

Critical Animal Studies & Animal Law

Maneesha Deckha's Perspective

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Focus: How Deckha understands the relationship between CAS and Animal Law

Based on her article Critical Animal Studies and Animal Law

Aim: Show why Animal Law needs CAS

Deckha's Starting Point: The Nature of Law

- Law = fundamentally anthropocentric
- Human-centered concepts: dignity, reason, autonomy
- Legal personhood almost exclusively for humans
- Animal Law = impressive growth within a human-focused system
- But still shaped by liberal legalism

Limits of Liberalism - According to Deckha

- Liberalism = dominant framework in legal thought
- Values: rationality, autonomy, sameness
- Animals judged by human standards
- Protection often based on similarity to humans
- Liberalism unable to fully challenge species hierarchy

What Critical Animal Studies (CAS) Is

- Academic + activist field
- Goal: end animal exploitation
- Rooted in posthumanism and social justice theory
- Focus on power, oppression, structural inequality
- Connects animal issues with human injustices

CAS: Key insights highlighted by Deckha

Human–Animal Binary

- ❧ Socially constructed hierarchy
- ❧ Used to justify domination
- ❧ Power circulates through everyday practices

Marginalization of Animal Subjectivity

- ❧ Animals treated as objects, not subjects
- ❧ Cultural and legal discourses erase animal agency

Animals as “Other”

- ❧ Similar mechanisms as racism, sexism, colonialism
- ❧ Othering = tool for maintaining inequality
- ❧ Oppressions interconnected

Why Animal Law Needs CAS-Deckha's Argument

Understanding Difference

- ❧ Move away from “animals deserve rights because they are like humans”
- ❧ Value animals for their own forms of life

Critique of Liberal Assumptions

- ❧ Reason and autonomy = exclusionary concepts
- ❧ Liberalism reinforces human exceptionalism

Coalitional and Intersectional Approach

- ❧ Build alliances with human social justice movements
- ❧ Broader political reach
- ❧ Stronger advocacy through shared struggles

Practical Implications (Deckha's View)

- ❧ Animal Law becomes more transformative
- ❧ Challenges deeper cultural and political structures
- ❧ Moves beyond incremental reforms
- ❧ Recognizes animal oppression as part of wider systems
- ❧ Opens space for post-anthropocentric legal thinking

Deckha's vision for the future

- ❧ Integration of CAS into Animal Law scholarship
- ❧ Intersectional justice for humans and animals
- ❧ Legal frameworks that do not rely on human similarity
- ❧ Recognition of animals as subjects
- ❧ More inclusive, critical, and socially engaged Animal Law

Conclusion

- ❧ Deckha: Animal Law = important but limited without CAS
- ❧ CAS provides deeper theoretical tools
- ❧ Helps expose structural power and oppression
- ❧ Enables broader coalitions and stronger advocacy
- ❧ Combined approach = more effective and more just

Discussion

In your everyday life, where do you notice that humans automatically come first, even though animals are involved?