

Think Globally, Act Globally

A Review of the *Elgar Concise Encyclopedia of Animal Law*

Joan E. Schaffner (ed), *Elgar Concise Encyclopedia of Animal Law* (Edward Elgar 2025)

*Conley Wouters**

Abstract: In the *Elgar Concise Encyclopedia of Animal Law* (Edward Elgar 2025), editor Joan E. Schaffner and dozens of expert contributors have assembled a timely, comprehensive overview of animal law. This review explores the Encyclopedia’s specific contributions to animal law scholarship and practice. It concludes that the book’s sustained attention to the international and interdisciplinary nature of the field makes it an essential resource that will appeal to a diverse readership.

Keywords: animal law, animal rights, animal protection.

Scholars and practitioners of animal law vary widely in terms of their day-to-day work and areas of expertise. But it’s a safe bet that everyone in the field has at least one overlapping specialty: the ability to answer a deceptively complicated question: ‘What’s animal law?’ Of course, some handle the query better than others. I’m not ashamed to count myself in the ‘still working on it’ camp. It’s a question that’s easy to overthink, and for better or worse, it’s everywhere. I’ve received a version of it in classrooms and academic conferences, and job interviews—but also at children’s birthday parties, family dinner tables, and meet-and-confers with opposing counsel. I generally welcome the inquiry, even when it’s offered skeptically. I once even detected disdain from one questioner, which threw me off. Years later, I sometimes think back on that moment and catalog the ways my answer could have been better.

* Conley Wouters is an Assistant Professor Law at the University of Illinois Chicago School of Law, where he teaches Animal Law, Legal Writing, and Contracts. His scholarship focuses on animal law practice and pedagogy. It has been published or is forthcoming in journals including *Animal Law Review* and *Animal and Natural Resource Law Review*.

Regardless of its motives, the question is understandable—animal law remains a relatively niche field—and it presents an important opportunity. I want people to know that there exists an entire practice area composed of persistent advocates working to advance the interests of animals through the law. I want to convey the vast breadth and complexity of the field. Most of all, I want people to understand that legal systems have entirely failed nonhuman animals, and that there is a dynamic, evolving movement of legal professionals working to change that. 'What is animal law?' might appear like a simple invitation to explain these things.

But the question is also nerve-racking in its capaciousness. It feels impossible to fully address, no matter how much time or patience your audience might have. Animal interests are implicated in just about every field—not only environmental law or prohibitions on animal cruelty, but torts, contracts, securities law, and intellectual property. Despite this ubiquity, animals have historically gone unrecognized by it. As any first-year law student will tell you, *Pierson v. Post*—the nineteenth-century case that articulated the 'rule of capture'—was a dispute over personal property. For the hunted fox who *was* that personal property, and whose life, death, and legal ownership precipitated that dispute . . . well, professors tend not to devote much of their lectures to questioning how he might have experienced the 'underlying facts of the case.'¹

So, when faced with the question, 'What is animal law?'—a query deep enough to have catalyzed decades of scholarly inquiry and pedagogical development²—those tasked with answering might find it easy to digress and difficult to respond. The subject implicates deep, unshakeable ethical questions about our treatment of animals. And in its drive to improve that treatment, animal law necessitates expansive knowledge of doctrine, creative legal strategizing, and a good deal of self-reflection about how one's own moral

¹ Thankfully, some professors do. See Angela Fernandez, *The Hunt for the Fox: Law and Professionalization in American Legal Culture* (Cambridge University Press 2019).

² See, e.g., Bruce Wagman, Sonia S. Waisman and Pamela D. Frash, *Animal Law: Cases and Materials* (Carolina Academic Press 2019) xxxi (defining 'animal law,' in part, as 'law in which the nature . . . of nonhuman animals is an important factor.');

Kathy Hessler, Joyce Tischler, Pamela Hart and Sonia Waisman, *Animal Law: New Perspectives on Teaching Traditional Law Materials* (Carolina Academic Press 2019) xxvii ('Animal law poses a fundamental question, "How is legal analysis affected when the interests of sentient (but non-human) beings are considered?").

commitments relate to and inform their work. Untangling the complex webs of systemic animal exploitation into a cohesive legal movement to reform (or tear down) those systems is not the most straightforward objective. Nor is painting an accessible picture of such a project.

Enter the *Elgar Concise Encyclopedia of Animal Law*.³ Seemingly immune to these challenges, editor Joan Schaffner has curated an overview of the field in the form of a clear, comprehensive, and engaging desk reference (one that runs just over 450 pages, no less). Professor Schaffner is an Associate Professor of Law at George Washington (GW) University Law School, where ze has taught Civil Procedure, Legislation and Regulation, Remedies, and Sexuality and the Law. Ze also serves as Faculty Co-Director of GW Law’s Animal Legal Education Initiative (ALEI)⁴ and as editor-in-chief of the *American Intellectual Property Law Association Quarterly Journal*.

I suspect that zir unusually expansive expertise has played a large part in Professor Schaffner’s invaluable contributions to animal law over the years, and helps explain how the encyclopedia wrangles the whole of the field into such an accessible form. The book’s 119 entries leave nothing out, yet even the longest entries can be completed in one brief sitting. It’s this balance of scope and accessibility that makes the book such an essential resource. After examining how the book’s structure achieves such a balance, I move to a consideration of what, exactly, the encyclopedia contributes to the movement.

The encyclopedia’s content captures the wide scope of the field, but more than that, it reflects multiple *dimensions* of animal law’s expansive purview. In particular, the book conveys and exemplifies the field’s varied substance, covering perennial subjects and emerging topics. There’s a wealth of information related to both animal law practice and animal legal scholarship, plus entries on important issues in adjacent fields that provide essential context for contemporary animal law. Finally, the book mirrors the field’s diverse, international character, both in subject matter and contributor list. The extensive reach means that each entry remains easy to digest. The trade-off is that even touchstones of the field, like

³ Joan E. Schaffner (ed), *Elgar Concise Encyclopedia of Animal Law* (Edward Elgar 2025) (hereinafter *Encyclopedia*).

⁴ ‘The Animal Legal Education Initiative’ (*GW Law*) <<https://www.law.gwu.edu/alci>> accessed 22 September 2025

the problem of animal legal standing,⁵ must receive relatively short treatment. In this sense, perhaps the book achieves its breadth at the expense of depth, unlike guides such as *Animal Law in a Nutshell*⁶ that cover smaller legal terrain in denser detail. But there are plenty of in-depth treatments of foundational topics, and a reader interested in finding them can simply consult the footnotes at the end of the chapter. Moreover, as Professor Schaffner points out in the introduction, word count does not always tell the full story. Given readers’ varied needs, ‘the scope and focus of entries differ. Some entries provide a bird’s eye view... while other entries focus more in-depth’ on a subject.⁷

Animal law is somehow both timeless and constantly reinventing itself. It spawns new concepts and issues much faster than most fields of law. While a field like Constitutional law might feel particularly unstable and shifting at the moment, that’s because its decades- (or centuries-) old doctrines are being stress-tested in novel ways. Contrast that with certain of the encyclopedia’s entries that simply would not have existed were the book published a decade ago, like the one on cultivated meat.⁸ Even in the case of evergreen issues, doctrine expands and swerves as courts catch up with culture, or as jurisprudence intersects with new tech. ‘Pet’ custody disputes offer a good example. More courts—and, increasingly, legislatures—are moving from a simple property analysis toward something closer to a ‘best interests of the animal’ standard to decide these disputes. Artificial Intelligence (AI) could provide tools to more accurately measure what those interests are and with whom the animal should live.⁹

Other entries provide leading scholars a chance to summarize some of their key contributions to the academic literature and situate their ideas within the broader context of the movement. Justin Marceau explains his critique of ‘carceral animal law,’¹⁰ and David Favre offers an updated account of how animals can be conceptualized as ‘living property.’¹¹

⁵ Delcianna Winders, ‘Legal standing—access to court in the US’ in Schaffner (n 3) 239

⁶ Sonia S. Waisman, Pamela D. Frash and Katherine M. Hessler, *Animal Law in a Nutshell* (West Academic 2021)

⁷ Joan E. Schaffner, ‘Introduction to the *Elgar Concise Encyclopedia of Animal Law*,’ in Schaffner (n 3) xix

⁸ Iselin Gambert, ‘Cultivated meat’ in Schaffner (n 3) 116

⁹ Barbara J. Gislason, ‘Pet custody disputes’ in Schaffner (n 3) 341, 343

¹⁰ Justin Marceau, ‘Carceral animal law’ in Schaffner (n 3) 88

¹¹ David Favre, ‘Living Property – new legal status for animals’ in Schaffner (n 3) 249

Karen Bradshaw explains her model of wildlife as property owners and its capacity to circumvent the longstanding welfare-rights binary, while Angela Fernandez applies her theory of ‘quasi-property’ to wildlife.¹² In their overlapping emphasis on wildlife, the Bradshaw and Fernandez chapters exemplify another way in which the encyclopedia’s structure mirrors the discipline’s endless expansion. Multiple authors explore specific aspects of subfields that, just decades ago, would have comprised just a single encyclopedia. For example, in addition to Bradshaw and Fernandez’s contributions, there are four separate entries devoted to particular wildlife issues (crime,¹³ hunting,¹⁴ management,¹⁵ trapping,¹⁶ and the conflicts that inevitably arise from human and wildlife coexistence¹⁷). Similarly, reflecting increased attention on the trillions of aquatic animals used by humans each year, the book offers entries on aquacultural law,¹⁸ aquatic animals,¹⁹ and industrial fishing.²⁰ In short, these overlapping entries from multiple experts capture the *depth* of animal law, not just its breadth. The bibliographies following every entry are another measure of this depth: they collect varied sources and are often quite lengthy, even though the substantive text remains streamlined and readable.

The book weaves together longstanding practice areas, emerging legal theories, and even recent developments in non-legal fields like cognitive science and public health. It also describes common practical approaches to animal legal advocacy. To take one example, public records laws have become ‘a powerful tool for animal advocates.’²¹ Open records laws have been enacted in over 50 countries and all 50 U.S. states. They can help advocates secure accountability and transparency from government agencies charged with overseeing animal welfare laws—or from public entities like federally funded research institutions, which

¹² Karen Bradshaw, ‘Wildlife as property owners’ in Schaffner (n 3) 417; Angela Fernandez, ‘Wildlife as quasi-property’ in Schaffner (n 3) 420

¹³ Erica Lyman and Nick Fromherz, ‘Wildlife crime’ in Schaffner (n 3) 425

¹⁴ Tara Zuardo, ‘Wildlife hunting’ in Schaffner (n 3) 429

¹⁵ Huiyu Zhao and Yizen Xu, ‘Wildlife management’ in Schaffner (n 3) 432

¹⁶ Tara Zuardo, ‘Wildlife trapping’ in Schaffner (n 3) 437

¹⁷ Judy Muriithi, ‘Human-wildlife coexistence’ in Schaffner (n 3) 195

¹⁸ Amy P. Wilson, ‘Aquacultural law’ in Schaffner (n 3) 59

¹⁹ Kathy Hessler, ‘Aquatic animals’ in Schaffner (n 3) 63

²⁰ Mary Finelli, ‘Industrial Fishing’ in Schaffner (n 3) 204

²¹ Will Lowrey, ‘Public records laws’ in Schaffner (n 3) 357

exploit animals themselves.²² Other entries in the book detail the ways subjects as diverse as estate planning laws,²³ One Health,²⁴ and the Rights of Nature²⁵ movement affect individual animals and biodiversity. At a high level, then, the collection exemplifies the porousness of animal law. It also illustrates how one of the field's core premises—that animals are most often objects rather than subjects of the law—remains consistent across this wide range of topics. As such, animals' rights and interests are implicated in some way by nearly every legal topic, whether substantive or procedural; old or new; entrenched or relatively obscure.

The book is able to present a comprehensive account of such a huge field thanks to its diverse roster of contributors. The authors are attorneys and professors working in animal law—but also nonprofit executives, recent law school graduates, and public health experts. Contributors are based in over a dozen countries, giving the book an international character that is reinforced by entries like 'Global Animal Law'²⁶ and 'Interconnected forms of violence of CAFOs and indigenous peoples' rights in Yucatán.'²⁷ Snapshots of animal law in countries including China,²⁸ Nigeria,²⁹ Peru,³⁰ Israel,³¹ Pakistan,³² and Brazil³³ further establish the book's cross-continental reach. This global coverage is a key strength of the encyclopedia, which aims to catalogue a field that is inherently borderless: animals are treated unjustly all over the world.

In this sense, the encyclopedia might push us to revisit the classic political imperative to 'think globally, act locally.' Animal law, global in character and, like a universe, continually expanding—unlocks the slogan's central insight, which is that there is no truly 'local' action. Judicial recognition of animal rights in Ecuador might support a renewed fight

²² *ibid* 356–59

²³ Timothy S. Midura, 'Estate planning for animals' in Schaffner (n 3) 144

²⁴ 'One Health' refers to the 'connections between the health of humans, other animals, plants, and the broader environment and ecosystems' and the interdisciplinary work required to address the interdependent issues that arise in this context. Hope Ferdowsian, 'Just One Health' in Schaffner (n 3) 229.

²⁵ Rajesh K. Reddy, 'Rights of nature' in Schaffner (n 3) 378

²⁶ Anne Peters, 'Global Animal Law' in Schaffner (n 3) 164

²⁷ Karen Hudlet Vázquez, 'Interconnected forms of violence of CAFOs and indigenous peoples' rights in Yucatán' in Schaffner (n 3) 218

²⁸ Deborah Cao, 'Overview of Chinese animal law' in Schaffner (n 3) 280

²⁹ Motunrayo Esan, 'Overview of Nigerian animal law' in Schaffner (n 3) 303

³⁰ Marcia Condoy Truyenque, 'Overview of Peruvian animal law' in Schaffner (n 3) 312

³¹ Marine Lercier, 'Overview of Israeli animal law' in Schaffner (n 3) 294

³² Hira Jaleel, 'Overview of Pakistani animal law' in Schaffner (n 3) 307

³³ Carlos Frederico Ramos de Jesus, 'Overview of Brazilian animal law' in Schaffner (n 3) 272

for captive animals in the U.S.³⁴ California and Washington’s bans on octopus farming could galvanize the opposition to a first-of-its-kind octopus hatchery in Spain.³⁵ ‘Think globally, act globally’ might better capture the interdependent quality of the international fight for animal justice, where any action has the ripple-like potential to affect animals anywhere in the world.

If there is a drawback to the encyclopedia’s impressive range, it remains, for the time being at least, hypothetical: animal law develops so rapidly that at least some of the entries might soon require updates. (Assuming this results in future editions of the book, however, this is more a feature than a bug.) If Professor Schaffner and his diverse roster of contributors sought to create a clear, comprehensive account of a field whose massive scope—whether geographic or doctrinal—makes it difficult to apprehend, then they have succeeded. Crucially, they have also produced a text that remains honest, balancing scholarly integrity with a refusal to downplay the endless forms of injustice endured by animals. The book never becomes polemical, but neither does it obscure the fact that humans constantly harm animals—often on a mind-boggling scale. As Professor Schaffner writes in his introduction, it is essential ‘to disclose that most scholars and practitioners of animal law are passionate about their work and are focused on providing greater protection for the interests of animals.’³⁶ Indeed, to pretend otherwise would be to obscure the ubiquitous mistreatment of animals that gave rise to the field in the first place, and that continues to drive its expansion and progress. The *Encyclopedia* presents a vast yet accessible picture of animal law in the 21st century. In doing so, it makes a lasting contribution to animal law’s basic project: the creation of conditions that encourage humans to treat animals with ‘more care and respect,’ and, in turn, secure ‘a more just world’ for humans, animals, and the planet they share.³⁷

³⁴ ‘A Landmark Ruling for Animal Rights in Ecuador’ (*Nonhuman Rights Project Blog*, 23 March 2022) <<https://www.nonhumanrights.org/blog/landmark-ruling-animal-rights-ecuador/>> accessed September 22 2025

³⁵ ‘Octopus farming in Spain raises global animal welfare and environmental concerns’ (*World Animal Protection*, 23 April 2025) <<https://www.worldanimalprotection.org/latest/news/octopus-farming-in-spain-sparks-global-concern-over-animal-welfare/>> accessed 22 September 2025

³⁶ Joan E. Schaffner, ‘Introduction to the *Elgar Concise Encyclopedia of Animal Law*’ in Schaffner (n 3) xix

³⁷ *ibid*