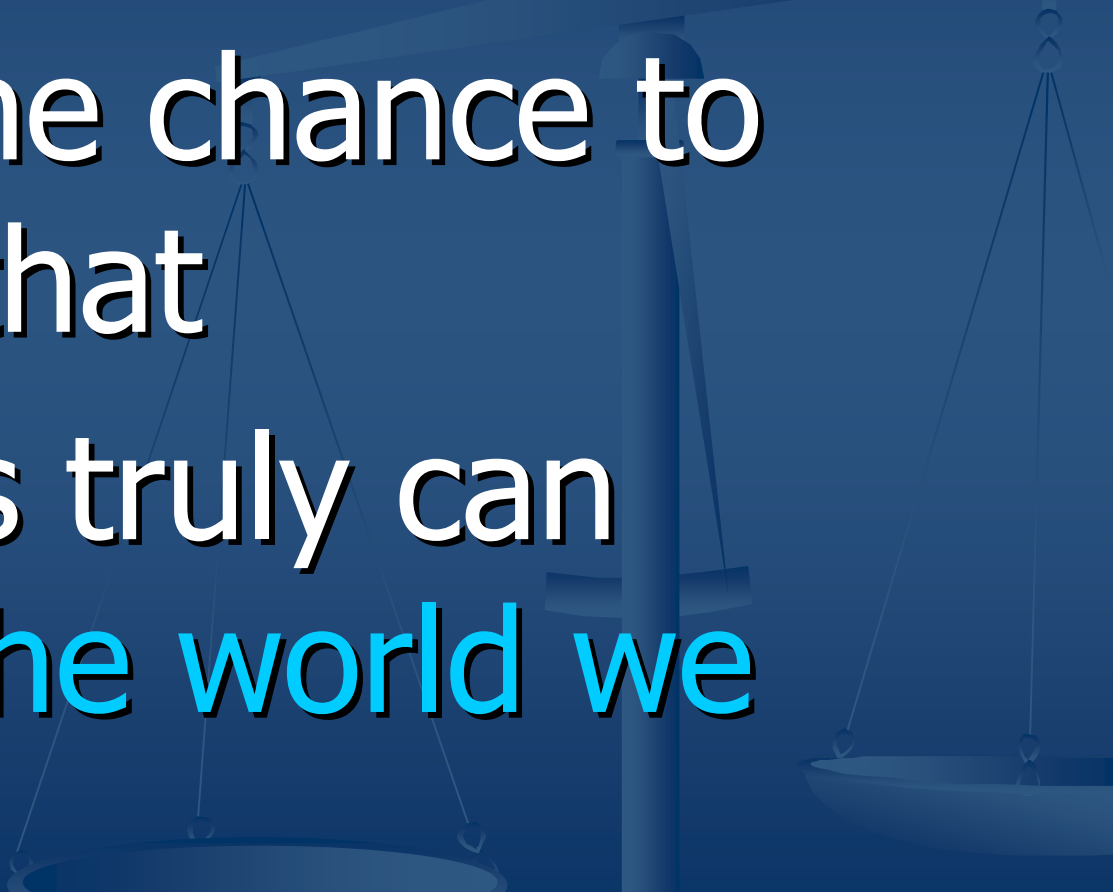
G R A Y W O L F

BY MICHAEL W. CROOK

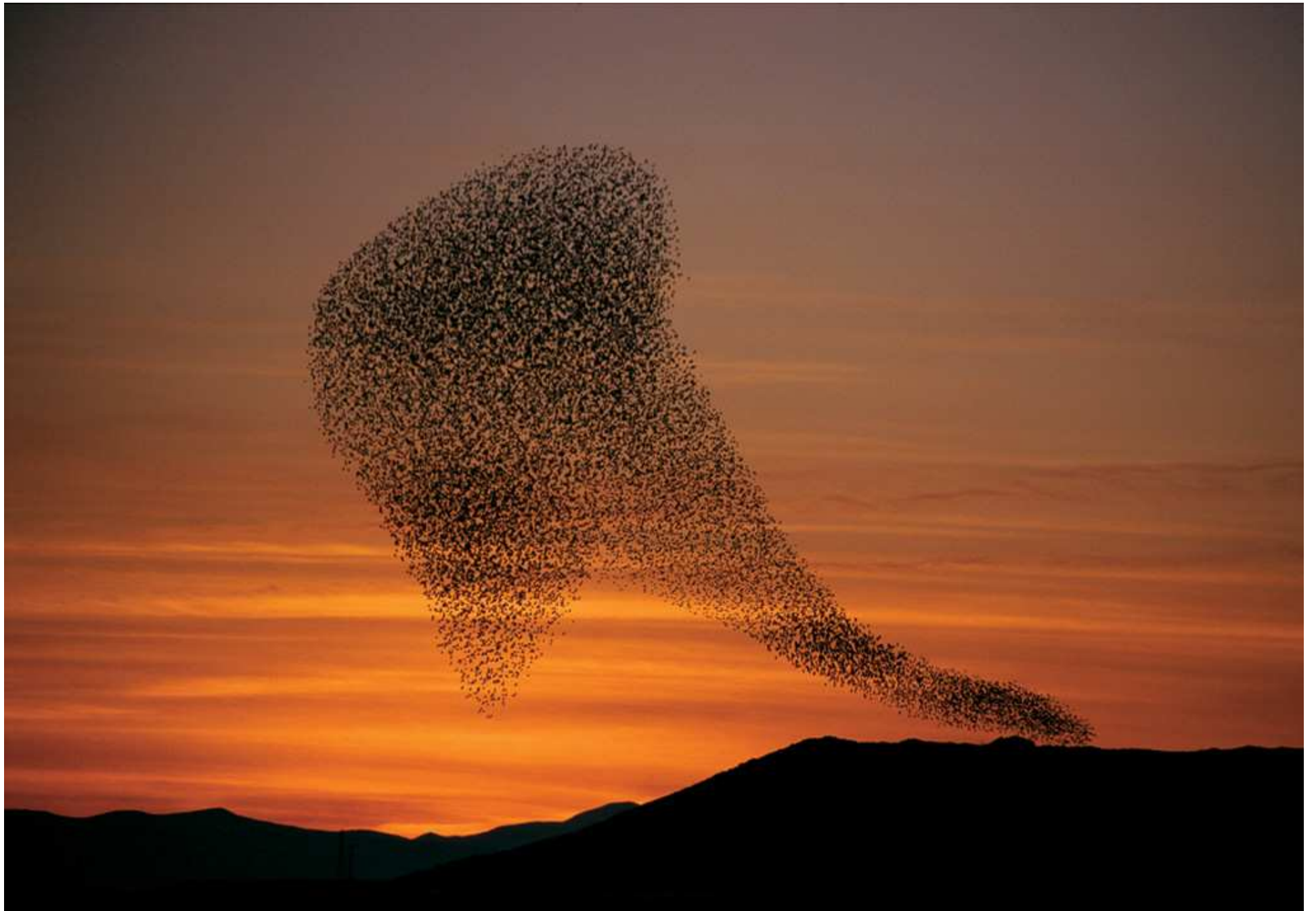
Are we are a moral species or not?

- Potentially ...
- The truest tests are how we treat animals, human and otherwise ...
- Each living being in the world is an invitation to notice and take *ourselves* seriously

Are we are a moral species or not?

- Each animal we encounter...
 - offers us the chance to recognize that
 - our choices truly can celebrate **the world we want.**
- 





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Visions of Earth
National Geographic magazine, March 2005