

INTERNATIONAL WILDLIFE LAW
Summer 2009
951-S1
May 26th – June 8th, 9:00 a.m. – 12:00 p.m.

Professor Erica Thorson

Class Overview

This class attempts to bridge academic legal disciplines and practice areas—namely international environmental law and animal law—and attempts to do so in a way that explores both the theoretical and the pragmatic underpinnings of both disciplines to better understand the politics, principles, and legal outcomes in the arena of international wildlife law. International wildlife law is rarely taught from the perspectives of both disciplines, but the animal rights and welfare movements have influenced significantly the development of international wildlife law and there continues to be room for further influence. In addition, in international fora, much like in local contexts, wildlife conservation activists and friendly governments must balance their interests with those who advocate for exploiting wildlife for the sake of poverty eradication, development, or subsistence needs. If these competing interests represent opposite ends of a spectrum, some would argue that the principle of “sustainable use” represents the fulcrum or midpoint.

This class will explore the nature of balancing these competing interests in international fora, focusing on the worthiness of “sustainable use” as the compromise that hinges together the goals of wildlife conservation and enhancement of human welfare. In particular, we will examine a number of international wildlife treaties in-depth, considering the theoretical, practical, and legal bases of each and exploring the compromises that make up such a significant portion of international law. But first, we will discuss some of the most important theories underlying the animal law movement and international environmental law, considering throughout the course how these theories manifest as negotiating positions. We will also begin with a brief overview of international lawmaking by treaty.

Ultimately, students will leave this class with a greater understanding and appreciation for the complexity of international lawmaking, specifically in the wildlife context, and with a greater sense of awareness of the negotiations that give rise to the balancing acts and compromises that make up international wildlife law. By the end of the course, students will have a set of tools to critically examine the utility of the compromises the international community has struck and to think creatively about ways to improve the international management of wildlife so that it serves reasonably and justly the interests of both the animals and the humans who depend on them.