

Guardianship - 10 point list

1) The term "guardian" already has an established, legal meaning in court, and any new use for animals would not be free to establish its own meaning. It would be applied to animals according to the already existing meaning.

2) That existing meaning currently applies to guardians of children or adults who have been classified as not capable of having responsibility for themselves. Guardians are merely temporary caretakers whose ownership can be revoked at any time and must have all their decisions overseen by court-appointed inspectors. It requires the guardians to manage and control the child and its estate, using standards of care and diligence determined by the state. The state can tell a guardian how to take care of the child and also can remove it from a guardian who the state decides has not performed its duties according to its wishes. Other criteria for removing guardians is if the state determines (according to its own rules) that the guardian refuses to or is incapable of performing his duties, is convicted of a felony, or has a conflict of interest that poses a risk that he will not faithfully perform his duties. Guardians can also be sued in court to punish them for the manner in which they have taken care of their responsibilities.

Thus, owners would

3) Not be free to take care of their animals in the manner they choose;

4) Have to accept supervision, including inspection visits (probably unannounced, thus violating the Fourth Amendment freedom from warrantless search and seizure provision, generally construed as privacy protection);

5) be at risk of having their animals taken away from them without just compensation (Fifth Amendment);

6) face frivolous lawsuits from animal rights groups suing pet owners supposedly on behalf of their pets, thus harassing the owners and overburdening the courts with frivolous litigation. The consequences to the owners could even include incarceration.

7) The process for setting up care rules would most likely be controlled by animal rights groups that do not have as much knowledge about real-life animals as many animal owners do, nor do they have the best interests of animals in mind. Their sole interest is in making animal ownership as difficult as possible.

8) Also, veterinarians would not be free to advise owners using scientifically determined medical knowledge, but would be subject to outside dictation about what is allowable.

9) Animal rights groups are quite aware of these consequences to using the term guardian - that is exactly why they want it. They want to be able to dictate care (including veterinary care), take animals away, sue animal owners, and, in short, make animal ownership so uncertain, unpleasant, expensive, and legally dangerous that people will avoid animal ownership altogether. The "guardian" term is just another of the many animal rights movement's sneaky ploys aimed at taking animals away from us step-by-step.

10) In short, guardianship basically leaves animal owners with full responsibility for the care, financial support, and damage liability of their animals, but removes all their rights to make decisions for their animals.