



## Jus Animalis Interview - David N. Cassuto

Professor of Environmental Law at Pace Law School - New York/USA. Judge of Law in New York/USA. Director of the Brazil-United States Institute of Law and Environment (BAILE), a cooperative effort with Fundação Getulio Vargas School of Law in Rio de Janeiro (FGV/RJ) and Federal University of Bahia (UFBA). Visiting Professor at the Federal University of Bahia and Fulbright Scholar at FGV Direito Rio (2010). Distinguished Visiting Professor of Environmental Law at Williams College/USA. PhD in American Literature from Indiana University (1994), Juris Doctor in Law from the University of California Berkeley (1998). Currently teaches in the areas of property law, animal law, water law and comparative environmental law Brazil/USA. Advisor to the Animal Legal Defense Fund (ALDF), founder of the Animal Blawg Discussion Network ([www.animalblawg.wordpress.com](http://www.animalblawg.wordpress.com)) and advisor to the Brazilian Journal of Animal Law. He has lectured in several countries, such as: China, Italy, Greece, South Korea, France and Canada, and has written for world-renowned journals such as Harvard Environmental Law Review. David Cassuto gave an exclusive interview to the portal Jus Animalis.

**Jus Animalis:** *First of all, we would like to thank you immensely for having kindly accepted the invitation for the interview to Jus Animalis. You have a great performance in the academic area related to Animal Law, having taught classes in several countries around the world, including Brazil. In your opinion, which countries are more advanced in protecting non-human animals?*

**David Cassuto:** Thank you very much for inviting me. It is an honor. There are many countries in the world that have made significant strides in protecting animals but in my opinion, we are not yet at a point where any country should be singled out as having done a good enough job to celebrate.



***Jus Animalis:*** *And how do you see the protection of animal rights in Brazil?*

**David Cassuto:** I think it's wonderful that Brazil included animal protection in Art. 225 of the Constitution, and I think that provision holds great promise through which to advance animal protection. I think like most other countries, Brazil is still figuring out if and how it wishes to accomplish that goal.

***Jus Animalis:*** *In 2012, California amended Penal Code Section 599, prompted by the National Meat Association v. Harris case (2012), in which brutal cases of slaughterhouse mistreatment were reported. Recently, to the surprise of animal welfare advocates, the US Supreme Court upheld California's Proposition 12, which, among other provisions, partially bans the sale of pork from farms that keep pregnant sows in gestation crates. Although animal welfare was not the main issue for the judges, but rather the ability of U.S. states to set their own production standards for goods imported from other states, do you believe that today Proposition 12 is the strongest farm animal welfare law in America?*

**David Cassuto:** I don't know if it is the strongest, but it is certainly one of the most effective in terms of the number of animals it impacts nationwide.

***Jus Animalis:*** *How do you see the changes in human eating behavior, with the growing number of adherents to the vegan diet? Do you think it is possible that one day animals will no longer be used for food?*

**David Cassuto:** Humans have struggled with how and what to eat for as long as we have walked upright, and I don't see that changing. However, it does appear that more people are paying more attention not just to how nutritious their food is but also to the ethics of creating that food. As more people critically examine both their food and their motivations for eating it, I believe they will turn toward sustainable diets that do not inflict needless cruelty.

***Jus Animalis:*** *Unfortunately, the planet Earth has been facing intense climate change, affecting animals and human beings. In this context, you have developed important*



*work regarding the protection of water resources, and in particular, in Brazil, on the Guarani aquifer. Tell us a little about this work and about how you see the relationship of Brazilian society with our natural resources.*

**David Cassuto:** Access to water has always been a source of tension between and among countries and civilizations. The Guarani offers an excellent example of a transboundary aquifer under growing stress as potable water supplies dwindle in the face of climate disruption and population expansion. I do not feel qualified to discuss Brazilian's relationship with natural resources. I will say though, that Brazil –like any large country with varied geography – is a diverse nation whose people have many different types of relationships to the land, its resources, and its nonhuman inhabitants.

**Jus Animalis:** *Do you believe it is possible to reverse most of the damage caused by global warming in order to ensure the survival of forests, animal species and humans? If so, what actions would be necessary?*

**David Cassuto:** Honestly, I don't think it is possible. I think we need to make every effort to mitigate the damage already done, avoid more damage, and do our best to make this changed world as habitable as possible for humans and nonhumans in the new Anthropocene era. This will involve recognizing that human needs and wants cannot continue to be the governing priority for ecosystem management.

**Jus Animalis:** *What is your perspective for the future of the rights of nature and non-human animals? Do you believe in a real change of their status to subjects of rights?*

**David Cassuto:** I believe we are an increasingly global society arcing slowly but inevitably toward a more encompassing rights regime for all planetary inhabitants. We have already seen some dramatic movement in many countries. It is an exciting time to be alive even as it is also a time of terrible atrocities. I am cautiously hopeful that a more just society will one day take shape.