

ORCAS IN CAPTIVITY AS SLAVES? HOW INTRIGUING

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How fascinating it seems to me filing a lawsuit against the owners of kept orcas on the fundament of expanding anti slavery legislations to non human vertebrates. From my personal point of view I cannot right imagine that the creators of the 13th Amendment ban of slavery even lost one single thought of having the important ban of slavery to be expended to animals in captivity. As in more or less every law making procedure if one speaks of 'one' than no other than human beings are concerned. Therefore some doubt has to be expressed to this - undoubtedly very innovative - interpretation of the Amendment.

To wake up the people's awareness this and similar lawsuits in the direction of 'why not also them?' are popular and e.g. filed in the 1986 for the freedom of seals in Germany, all in vain as far I know. Indeed, why should it be without any doubt appropriate to keep animals, be it orcas, chimpanzees, but then in consequence also dogs and cats and mice for animal experiment reasons or cattle under conditions where they are deprived from various aspects to express their needs of social contacts, of a normal animal life, of need of movement.

The animal welfare legislations worldwide, as far as it exists, do protect animals against suffering and pain. From the view of animal's rights positions this is not sufficient. Therefore either lawsuits on Amendments or legislation that only do protect 'persons' are filed where trying to stretch this term towards animals. Or new legislation is created as e.g. in Switzerland (and South Korea) to have the "dignity of creature" protected, whereby the animals are accepted in their interest in principle to fulfil no other goal as to be. The official animal attorney in the Canton of Zurich worked for 20 years to be helpful in enforcing at least the therein still restricted animal welfare legislation. Also the legal status of animals has been changed, starting in Austria, than in Germany and e.g. Switzerland so that they are not a normal 'object' but animals. Although still under property the animal welfare legislation and - for Switzerland their dignity as protected by the Constitution - has to be regarded.

Personally I do see more chances to be realized in these kinds of legal structures than for now in the animal rights position. Too many questions are open for me, e.g. in what extent those rights should consist in, if all mammals and above it all vertebrates should get this accolade and technically who should be entitled to represent the animals positions. Possibly those lawsuits are convenient to break the ice in the field of traditional thinking that men always are number one and animals - although more close to us than usually thought and felt - are number two. We are a team.