

# **Wild Law and Domesticated Animals: a wild law approach to the regulation of farming industries in Australia.**



**Wild Law Conference, Griffith University 2011  
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## **Historical Trend towards Mass Production:**

- Increased availability
- Decreased cost
- Greater profitability

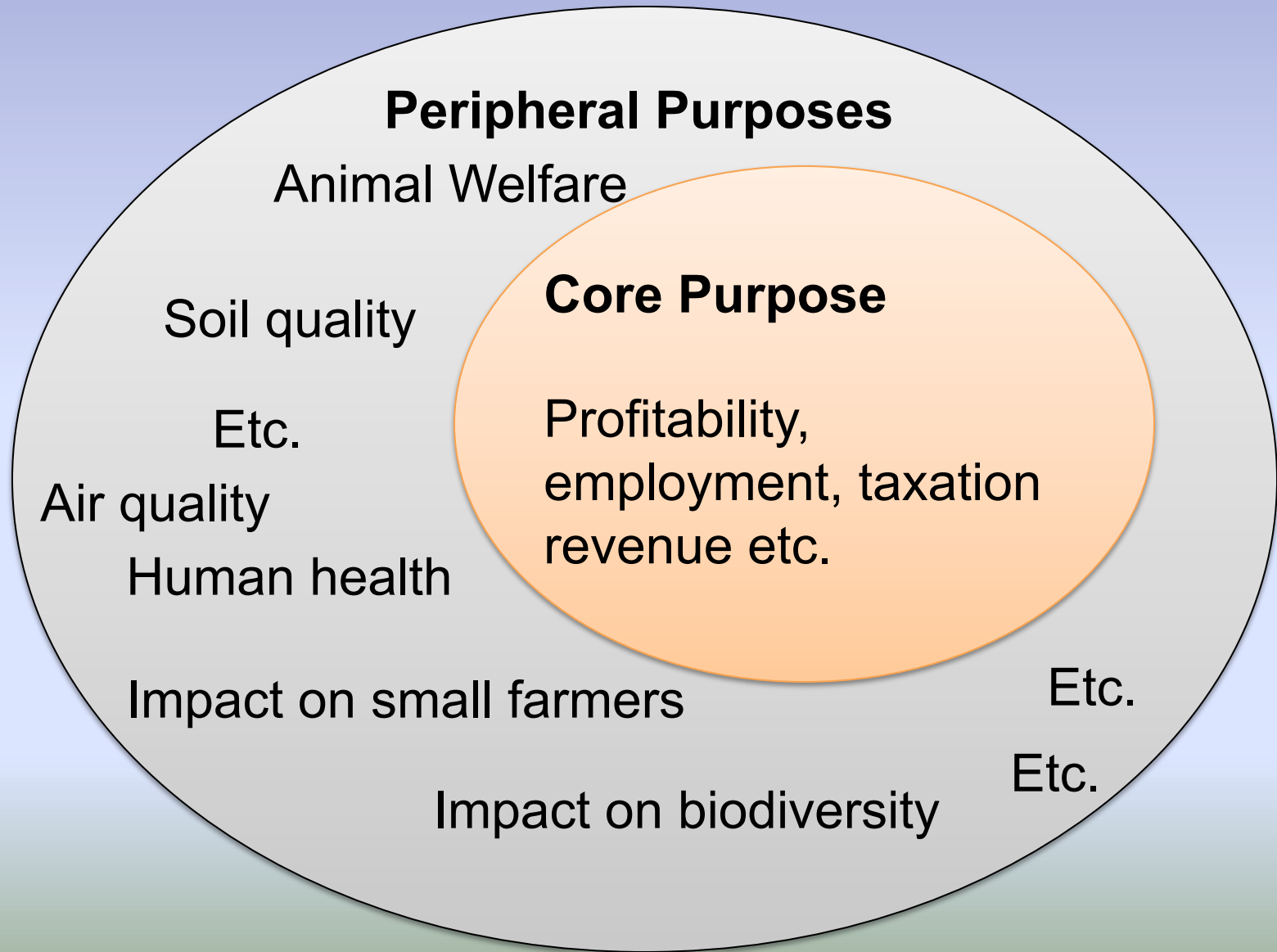
## **Anthropocentric criticisms:**

- Impact on the world's poorest people - malnutrition despite increased overall quantities
- Impact on small farmers - economic and sociological
- Health impacts – Obesity etc, zoonosis, hormones and antibiotics, workers health
- Environmental impacts – soil viability, water etc.

# Failure of Law and Governance – regulation of farming industries in Australia

- Inadequacies of legislation - prevalence of non-enforceable codes, exclusion of certain types of animals, inadequate policing
- Industry lobby groups, consumer expectations (esp re cost) – politically powerful, political disincentives for legislative change
- But the issues are more fundamental than that...

# Purposes of the Regulatory Schemes



## **Non-Anthropocentric Criticisms:**

- Treatment of animals (in and of itself)
- Impact on other flora and fauna – displacement, disease, genetic modification etc
- Impact on ecosystems and earth systems

“Instead of perpetuating legal systems designed to facilitate the domination and exploitation of the Earth, we urgently require systems of governance that encourage us to sustain mutually enhancing relationships with other members of the Earth community.”

C Cormack ‘Do Humans Have Standing to Deny Trees Rights?’ 11 (2008) *Barry Law Review* 11, 19

# Case Study: Regulation of the Chicken Egg Industry

- Animal Welfare Acts exclude livestock (or Codes provide a defence/admissible as evidence)
- Environment Act and regulation/Codes
- Codes drafted in intimate consultation with AECL – represents interests of factory farms
- Codes expressly allow cruel practices, allow negative environmental impacts



# Wild Law Approach to Regulation

**Core Concern:**  
Relationships with other  
members of the Earth  
Community

## **An altered regulatory bias:**

- Smaller operations
- Improved welfare
- Strong focus on whole of system environmental impacts
- Consumer education

## **Privileging New Economies**



**Regulation of farming industries:  
an illustration of the possibilities and  
challenges of a Wild Law approach.**