

# Non-Human Animal Rights Jurisprudence in Moral Law and Positive Law

Meta-Philosophical Disputations

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## ABSTRACT

Non-Human animal rights have become the vogue since the beginning of the 20th century. Positivist oriented scholars especially from the disciplines of anthropology, law, and political science have contended that humans are not special and are far better than animals because they are all part of the evolutionary continuity. According to these scholars, it is scientifically proven that non-human animals also speak languages, have morality and empathy like humans. They thus propose that non-human animals should be accorded rights analogous to human rights enshrined in international human rights instruments such as; the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The failure to heed to this scientific predicament is regarded as equivocally consistent with human supremacism, exceptionalism and speciesism. This meta-philosophical master piece

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assesses the intricacies of instituting soft and hard law non-human animal rights instruments such as; the Universal Declaration of Non-Human Animal Rights (UDNHAR) and the International Covenant on Non-Human Animals' Social and Economic Rights (ICNHASER). It is premised on the argument that non-human animals should be accorded justiciable sentient privileges, sympathies and empathies instead of rights because they are amoral beings. The article contends that guaranteeing nonhuman animals justiciable sentient privileges is tantamount to sentient realism and not human supremacism, exceptionalism and speciesism.



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