

Deborah Cao
Steven White *Editors*

Animal Law and Welfare - International Perspectives

 Springer

Ius Gentium: Comparative Perspectives on Law and Justice

Volume 53

Series Editors

Mortimer Sellers, University of Baltimore
James Maxeiner, University of Baltimore

Board of Editors

Myroslava Antonovych, Kyiv-Mohyla Academy
Nadia de Araújo, Pontifical Catholic University of Rio de Janeiro
Jasna Bakšić-Muftić, University of Sarajevo
David L. Carey Miller, University of Aberdeen
Loussia P. Musse Félix, University of Brasília
Emanuel Gross, University of Haifa
James E. Hickey, Jr., Hofstra University
Jan Klabbers, University of Helsinki
Cláudia Lima Marques, Federal University of Rio Grande do Sul
Aniceto Masferrer, University of Valencia
Eric Millard, West Paris University
Gabriël A. Moens, Curtin University
Raul C. Pangalangan, University of the Philippines
Ricardo Leite Pinto, Lusíada University of Lisbon
Mizanur Rahman, University of Dhaka
Keita Sato, Chuo University
Poonam Saxena, University of Delhi
Gerry Simpson, London School of Economics
Eduard Somers, University of Ghent
Xinqiang Sun, Shandong University
Tadeusz Tomaszewski, Warsaw University
Jaap de Zwaan, Erasmus University Rotterdam

Editors

Deborah Cao
Law Futures Centre
Griffith University
Brisbane, QLD, Australia

Steven White
Griffith Law School
Griffith University
Brisbane, QLD, Australia

ISSN 1534-6781

ISSN 2214-9902 (electronic)

Ius Gentium: Comparative Perspectives on Law and Justice

ISBN 978-3-319-26816-3

ISBN 978-3-319-26818-7 (eBook)

DOI 10.1007/978-3-319-26818-7

Library of Congress Control Number: 2016930403

Springer Cham Heidelberg New York Dordrecht London

© Springer International Publishing Switzerland 2016

This work is subject to **copyright**. All rights are reserved by the **Publisher**, whether the whole or part of the material is concerned, specifically the rights of translation, **reprinting**, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, express or implied, with respect to the material contained herein or for any errors or omissions that may have been made.

Printed on acid-free paper

Springer International Publishing AG Switzerland is part of Springer Science+Business Media (www.springer.com)

Contents

1	Introduction: Animal Protection in an Interconnected World	1
	Steven White and Deborah Cao	
Part I General Issues in Animal Law and Welfare Science		
2	Second Wave Animal Law and the Arrival of Animal Studies.....	11
	Paul Waldau	
3	International Animal Welfare Perspectives, Including Whaling and Inhumane Seal Killing as a W.T.O. Public Morality Issue.....	45
	Donald M. Broom	
4	Science, Animal Ethics and the Law	63
	Joy M. Verrinder, Nicki McGrath and Clive J.C. Phillips	
5	An International Treaty for Animal Welfare	87
	David Favre	
Part II Developments in Animal Protection in Different Jurisdictions		
6	Animal Protection Law in Australia: Bound by History	109
	Steven White	
7	Animal Interests and South African Law: The Elephant in the Room?	131
	David Bilchitz	
8	Animal Protection Under Israeli Law	157
	Yossi Wolfson	
9	The Constitutional Defense of Animals in Brazil	181
	Tagore Trajano de Almeida Silva	

10 Regulatory Capture and the Welfare of Farm Animals in Australia 195
 Jed Goodfellow

11 *Blackfish* and Public Outcry: A Unique Political and Legal Opportunity for Fundamental Change to the Legal Protection of Marine Mammals in the United States 237
 Joan E. Schaffner

12 Wildlife Crimes and Legal Protection of Wildlife in China 263
 Deborah Cao

Index..... 279

C

David
 John

Don
 Veter

Deb

David
 of L

Jed
 Aust

Nick
 Scien

Clive
 Scien

Joan
 USA

Tago

Joy M
 Scien

Paul

Steve

Yossi