Introduction to Animals and the Law
LAW253HIS\text{F}

Lesli Bisgould
2011/12
Animals and the Law – Reading List

Week 1 – What is an Animal?


Rene Descartes, A Discourse on Method, Part V, Meditations and Principles in Writings, (J.M. Dent and Sons Ltd., 1975), pp. 33-47

Voltaire, Dictionnaire Philosophique (1769), (Garnier Freres, 1961), “Betes” p. 51


Charles Darwin, The Descent of Man (2nd ed., Clowes and Sons, 1874), pp. 124-126


Week 2 - European Animal Trials

E.P. Evans, The Criminal Prosecution and Capital Punishment of Animals – The Lost History of Europe’s Animal Trials (Faber and Faber Limited, 1988), Chapter 1

Week 3 – The Problem of Being a Legal Thing


Week 4 – Laws of General Application: anti-cruelty in the Criminal Code

5&6 Will. IV c. 59 (1835), ss. 1 and 3

Crankshaw’s Criminal Code of Canada, ss. 444-447

Criminal Code of Canada, R.S.C. c.C-34, ss.444 - 447.1


Animals and the Law – Reading List

Week 5 – animals as companions

Rogers v Rogers, [1980] OJ No 2229 (Dist Ct).
Gardiner-Simpson v Cross, 2008 NSSM 78
Ireland v Ireland, 2010 SKQB 454

Pezzente v McClain, 2005 BCPC 0352

Re Wishart Estate, 1992 CanLII 2679 (NBQB).
R v Huggins, 2010 ONCA 746

Week 6 – animals as food

Charlotte Montgomery, “Agriculture: Keeping Humans Fed” in Blood Relations: Animals, Humans and Politics (Between the Lines, 2000), Chapter 4

Ford v. Wiley (1889) 23 Q.B. 203


R v Bakic, 2004 SKPC 134

R v Elliott, 2009 NSPC 5

Week 7 – animals as tools of research

Charlotte Montgomery, “Research: Keeping Humans Alive” in Blood Relations: Animals, Humans and Politics (Between the Lines, 2000), Chapter 3

CCAC Survey of Animal Use – 2009 (excerpts)

Harvard College v. Canada (Commissioner of Patents) 2002 SCC 76


Week 8 – animals as wild


Week 9 - animals as entertainers

R v Borges

Week 10 - from property to person

Baily v. Poindexter’s Ex’r, (1858) 14 Gratt. 132 (Va. C.A.) (excerpt)


Re British North America Act 1867 (UK), [1930] 1 DLR 98 (PC).


Lee Hall and Anthony Waters, “From Property to Person: The Case of Evelyn Hart” (2000) 11 Seton Hall Const. L.J. 1

Week 11 – review and conclusion