Contents

	Foreword by William M. Kunstler, Esq.	ix
	Preface and Acknowledgments	xiii
	INTRODUCTION Legal Welfarism: The Consequences of the Property Status of Animals	3
	PART I The Status of Animals as Property	15
1.	The Problem: "Unnecessary" Suffering and the "Humane" Treatment of Property	17
2.	The Dominion of Humans over Animals, the "Defects" of Animals, and the Common Law	33
3.	Two Examples of Legal Welfarism	50
4.	The Exclusion of Animal Interests from Legal Consideration—the Doctrine of Standing	65
5.	Laws and Rights: Claims, Benefits, Interests, and the Instrumental Status of Animals	91
	Part I Conclusion	115
	PART II A General Application of the Theory: Anticruelty Statutes	117
6.	The Purposes of Anticruelty Statutes	119
7.	Anticruelty Statutes and the Protection of the Institutionalized Exploitation of Animals	134
	Part II Conclusion	161

viii Contents

	PART III A Specific Application of the Theory: The Regulation of Animal Experimentation	163
8.	Animal Experimentation: Animal Property and Human "Benefit"	165
9.	The Federal Animal Welfare Act	185
10.	Administrative Regulation of the Animal Welfare Act	208
11.	The Animal Welfare Act in the Courts	234
	Part III Conclusion	250
	EPILOGUE An Alternative to Legal Welfarism?	251
	Explanation of Legal Citations	265
	Notes	269
	Selected Bibliography	331
	Index	345