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USEFUL RESOURCES

A selection of resources are listed below to encourage further reading on legal personhood for nonhuman animals and the field of animal ethics. Please feel free to contact education@voiceless.org.au with suggested additions.

NONHUMAN RIGHTS PROJECT (NHRP) RESOURCES

- Blogs, interviews and case literature are available on [The NHRP website](#).
- **Keynote Lecture** by Professor Steven Wise, delivered at the 2015 Voiceless Animal Law Lecture Series: Beyond the Cage.
- **Unlocking the Cage**, a 2016 documentary about the NHRP directed by Chris Hegedus and D A Pennebaker.

LEGISLATION AND CASE LAW

- **Judgment** denying personhood on the grounds of legal duties: *The Nonhuman Rights Project, Inc., on behalf of Tommy, v. Patrick C. Lavery* (2014).
- **Opinion** of New York Court of Appeals Judge Eugene M. Fahey in *The Nonhuman Rights Project, Inc., on behalf of Tommy, v. Patrick C. Lavery* (Decided May 8 2018).
- **Philosophers' brief** submitted in support of nonhuman personhood and chimpanzee rights.
- Comprehensive court documents are available for the individual cases of **Tommy**; **Kil Hercules and Leo**; **Beulah, Karen and Minnie**; and **Happy**.

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- > Judgment of the High Court of Uttarakhand, India, on the **Ganges and Yamuna River cases**.
- > Case note on the **constitutional rights of nature in Ecuador**.
- > Legislation establishing **legal personality of the Whanganui River, New Zealand**.

JOURNAL ARTICLES

- > Best, A.P.A. **‘Property or “Penumbral” Persons? An Examination of Two Jurisprudential Approaches to the Nonhuman Rights Project Litigation’** (2018) XIV Journal of Animal and Natural Resources Law 33.
- > Cupp, R.L. **‘Litigating Nonhuman Animal Legal Personhood’** (2018) 50 Texas Tech Law Review 573.
- > Cupp, R.L. **‘Moving Beyond Animal Rights: A Legal/Contractual Critique’** Pepperdine University School of Law Legal Studies Research Paper series, Paper No 2009/11’, (2009) 46 San Diego Law Review 27.
- > Eisen, J. **‘Beyond Rights and Welfare: Democracy, Dialogue, and the Animal Welfare Act’** (2017-2018) 51 University of Michigan Journal of Law Reform 469.
- > Epstein, R.A. **‘Animals as Objects, or Subjects, of Rights’** (2002) U Chicago Law & Economics, Olin Working Paper No. 171.
- > Favre, D. **‘Equitable self-ownership for animals’** (2000) 50 Duke Law Journal 473.
- > Kotzmann, J. & Pendergrast, N. **‘Animal Rights: Time to Start Unpacking What Rights and for Whom’** (2019) 46(1) Mitchell Hamline Law Review 6.
- > Kymlicka, W. **‘Social Membership: Animal Law beyond the Property/Personhood Impasse’** (2017) 40 Dalhousie Law Journal 123.
- > Marceau, J.F. & Wise, S. **‘Exonerating the Innocent: Habeas for Nonhuman Animals’** (2018) University of Denver Legal Studies Research Paper No. 18-16.
- > Morris, J. D. & Ruru, J. **‘Giving voice to rivers: legal personality as a vehicle for recognising indigenous peoples’ relationships to water?’** (2010) 14(2) Australian Indigenous Law Review 49.
- > Naffine, N. **‘Who are law’s persons? From Cheshire Cats to responsible subjects’** (2003) 66(3) Modern Law Review 346.
- > O’Donnell, E. **‘At the intersection of the sacred and the legal: rights for nature in Uttarakhand, India’** (2018) 30(1) Journal of Environmental Law 135.
- > O’Donnell, E. & Talbot-Jones, J. **‘Creating legal rights for rivers: lessons from Australia, New Zealand, and India’** (2018) 21(3) Ecology and Society 7.
- > O’Donnell, E. & Talbot-Jones, J. **‘Legal rights for rivers: what does this actually mean?’** (2017) 32(6) Australian Environment Review 159.

- > Sax, J. L. **'The public trust doctrine in natural resource law: effective judicial intervention'** (1970) 68(3) Michigan Law Review 471.
- > Shaw, R. **'A Case for Recognizing the Rights of Animals as Workers'** (2018) 2 Journal of Animal Ethics 182.
- > Staker, A. 'Should Chimpanzees Have Standing? The Case for Pursuing Legal Personhood for Non-Human Animals' (2017) 6(3) Transnational Environmental Law 485.
- > Stone, C.D. **'Response to commentators. Journal of Human Rights and the Environment'** (2012) 3 Journal of Human Rights and Environment 100.
- > Stone, C.D. **'Should trees have standing? Towards legal rights for natural objects'** (1972) 45 Southern California Law Review 450.
- > Tischler, J. **'Rights for Nonhuman Animals: A Guardianship Model for Dogs and Cats'** (1977) 14 San Diego Law Review 484.
- > Whittemore, M.E. **'The problem of enforcing nature's rights under Ecuador's constitution: why the 2008 environmental amendments have no bite'** (2011) 20 Pacific Rim Law and Policy Journal 659.
- > Wise, S.M. **'Legal Personhood and the Nonhuman Rights Project'** (2010) 17 Animal Law 1.
- > Wise, S.M. **'Nonhuman Rights to Personhood'** (2012-13) 30(3) Pace Environmental Law Review 1278.

BOOKS AND DISSERTATIONS

- > Favre, D. *Animal Law: Welfare, Interests, and Rights* (Wolters Kluwer, 2008).
- > Francione, G. *Rain Without Thunder: The Ideology of the Animal Rights Movement* (Temple University Press, 1996).
- > Francione, G. *Animals, Property, and the Law* (Temple University Press, 1995).
- > Francione, G. *Introduction to Animal Rights: Your Child or the Dog?* (Temple University Press, 2000).
- > Nussbaum, M.C. *Frontiers of Justice: Disability, Nationality, Species Membership* (The Belknap Press of Harvard University Press, 2006).
- > O'Donnell, E. *Dissertation: Constructing the aquatic environment as a legal subject: legal rights, market participation, and the power of narrative* (University of Melbourne Law School, 2017).
- > Regan, T. *The Case for Animal Rights* (University of California Press, 1983).
- > Schaffner, J.E. *An Introduction to Animals and the Law* (Palgrave Macmillan, 2009).
- > Stone, C.D. *Should trees have standing? Law, morality and the environment* (Oxford University Press, 3rd ed., 2010).

- > Wise, S.M. *Drawing the Line: Science and the Case for Animal Rights* (Perseus, 2002).
- > Wise, S.M. *Rattling the Cage: Towards Legal Rights for Animals* (Persus, 2000).
- > Wise, S.M. *Though the Heavens May Fall: The Landmark Trial That Led to the End of Human Slavery* (Da Capo Press 2005).

SELECTED TEXTBOOK CHAPTERS ON ETHICS

- > Bruce, A. *Animal Law in Australia: An Integrated Approach* (LexisNexis Butterworths, 2018) – Chapter 2: Development of Contemporary Animal Law.
- > Cao, D. & White, S. (eds.) *Animal Law and Welfare – International Perspectives* (Springer, 2016) – Chapter 4: Science, Animal Ethics and the Law (Verrinder, J.M., McGrath, N. & Phillips, C.J.C.).
- > Cao, D. *Animal Law in Australia and New Zealand* (Lawbook Co, 2nd ed., 2015) – Chapter 1: Animals: Morality, Science and Justice and Chapter 3: Legal Status of Animals.
- > Sankoff, P. & White, S. (eds.) *Animal Law in Australasia* (The Federation Press, 2009) – Chapter 4: Exploring Different Philosophical Approaches to Animal Protection in Law (White, S.) and Chapter 6: The Use and Misuse of ‘Rights Talk’ by the Animal Rights Movement (Bourke, D.).

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