Syllabus
Animal Rights and the Law Seminar
Professor Elizabeth L. DeCoux
Spring 2017

decoux@law.ufl.edu
Class Meets: Tuesday, 3:00 to 4:40 p.m., Room 350
Office Hours: Tuesday, 4:45 p.m. to 5:45 p.m.
Office: Room 362
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Required Reading: All required reading has been posted on the TWEN page for this course, except for one reading, which will be handed out in hard copy at the class session before it will be discussed.

Brief Description and Objectives: This course addresses selected topics as part of an exploration of the rights of animals and the relationship between those rights and the law. Using those selected topics, the course will address, and students will explore, questions about the rights of animals, such as: Do animal rights exist? Should they? Who decides? What is the role of the law?

Attendance and Punctuality: Students are expected to attend class regularly and be punctual. A student who misses more than two class meetings may be withdrawn from the class. Absences for bona fide religious holy days will be excused, if the student notifies the professor in advance via email to decoux@law.ufl.edu.

Prerequisites: This course has no prerequisites except completion of the first-year classes.

Grading: 75% of a student’s final grade in this class will be based on the paper. The remaining 25% will be based on the student’s class participation.

- Paper: The paper should be a persuasive paper, in which the student takes a particular position and argues for that position.
  - The grade on the paper will be based on the following:
    - 2/5 on the thoroughness, quality, and coherence of the arguments.
    - 2/5 on the quality and clarity of the writing. Students concerned about the quality and clarity of their writing should read the very short book *The Elements of Style*, by Strunk and White.
    - 1/5 on the quality of the research and the quality of the citations.
Length and citations: The paper for this course, whether it is submitted to satisfy the Advanced Legal Writing Requirement or not, must be at least 25 pages exclusive of footnotes, and no longer than 27 pages exclusive of footnotes. The paper must be in Times New Roman 12-point type. The margins all should be one inch. A table of authorities is not required. A table of contents is required, but it will not count toward the required 25 pages exclusive of footnotes. The footnotes can either be in law review format, or in the format for briefs, whichever the student prefers, provided that the student uses proper Bluebook form, and provided that all citations are in footnotes, rather than the body of the paper.

Topic: The topic should relate both to animal rights and to the law. Help in the selection of a topic will be provided at the first class meeting.

Requirement of primary sources: Students should use only primary sources. For example, if you are describing the holding in a court decision, the published decision is the primary source. A law review article discussing that court decision is a secondary source. A newspaper article about the case is a secondary source. By contrast, if you are describing an occurrence, such as a municipality taking a dog from her owner, a newspaper article is a primary source. If you are describing one scholar’s position on an issue, that scholar’s law review article is a primary source.

Using websites as sources is disfavored. If necessary, however, a student may cite up to three websites if the student obtains the professor’s approval via email. Websites will be approved only if the student establishes the following in the requesting email: 1. That the information on the website is not available in any other format that the student can obtain by reasonable efforts. 2. That the website is the website of a recognized entity, such as, for example, an established national newspaper or television network, or a government entity. And 3. That the student will use proper Bluebook form in citing to the website. A student should not use a website as a significant source of information for the paper. Therefore, even if the professor approves use of the website as a source, there should be few citations to that website.

Class participation requirement: Each student in the class will receive a grade for class participation, which will constitute 25% of the final grade. The class participation segment of the grade will be based on the following:

- Whether the student, at least once in the semester, brings to class, and discusses with the class, a recent (published no earlier than 8-31-16, but preferably published 1-1-17 or later) news article related to the rights of animals. The relationship of the article to the rights of animals will be construed generously by the professor, so long as the article is of interest to the class and relates to the use or treatment of animals.
- Whether the student participates, actively and fully, in classroom discussion of each topic presented in the course.
Whether the student’s comments demonstrate that the student had *read, understood, and given analytical consideration to* the materials assigned.

Whether the student’s five-minute presentation of his/her paper topic to the class (see syllabus for schedule) is organized and well-thought-out.

A student’s class participation grade may be reduced if the student continually makes statements to the effect that s/he agrees with everyone or agrees with another particular student or agrees with a group of students who have taken a particular position. The student must formulate his/her own view and assert it in class discussion, regardless of whether it is similar to another student’s view.

**Assignments**: Students should read all assignments. The professor will deviate from the schedule below only if unavoidable. Any such deviations will be announced in advance in class. Each student is responsible for reading and understanding the material in advance of the date for which it is assigned, in order to be ready to discuss the material in class on the date for which it is assigned.

**Disability Policy**: It is the policy of the University of Florida Levin College of Law to provide reasonable accommodations for students with disabilities. The university complies with the Americans with Disabilities Act. Students whose disabilities may require accommodations are asked to self-identify to, and bring these matters to the attention of, the Dean of Students’ Office.

**Recording**: Audio and video recording of class meetings is not allowed.

**ASSIGNMENTS (MATERIALS ARE ON TWEN) AND DEADLINES**

1-10 An example of the law as it relates to animals: Taub v. State, 463 A.2d 819.

Each student will have selected a topic and obtained the professor’s approval of the topic, via email to decoux@law.ufl.edu, by the time class begins on this date. The topic must be a sentence, and it must state the position the student will take in the paper, on a subject related to animal rights and the law. “Use of the writ of habeas corpus to advocate for animals” is not an adequate topic, because it does not take a position on the issue. “The writ of habeas corpus is a valid vehicle for advancing animal rights” is an appropriate topic. So is, for example, “The writ of habeas corpus should not be used in an effort to advance animal rights.” Each student will make an approximately five-minute presentation from her or his seat in the seminar room about the selected topic during this class meeting. Other students and occasionally the professor may then briefly ask questions or make comments intended to help the presenting student develop the topic. No reading assignment.


The outline of the paper is due at 11:59 p.m. on this date, submitted via email to decoux@law.ufl.edu. Outlines submitted after this time will not be reviewed by the professor. Each heading in the outline should be a complete, declarative sentence. The sentences in the outline, read from start to finish, should form a coherent framework of the argument the student will make in the paper.

The draft of the paper is due at 11:59 p.m. on this date, submitted by email to decoux@law.ufl.edu. To allow complete feedback from the professor, the draft should ideally be 25 pages exclusive of footnotes; however, any draft at least 18 full pages exclusive of footnotes will be reviewed by the professor. Drafts which are not at least 18 pages exclusive of footnotes will not be reviewed by the professor, nor will drafts submitted after this time.


The Animal Liberation Front: Nocella, Unmasking the Animal Liberation Front Using Critical Pedagogy (see TWEN).

The Animal Enterprise Terrorism Act: Kimberly McCoy, Subverting Justice: An Indictment of the Animal Enterprise Terrorism Act, 14 Animal Law 53. Assigned reading for 4-18 will be handed out during this class meeting.

The Necessity Defense: DeCoux, Toward a Necessity Defense for Animal Activists Accused of Property Crimes. This article is not posted on TWEN. The professor will hand out paper copies of the assigned reading, at the end of the previous class meeting.

The final paper is due by 11:59 p.m. on this date, submitted via email to decoux@law.ufl.edu. If the paper is submitted later than 11:59 p.m., the student’s grade will be reduced by one letter grade (A minus to B minus, for example). The grade will be reduced by one additional letter in this manner for each hour the paper is late.

Have a wonderful summer!