

CRITICAL ANALYSIS OF THE ANIMAL WELFARE ACT OF 1998 AS AMENDED
AND ITS IMPLICATIONS TO ANIMAL OWNERS
AND LEGISLATORS

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By

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ABSTRACT

Do animals have rights? This question has been a controversial issue for decades and made subject of many arguments and debates. According to Jeremy Bentham, an English philosopher, a jurist and the founder of the reforming utilitarian school of moral philosophy, to determine whether a being is entitled to an equal consideration, "the question to be answered is not 'can they reason?' nor 'can they talk?' but 'can they suffer?'" (Jeremy Bentham on the suffering of non-human animals).

The study focused on the Republic Act No. 8485, otherwise known as the Animal Welfare Act of 1998, as amended by Republic Act No. 10631. An extensive review and analysis of the Animal Welfare Act of 1998 as amended has lead the researcher to the comprehensive understanding of the law, specifically the spirit and purpose of its enactment. This study was specifically intended to find out the underlying reasons or rationale for the enactment of the Animal Welfare Act of 1998 as amended; determine the vague and ambiguous provisions of the law; and its strengths and weaknesses. Consequent to the analysis, the researcher has proposed possible amendments for the enhancement and effective implementation of the Animal Welfare Act of 1998 as amended.