The resurrection of the nineteenth- and early twentieth-century humane movement’s concerns with the transportation and slaughter of animals was a significant priority for those who founded The HSUS in 1954. It was no coincidence that the first national initiative in which they participated was the campaign for a federal humane slaughter law. With that law secured after four years of effort, The HSUS moved on to promote state-level legislation to complement and extend the coverage and scope of the federal statute and to spur the development of new technology and methods to make both slaughtering and pre-slaughter handling humane. The HSUS pursued these campaigns with heightened sensitivity to the religious constituencies concerned about attempts to regulate ritual slaughter. Despite The HSUS’s careful approach, the ritual issue badly complicated state-level initiatives and inspired a new approach to the problem—the development of technical alternatives to hoisting and shackling that would be acceptable to religious communities.

By the early 1970s, industrialized confinement systems—with all of their harsh impacts upon cows, pigs, chickens, sheep, lambs, and other animals—moved to the center of The HSUS’s concerns. The last quarter of the twentieth century saw a massive rise in the consumption of animal products and an increasing reliance on intensive husbandry systems that denied animals’ most basic biological and behavioral needs. HSUS scientists made the case against factory farming, HSUS investigators gathered evidence of its cruelty and disastrous implications, HSUS lobbyists pushed for its restriction, and HSUS publicists tried to generate public support for reform. In the 1980s, while maintaining traditional concerns with the moment of slaughter and the transportation of animals, The HSUS moved on to push for the application of animal welfare science and the Three Rs (reduction, replacement, and refinement) to the condition of the billions of animals raised and killed for food in the United States, and to raise questions about the negative consequences of the biotechnology revolution upon animals. Staff members sought to remedy the deficiencies of the Humane Slaughter Act, which did not cover chickens and did not apply to all of the nation’s packing plants. The HSUS also forged links with a variety of interest groups involved in promoting ecologically sustainable agriculture and in trying to uphold organic standards. As The HSUS marked its fiftieth anniversary, the Farm Animals and Sustainable Agriculture section was engaged in concerted efforts to limit the spread of factory farming, with all of its adverse impacts on animals, the environment, workers, and consumers—even as the nation’s major environmental organizations began to address intensive agriculture seriously for the first time. The HSUS also worked to cultivate a more sympathetic attitude toward animals on the part of the public. Staff members fought the negative effects of factory farming on many fronts, organizing communities, lobbying Congress, and encouraging citizens to make conscientious choices in personal consumption.
Principles and Purse Strings: The Humane Slaughter Act

From the advent of organized anticruelty work in 1866, the slaughter of animals for food was a pressing concern of humanitarians. In general, however, they did not seek to control it through legislation, but rather through the encouragement of humane slaughtering practices and technology. Legislation to regulate slaughter surfaced on several occasions in Massachusetts between 1910 and 1920, but the opposition of packers and religious authorities made its passage impossible. After this, no attempts were made at either the state or federal level to secure legislation, largely because by the late 1920s, the meatpacking industry had persuaded key humane leaders that it would take timely steps to reform itself. This did not happen, however, and the movement made very little progress on the issue during the middle decades of the twentieth century. Turning its attention to municipal animal control during the 1930s and 1940s, the movement paid less attention to the problems of cruelty in the transportation and slaughter of animals for food.

When he became editor of AHA’s National Humane Review in 1952, Fred Myers renewed coverage of the issue, publishing several full-length pieces on the suffering of animals in food production. Myers and other advocates were especially encouraged by the emergence of a new method of anesthetizing hogs, developed by the Hormel Company of Austin, Minnesota. The Hormel system brought hogs onto a moving belt that carried them into a tank filled with carbon dioxide. The gas rendered animals unconscious within thirty seconds and conferred anesthetic effects that lasted about 25 seconds—long enough for painless slaughter.

At AHA’s annual convention in Denver in 1953, Myers introduced a resolution asking that the organization’s leadership commission a study of the feasibility of national legislation to address the cruelties of slaughter, which the members present unanimously adopted. No action was taken on Myers’s resolution during the year. However, the issue surfaced prominently at the 1954 AHA convention in Atlanta, where an intense election contest and disturbing film footage of animals being slaughtered set the stage for both the formation of The HSUS and the national campaign for humane slaughter legislation. The showing of Seattle advocate and future HSUS director Arthur P. Redman’s film of conventional packinghouse practices proved to be a catalyst and spurred advocates in attendance to seek legislative action to end unnecessary cruelty to animals during slaughter. In particular, they sought to prohibit the hoisting and shackling of conscious animals and the use of sledgehammers for stunning. It became an immediate priority for both Christine Stevens’s Animal Welfare Institute (AWI), founded three years before, and The HSUS, when it formed in the aftermath of the Atlanta convention. In fact, in the very first announcement of its organization, The HSUS condemned the state of slaughtering practices in the United States.

Within a year of The HSUS’s founding, there were bills in both the U.S. House of Representatives and the Senate, and the fledgling organization had distributed more than 800,000 pamphlets on humane slaughter. In 1955 senators Hubert Humphrey (D-MN) and Richard Neuberger (D-OR) and representatives Martha Griffiths (D-MI) and Edgar W. Hiestand (R-CA) introduced bills to outlaw the practices of hoisting and shackling conscious animals and the use of manually operated sledgehammers for stunning. USDA, led by Ezra Taft Benson, a great friend of the meat industry, opposed any legislation, arguing that meatpackers should be left to work independently on the issue. The legislation did not even get a hearing.

In January 1956 Representative Griffiths introduced H.R. 8540, an improved version of her original bill (H.R. 6099), at the request of The HSUS. The new version closed some loopholes and reduced the amount of time during which packers would be permitted to reach compliance from five years to two. The HSUS responded energetically, committing itself to the mobilization of grassroots support for the measure. Among other things, it developed and distributed an illustrated pamphlet, What You Don’t Know about Hamburgers and Pork Chops, at the rate of two thousand a day. Redman’s film, exposing the extreme cruelty of hog slaughter, was widely seen, and HSUS director Joseph Sadowski underwrote a large adver-
tisement in the Christian Science Monitor. In May 1956, after more than a year of effort, Myers and HSUS director Edith J. Goode secured the endorsement of the eleven-million-member General Federation of Women’s Clubs for the bill. Staff members also worked to secure the support of religious groups for pending humane slaughter legislation.4

Humphrey’s bill, S. 1636, became the subject of a May 9–10, 1956, subcommittee hearing, in a room jammed with supporters. Senator Humphrey kept Fred Myers on the stand for two hours after his initial testimony, to elaborate upon The HSUS’s investigations concerning the packing industry. Myers pointed out that packers’ claims about the prohibitive costs of humane methods were unsubstantiated and provided detailed discussion of carbon dioxide anesthetization, the captive-bolt pistol, and other methods of stunning and killing animals. When the bill left the Senate Agriculture committee, in a watered-down version striking out all mandatory clauses, it passed the full Senate by voice vote without opposition. However, the House held no hearings and took no action on any similar bill, so humane slaughter did not become a reality in the Eighty-fourth Congress.5

In August 1956, after the congressional session ended, congressmen interested in the issue toured slaughtering plants in Kansas, Missouri, and Nebraska, observing the poleax in use and confirming their worst suspicions about the need for humane slaughter legislation. They also witnessed the captive-bolt pistol and Hormel carbon dioxide tunnel in action. The HSUS’s Helen Jones arranged for extensive media coverage of the congressional inspection.6

Advocates renewed the campaign for humane slaughter in 1957, with four congressional bills, introduced by representatives Griffiths (H.R. 176), Dawson (H.R. 3029), Hiestand (H.R. 3049), and George P. Miller (H.R. 2880). In the same session, senators Humphrey, Neuberger, and William Purtell (R-CT) jointly introduced S. 1497, a new version of Humphrey’s bill. Under the influence of the meat industry, Senator Arthur Watkins (R-UT) sponsored a “study bill” to “authorize” the Secretary of Agriculture to examine the issue and provide a report of his findings in 1959.7

At an April 2, 1957, hearing in the Eighty-fifth Congress, The HSUS, AWI, AHA, a butchers’ union, and several other interested groups testified in support of the legislation. Arrayed on the other side were USDA, the American Meat Institute, the Farm Bureau, the National Cattlemen’s Association, the Grange, and the Union of Orthodox Rabbis. Fred Myers was not the sole HSUS witness; The HSUS also sponsored the testimony of Lt. Colonel D.J. Anthony, a British veterinary official and technical expert on slaughter methods. Myra Babcock, M.D., a Michigan anesthesiologist and HSUS director, testified, too, describing the effects of carbon dioxide and sharing her professional knowledge concerning the physiological effects of fear and suffering in animals. In addition, Arthur Redman screened his film on hog slaughter at the hearing.8

As their predecessors in the late nineteenth century had, humane advocates quickly ran into the challenge of Jewish food laws. “The ritual of kosher killing,” journalists Paul Kearney and Richard Dempewolf wrote, “prescribes that an animal must arrive clean, whole, and unblemished at the point where the rabbi makes the final thrust.” Rabbis and kosher meatpackers alike had interpreted this to mean, Kearney and Dempewolf wrote, that “the animal must be conscious, and they have insisted that the rugged shackling and hoisting alive, even of full-grown cattle, is the only practical means to comply with Hebrew law.” In a compromise with rabbinical authorities, ritual slaughter, or shechita—which employed
the shackle and hoist and demanded that the animal be conscious at the moment of slaugh-
ter—was exempted from the coverage of the proposed law. Moreover, the bill specifically
defined shechita as humane.9

The legislation that emerged from the House Agriculture Committee in July 1957 was
H.R. 8308, drafted by Representative W.R. Poage (D-TX), chairman of the Livestock Subcom-
mitee and vice-chairman of the full Agriculture Committee, in consultation with The HSUS.
The striking difference between Poage’s bill and earlier proposals was the former’s reliance
on economic pressure instead of criminal penalties. It prohibited agencies of the federal gov-
ernment from purchasing products from any slaughterer or processor that used inhumane
methods of slaughter in any of its plants. This was a potential loss of business no packing
company could afford to risk. As one commentator observed, “A straight criminal law could
hardly provide a penalty for violation of more than a $1,000 fine.” By implication, “the Poage
bill provides for a $1 million fine.” Poage’s bill also specified that approved methods must
render animals insensible to pain, “by a single blow or gunshot or an electrical, chemical, or
other means that is rapid and effective before being shackled.”10

On the Senate side, a subcommittee unanimously voted in favor of releasing the
Humphrey/Neuberger/Purtell bill. Fears that conflict over a pending civil rights bill would
prevent consideration of humane slaughter proved to be unwarranted. However, it was de-
cided to postpone action on S. 1497 until after the House had voted.11

The bill received a favorable report by the House Agriculture Committee, and on Feb-
uary 4, 1958, it passed in the U.S. House of Representatives by a large margin. However, at
a June 18 Senate Agriculture Committee meeting, a majority of members dropped
Humphrey’s proposal in favor of Watkins’s “study bill.” This set the stage for a floor fight, in
which Humphrey and his allies pushed for amendment of the committee bill and a roll-call
vote of the full Senate.12

On July 29, 1958, the Senate passed S. 1497 by a vote of seventy-two–nine, after narrow-
ly rejecting (forty-three–forty) the substitute bill. Senator Humphrey thwarted all attempts to
weaken S. 1497, save for amendments exempting Jewish ritual slaughter. “I believe that we
witnessed, during the campaign for slaught-

Robert J. Chenoweth, HSUS
president, presented
the society’s bronze honor
plaque to Senator
Hubert H. Humphrey
in 1958.

deerhouse reform,” Senator Humphrey com-
mented, “one of those spontaneous manifes-
tations of basic goodness and decency with
which the American people every once in a
while indicate that they may be worthy to
lead a troubled world in progress toward
peace and justice.”13

Not wanting to jeopardize the bill’s pas-
sage late in a congressional session, House
conferees accepted the Senate version of the
bill, and the full House passed it. President
Eisenhower signed the Humane Slaughter Act on August 20, 1958, making it effective begin-
nning June 30, 1960. A last-minute subterfuge involving the meat industry and the Military Sub-
sistence Supply Agency of the United States Army surfaced, in which the agency ruled that it
would only require compliance in contracts exceeding $2,500. This edict met determined re-
sistance from Senator Humphrey, who received assurance of the Army’s commitment to full
compliance just before the date on which the law was to take effect.14

The Humane Slaughter Act outlawed the poleax and the shackling and hoisting of con-
scious animals. Its sponsors’ main goal was to develop a method of rendering animals un-
conscious before they entered the slaughtering process, using carbon dioxide chambers,
electrical stunning tools, captive-bolt pistols, and conventional firearms retrofit with spe-
cial ammunition that would stun but not kill. The law specified, “No government agency
may buy meat or meat products from any packer who in any of his plants, or a plant of any subsidiary company, slaughters animals inhumanely or handles animals inhumanely in connection with slaughter.” When the Humane Slaughter Act passed, the U.S. government was purchasing about $300 million worth of meat per year, and this provision affected the nation’s largest packers, the government’s principal suppliers.¹⁵

During the law’s implementation phase, The HSUS was critical of government efforts to secure compliance. Fred Myers was especially concerned that some kind of field inspection and record keeping be initiated, because, at first, enforcement depended entirely upon sworn affidavits by vendors selling meat to the government that they and their suppliers were in compliance. Some suppliers signed affidavits without realizing that they were violating the law. “Some packers and some procurement officers,” Myers wrote to one Army administrator, to illustrate the problem, “seem not yet to be aware of the fact that a packer or processor must use humane slaughter methods in all of his plants and use these methods on all species of animals to be eligible to sell to the federal government.”¹⁶

The HSUS played a crucial role in the federal humane slaughter campaign, helping to mobilize mass opinion and to promote unity of purpose on the part of humane societies, many of which had never before invested their energies in a fight that extended beyond their local communities. Myers positively gushed in his HSUS News report:

> Congress got the greatest deluge of mail, on a single subject, within the memories of living legislators. Veteran Washington news reporters watched in amazement. “These letters,” wrote one columnist, after reading many samples of the mountains of mail piling up in congressional offices, “are not the usual kind of form letters that result from pressure campaigns. These are letters that ring with the sincerity of the individuals.”
> 
> Even President Eisenhower told a group of congressmen: “If I relied on my mail, I would think that the country is concerned only about humane slaughter.”¹⁷

Assessing the contribution of The HSUS to the federal campaign, Senator Stephen Young (D-OH) observed,

> The paid mercenaries don’t always win. The powerful American Meat Institute, which coordinated opposition to the humane slaughter bill of 1958, was shellacked by the Humane Society of the United States, which employed no paid lobbyists. The Society’s three-year campaign resulted in one of the heaviest storms of mail in congressional history and succeeded in passing the bill over the combined opposition of meat packers, livestock and wool growers, the White House, the Departments of Agriculture and Interior, and the Budget Bureau.¹⁸

Looking back in the aftermath of victory, Myers expressed his conviction that “the humane slaughter victory could have been won a quarter of a century ago.” Myers lamented the decision animal protectionists made in 1929 to cooperate with packers, who—he and some of his contemporary colleagues contended—had lulled the animal protection movement into complacency by promising to do something to reform themselves. The four-year campaign, Myers asserted, “proved that major national cruelties are ended by hot wars, not cold wars—and certainly not by neutrality.”¹⁹

**Humane Slaughter: Extension, Research, and Invention**
In the wake of the Humane Slaughter Act—the humane movement’s first federal success in seventy-five years—The HSUS began to push for the passage of laws in a number of state legislatures to require the use of humane methods in the commercial slaughter of livestock in
packing plants. In 1959 Fred Myers testified at legislative hearings on humane slaughter in California, Tennessee, Connecticut, Ohio, Wisconsin, and New Jersey, the only representative of a national organization to do so. HSUS director Arthur Redman testified in support of bills in Washington, where he led the campaign for the first humane slaughter law in any state, and in Minnesota, where a provisional branch of The HSUS secured the law. The HSUS was responsible for all five of the state laws enacted that year.20

The January 1961 issue of Reader’s Digest carried an article, entitled “Let Us Have Mercy on These Dumb Animals,” which drew heavily upon research conducted by HSUS staff members. The article contrasted the treatment of animals in the approximately 500 packing plants operating under the federal humane slaughter law with those that were not. Authors Paul Kearney and Richard Dempewolff reported “the unenviable experience…of observing a poorly stuck pig shoved into the scalding tank while still fully conscious” and seeing a slaughterhouse worker “swing his primitive sledge hammer a dozen times before he succeeded in stunning three frightened, bellowing steers.”21

The very month in which the Reader’s Digest article appeared, Belton P. Mouras began his work as head of the livestock division set up to meet the terms of Anna Belle Morris’s substantial bequest (see chapter 1). Mouras played an important part in the humane slaughter campaigns, testifying on behalf of humane slaughter bills and helping to coordinate support for them in a number of states. Mouras also monitored technical developments that might facilitate the phaseout of shackle and hoist systems like those still being used for ritual slaughter.22

Since the federal legislation was limited to packing companies that sold meat or meat products to federal agencies, it covered approximately 80 percent of livestock slaughtered in the nation’s packing plants. State laws were necessary because the Humane Slaughter Act did not affect packing plants that were not involved in interstate commerce or in selling their products to the federal government. Moreover, smaller meatpacking houses were not federally inspected to ensure the wholesomeness of their products and thus were subject only to state legislation. This meant that the 25 million animals killed annually in 2,500 smaller plants were not covered by humane slaughter regulations.23

As a rule these state-level proposals did not interfere with individual farmers slaughtering for their own use; did not affect poultry processing; did not require the hiring or retraining of personnel; and did not necessitate the purchase of expensive equipment or impose extra costs upon packers, consumers, or enforcement agencies. Even so, supporters had to respond to some of the same questions that came up in the struggle for the federal law. If the argument was that humane methods were more efficient and economical than cruel ones, why not let packers voluntarily adopt them? Answering this in one state legislature, Fred Myers noted, “many of them suffer from inertia and will continue doing indefinitely what they have always done in the past even though they might make money by changing their methods, and a few packers will certainly from time to time mistakenly feel that cruelty is cheaper than humanitarianism.”24

In a few significant instances, meatpackers welcomed humane slaughter legislation at the state level. The Oscar Mayer Company, which had used a captive-bolt stunner since 1945 to render animals insensible, testified on behalf of a Wisconsin bill. In Kansas, humane organizations could point to the willingness of at least one packing plant not covered by the federal law to adopt humane slaughter practices. Such voluntary cooperation underscored The HSUS’s contention that the passage of such laws would work no hardship on any party and that many packers would ultimately find them economical and practical as well as humane.25

It was a little more difficult to contend with the fact that agricultural interests in state legislatures virtually always sought to squelch humane slaughter proposals as part of a general strategy of suppressing any regulation or public scrutiny of animals’ treatment. They frequently argued that the adoption of humane slaughter methods would be costly and impractical.
and that enforcement would create burdensome administrative costs. In many states elected officials tied to those interests saw to it that any legislation that raised questions about the treatment of animals used for food remained bottled up in committee.

Although the resistance mounted by agricultural and industrial concerns was formidable, the opposition of Jewish religious organizations provided a more complex challenge to the success of state humane slaughter initiatives in the years following the 1958 passage of the Humane Slaughter Act. Orthodox rabbinical authorities were usually the most vocal opponents, but a wide variety of Jewish organizations monitored the progress of such bills and almost all of them sought to have shechita specifically characterized as “humane” under proposed statutes. Rabbinical authorities generally attacked prohibitions on hoisting and shackling as infringements on religious freedom, always a serious charge. Many who had lived through the Holocaust openly recalled that some of the first infringements upon Jewish liberties in Nazi Germany involved limitations on kosher slaughter.

The HSUS, for its part, took the position that while religious practices and beliefs had to be respected, they could not be allowed to lead to disregard for the welfare of animals in human care. The welfare of animals before and during slaughter needed to be safeguarded to the greatest possible extent, whether or not the slaughter was carried out according to the requirements of a particular religious faith.

Like its U.S. counterpart, the Canadian humane slaughter law passed in 1959 (and effective November 1960) approved Jewish ritual slaughter as humane. In contrast, however, the Canadian law did require that kosher-slaughtered animals “be adequately restrained in a device of a means approved” by the Department of Agriculture. Necessity proved itself the mother of invention: a resourceful packing company produced an acceptable holding pen that gained rabbinical sanction. The pen produced by Canada Packers, Ltd., of Toronto enabled kosher packers to comply with religious stricture while abandoning the shackle and hoist system. Slaughterhouse workers prodded or led the animal into the steel pen, and, as the padded gate closed, it nudged him forward, leaving his head to protrude through a window on the other end. At this point, the shochet could make the cut effectively and cleanly. Fred Myers traveled to Toronto to inspect the pen and gave it his approval. More important, the pen received the endorsement of such eminent orthodox rabbinical authorities as Joseph Soloveitchik of Boston and Eliezer Silver of Cincinnati.

As it turned out, the device approved for use by Canadian authorities could not pass muster under USDA’s sanitary codes. However, acting on the belief that the shackling and hoisting method was an avoidable cruelty, humane advocates in the United States placed their hopes in the development of mechanical holding pens that would make it possible for the shochet to kill animals quickly and painlessly in compliance with orthodox Jewish requirements, while meeting the federal government’s required health standards.

In campaigns at the state level, The HSUS recommended enactment of laws that defined ritual slaughter of animals as humane. However, The HSUS resisted blanket exemptions for shackling and hoisting like that incorporated within the federal Humane Slaughter Act—which, under the Case-Javits amendment, did not impose a requirement for humane pre-slaughter handling in the case of kosher-killed animals. At the same time, HSUS representatives refused to concede that their proposals constituted an infringement of religious practice. Hoisting and shackling, they insisted, was a “packinghouse method” rather than a requirement of the Jewish faith. Moreover, as they sometimes pointed out, as a matter of principle and conviction, ritual slaughter cut in the other direction, too. Kosher meat was often sold without identification on the open market, especially in the battleground states of New Jersey and New York, making its consumption difficult for non-Jewish constituencies to avoid.

In 1960 and 1961, The HSUS keyed its strategy for state-level legislation to the anticipated emergence of acceptable alternate methods of handling animals before kosher slaughter. Looking toward a future in which alternative devices would be available, The HSUS re-
sponded in state after state with compromise amendments that would have permitted a fixed short-term exemption for shackling and hoisting under the proposed statutes. Even in the event of a crippling amendment’s passage, Fred Myers believed, it would be feasible to seek revision of an enacted state law once the new pens for ritual slaughter were approved and placed on the U.S. market.31

In the meantime, several bills failed after lively debates on whether they infringed on the religious rights of Jews. Orthodox authorities consistently sought to scuttle legislation that proposed to eliminate hoist and shackle methods. In 1962’s most spectacular battle, the opposition of religious constituencies sent legislation in New York to a crushing defeat, and a significant number of states passed a kosher slaughter exemption as part of humane slaughter legislation. Rabbinical authorities sometimes testified in these hearings and typically supported those bills that did not interfere with shechita. By 1963 fourteen states had enacted such legislation, and another half dozen were considering similar proposals.32

The prospects for resolving the impasse between humane groups and rabbinical authorities improved in 1964, when the ASPCA secured a patent on a holding pen that received the approval of the Rabbinical Council of America. This led The HSUS to renew its efforts to explore the prospects for legislation to eliminate the ritual slaughter exemption in the federal law. It certainly strengthened the case against an exemption in the state laws and in some instances it did lead Jewish organizations to drop their active opposition to such bills.33

On the other hand, enduring difficulties in securing complementary state legislation continued to frustrate HSUS staff members working on the issue. In 1965, with the backing of many rabbis and Jewish laymen in the state, the Pennsylvania legislature passed a humane slaughter bill that prohibited the shackling and hoisting of conscious cattle before slaughter. Later that year, however, a group of orthodox rabbis from Pittsburgh attempted to cripple the law just weeks after it had taken effect. Oliver Evans beseeched Governor William Scranton to resist the proposal, pointing out that the shackling and hoisting of animals for ritual slaughter was “a packinghouse practice that has nothing to do with the actual humane kosher ritual itself. It is a modern, speedy system that was certainly unknown to Moses or the sages of the Talmud.” Evans also pointed out that the state of Israel not only forbade hoisting and shackling but declined to accept American kosher meat handled that way. The rabbis’ initiative subsequently died in committee.34

HSUS director Grace Conahan (later Korsan) (d. 2002) led the fight to secure passage of humane slaughter legislation in Missouri. There, the bill landed in the rurally dominated agriculture committee five years in a row. In 1969 Conahan succeeded in having the bill, containing a ritual slaughter exemption, assigned to the Criminal Jurisprudence Committee, where it got a fair hearing.35

The battle in New York continued into the late 1960s. In that state, however, movement disunity, controversial legislation, and advertisements sponsored by Alice Herrington’s Friends of Animals badly polarized the situation. The bill Herrington favored did not specifically define shechita as humane and raised a swell of opposition from Jewish groups. Despite long-standing efforts to see humane slaughter legislation passed in New York, it never happened. Still, the number of states backing the federal law with legislation of their own grew to nineteen by 1968 and twenty-three by 1972. At that point, however, humane advocates began a more determined search for technological innovations that might help to remove rabbinical objections to outlawing hoisting and shackling.36

The Council on Livestock Protection
In the years following passage of the federal Humane Slaughter Act, The HSUS continued to study methods of humane slaughter, including the use of carbon dioxide to immobilize animals before slaughter, electrical stunning, and the modification of a veterinary “bull leader.” Staff members read the National Provisioner and other meat industry publications
and kept abreast of relevant advances in health sciences, physiology, and design engineering, ordering scientific and technical papers about which they heard or read. They also monitored technical and scientific developments that might prove to be helpful in mitigating the pain of castration, docking, branding, and dehorning, paying special attention to studies of the evaluation of pain in animals as well as the relationship between pre-slaughter stress and the quality of meat produced.37

The most pressing technical challenge reformers faced, however, remained kosher slaughter. In the states where ritual slaughter comprised a significant portion of the total amount of meat processed—like New Jersey and New York—the kosher meat industry generated intense opposition to humane slaughter legislation. Longtime campaigners gradually accepted the fact that resolution of the ritual slaughter issue had to be the first priority.38

By the early 1970s, scientists active in the field were in agreement that shackling and hoisting by the hind leg was stressful to animals. They had observed animals quivering and shaking in this position and measured the effects of shackling through the study of brain wave patterns, heartbeat, and blood acidity. At the same time, an increasing number of activists had become convinced that further efforts to secure federal or state legislation relating to kosher slaughter could not succeed without an intensive campaign of education within the Jewish community.39

American advocates remained confident in their assertions that shackling and hoisting was a packinghouse method rather than a religious requirement. As part of their case, they cited the fact that slaughterers in Israel either cast animals to the ground or held them in the Weinberg pen, a Danish invention, before the shochet’s cut. American packers, advocates believed, disdained the Weinberg pen as “slow, cumbersome, and costly.”40

American sanitary laws constituted another obstacle. In the United States, animals could not be cast to the ground before cutting, on the grounds that disease from an infected animal might be transmitted to a healthy one if the head and throat had touched the floor. This necessitated focusing on a holding pen.41

For a few years, The HSUS channeled most of its efforts on this front through the Council on Livestock Protection (CLP)—a partnership of groups that included The HSUS, AHA, the MSPCA, and others. The CLP, formed in 1971 under the leadership of John C. Macfarlane (1974 Joseph Wood Krutch Medal recipient), sought to support research into finding better methods of handling livestock prior to slaughter—with the goal of eliminating hoisting and shackling once and for all—and to investigate the potential of narcosis for use in the slaughter of livestock. It was also active in efforts to seek better methods of loading and unloading livestock and better methods of transporting animals from farm to market. John Hoyt, a member of the CLP’s governing board throughout its existence, invested considerable time and effort in the CLP’s goals during the 1970s.42

The CLP did its best to avoid antagonizing rabbinical authorities, who remained vigilant in their efforts to scuttle initiatives they judged would limit religious freedom. With the development of an alternative to shackling and hoisting, the CLP maintained, it would be possible to revisit the 1958 federal exemption given to ritual slaughter, widely known as the Case-Javits amendment. The Case-Javits amendment exempted from the Humane Slaughter Act’s provisions not only the act of ritual slaughter itself, but also the pre-slaughter handling practices commonly found in kosher slaughtering plants, including the shackling and hoisting of conscious animals.43
The CLP and its member societies did not join in the lawsuit filed by Henry Mark Holzer that argued that the exemption was not only inhumane but also violated the principle of separation of church and state. For its part, The HSUS responded to the Holzer lawsuit by restating its support for repeal of the Case-Javits amendment to the federal Humane Slaughter Act. The CLP avoided any explicit condemnation of shechita but maintained that the shackling and hoisting of a conscious animal prior to the knife cut was not a necessary part of the ritual.44

Unfortunately, the ASPCA pen for restraining large animals had not proved entirely satisfactory for kosher slaughter, and several of the technical experts who studied its use had their doubts about its humaneness. For one thing, it involved a series of physical manipulations that, while not injurious, seemed to involve some psychological distress. It also required a highly skilled operator. In the hands of a careless person, it could result in excessive pressure to an animal’s backbone and neck and cause more harm and carcass damage than shackling and hoisting.45

During 1972 and 1973, the CLP provided $55,067 to University of Connecticut researchers working to devise a machine to restrain conscious smaller animals like calves and sheep in an upright position before slaughtering. Professors Ralph Prince and Donald Kinsman developed a conveyor belt system that made it possible to avoid shackling animals by their hind legs and hoisting them into the air head down.46

Eventually the CLP received the support of the American Jewish Committee for its efforts. However, like the ASPCA initiative before it, the CLP’s proposal became mired in the heavy costs of the research. More decisively, no slaughtering plant was willing to take a chance on implementation of the pen as designed.47

For some years persistent confusion about whether the CLP and its constituent groups were trying to regulate the moment of slaughter also hindered progress. Through the early 1970s, the official position of The HSUS was that shechita—the actual slaughtering of an animal—was humane. However, the organization was firmly against the shackling and hoisting of an animal prior to ritual slaughter, maintaining that ritual slaughter’s reliance on shackling and hoisting was rooted in the slaughtering industry’s conventional practice and was not an integral part of shechita.48

The CLP marked the beginning of The HSUS’s association with Temple Grandin, a consultant and designer of livestock facilities. While admitting that the human factor would always exert the strongest impact on the humaneness of any system, Grandin championed the view that well-designed equipment influenced by knowledge of livestock behavior could substantially reduce animals’ stress and that humane handling of animals made both moral and economic sense.49

The Connecticut pen was ready for commercial construction by 1975, and several Jewish organizations offered suggestions for its modification after visiting the experimental project at the University of Connecticut or viewing slides of the apparatus. Progress toward its adoption flagged until a resolution at the 1978 annual meeting—introduced by Brooklyn trade unionist, tenant rights advocate, longtime kosher slaughter campaigner, and 1985 Joseph Wood Krutch Medal winner Max Schnapp (1904–1995)—rekindled The HSUS’s effort to promote its approval and use. In November 1978 John Hoyt and other members of the CLP met with representatives of the Joint Advisory Committee of the Synagogue Council of America and the National Jewish Community Relations Advisory Council.50

The CLP then focused its energies on the development of a conveyor system that would
obviate the perceived need for shackling and hoisting of animals. In 1986 Temple Grandin modified the Connecticut pen prototype with a new entrance design that positioned calves on a moving double-rail conveyor. The successful testing of this device and Grandin’s modification of a V-conveyor restrainer played important roles in the decline of hoisting and shackling in larger plants.51

At this point Henry Spira, then beginning to apply to farm animal welfare issues the strategic principles he had advanced so competently in relation to the use of animals in research, testing, and education (see chapter 3), saw Grandin’s work on kosher slaughter devices. Spira’s efforts to mediate the long-running debate with representatives of the rabbinical community convinced him it was the wrong approach. Instead, Spira made contact with a meatpacker with a demonstrated reputation for progressive-mindedness on slaughtering issues and a representative of the American Meat Institute’s committee on worker safety, two men he believed would be open to the opportunities that Grandin’s work had introduced for improving both the handling of animals and the security of the workplace. This crucial work underway, Spira then moved to discuss the issue with major kosher meat suppliers, persuading them that expanding public awareness of shackling and hoisting (another objective he was actively pursuing) would not serve them well in terms of their bottom line. By 1994 the last of the major kosher slaughtering facilities in the United States adopted the Grandin system. The impasse that had perpetuated shackling and hoisting for decades was at an end.52

The Humane Slaughter Act of 1978

In 1967 Representative Joseph Y. Resnick (D-NY), who sat on the House Agriculture Committee, commissioned an HSUS survey on food packers’ compliance with the 1958 Act. Two investigators made unannounced observations at thirty-two plants in twelve states and concluded that the Act’s provisions were being respected, but that innumerable cruelties continued due to callous attitudes and conduct on the part of stockyard and packing plant employees in herding the animals.53

“Doc” Thomsen of Humane Information Services was one of those who kept the humane slaughter issue alive in the ensuing years. In 1971, pointing to the dramatic reduction in cruelty that such a bill might accomplish, Thomsen proposed that the humane movement seek a legislative prohibition of imported meats produced at a high cost of suffering to animals in other nations. Thomsen reasoned that American cattlemen would support the bill, out of their conviction that their foreign competitors, “already enjoying the advantages of lower labor and other costs, should not be allowed the additional advantages of freedom from humane slaughter requirements.”54

In reality such a proposal also promised to redress the growing problem of meat producers who transferred their operations to other nations to flout or circumvent the Humane Slaughter Act. In 1973 Representative Bill Gunter (D-FL) introduced H.R. 8055, requiring foreign packing plants to use humane slaughtering methods. “Doc” Thomsen estimated that five million head of cattle already came as imports every year and that the figure was on the rise. American consumers had a right, he asserted, to know that the beef they ate was coming from countries that observed a humane slaughter requirement.55

Thomsen’s continuing efforts to bring the issue back onto the national agenda resulted in an improved bill, H.R. 9658, introduced in 1975 by Representative George Brown (D-CA). H.R. 9658 would have required that all federally inspected slaughterhouses and all foreign slaughterhouses sending meat to the United States use humane methods of handling and
slaughter, as called for in the 1958 Act. At that time, Brown estimated that some 275 slaughterhouses (those that did not sell to the federal government or engage in interstate commerce) in the United States continued to use inhumane methods.56

Brown’s bill went nowhere in the Ninety-fourth Congress, but he introduced an identical measure in the Ninety-fifth, on January 6, 1977. Responding to requests to support the bill, The HSUS undertook a detailed study of enforcement and compliance. HSUS researchers judged that more than 100 slaughterers then under federal inspection standards were not in compliance with the Humane Slaughter Act.57

Before long Senator Robert Dole (R-KS) introduced a companion bill, S. 3092, actively endorsing the need for legislation to create effective enforcement mechanisms for the Humane Slaughter Act. Patricia Forkan and HSUS attorney Roger Kindler worked with Senator Dole’s drafting lawyer to address The HSUS’s concerns. Like the 1958 legislation, the bills did not address kosher slaughter or the shackling and hoisting of fully conscious animals prior to ritual slaughter, however. Politicians preferred that The HSUS continue its efforts “to work privately with the Jewish community to effect change.” In their final versions, H.R. 1464 and S. 3092 required that humane methods of slaughter and pre-slaughter handling be employed in all slaughterhouses under the jurisdiction of the Federal Meat Inspection Act. This would have subjected some three hundred additional slaughterhouses to the requirement to handle and slaughter animals humanely.58

HSUS director Robert Welborn and staff members Forkan, Michael Fox, and Margaret Morrison testified before either House or Senate committees considering the legislation. Welborn’s testimony reflected The HSUS’s judgment that enforcement of the Humane Slaughter Act had become “non-existent” and that there was no reliable way to know what methods were being used by which slaughtering facilities.59

A strong and unified lobbying effort led by The HSUS and AWI ensued. The U.S. Senate passed S. 3092 on August 7, 1978, and the House followed shortly thereafter with approval of H.R. 1464. On October 10 President Jimmy Carter signed into law the Humane Methods of Slaughter Act. The law relied on the authority of meat inspectors to withhold inspection until cruel practices were corrected. The law also required that meat imported from foreign sources be derived from animals slaughtered in plants that met the standards of the Humane Slaughter Act. It thus excluded access to the American market by foreign slaughtering interests that did not comply.60
Against Factory Farming, for Humane Husbandry

While The HSUS had pursued improvements in the treatment of animals in transportation and slaughter since its founding, it confronted a new challenge by the mid-1970s: the suffering and deprivation of animals in intensive confinement systems. Factory farming—the automated, capital-intensive, high-volume production of animals for food—was causing more distress, suffering, and susceptibility to disease than any slaughtering or pre-slaughter handling procedure.

The humane movement was well aware of the dramatic transformation taking place in American agriculture during the 1960s and 1970s. Ruth Harrison had sounded the tocsin worldwide with the publication of Animal Machines in 1964, and “Doc” Thomsen and other American advocates had followed her lead in calling attention to “the world’s greatest humane problem.” For a variety of reasons, however, organized animal protection made very little progress in directing its attention to the intensive husbandry of animals for food.61

Within The HSUS, the situation changed with the hiring of Michael Fox. The treatment of animals used for food became an important priority of the Institute for the Study of Animal Problems (ISAP) after it formed in 1976. As ISAP director, Fox became an outspoken critic of industrial animal husbandry and was often featured in industry journals or in public forums where he advanced the animal welfare position and sought to break down prejudices against the humane movement. “There’s something terribly wrong with this system if we have to dock pigs’ tails to prevent other pigs from biting them off,” he told one reporter. “Are we going to cut off their legs when they start biting those next?”62

During the late 1970s, Fox’s photographic essays introduced HSUS News readers to the “Brave New World” of factory farming. Fox traveled extensively—sometimes undercover—visiting factory farms and slaughterhouses, interviewing employees, taking photographs, and observing animal suffering firsthand. “It left a very deep emotional wound, it’ll never heal,” he recalled a quarter-century later. The sacrifice was not in vain, however, for The HSUS was responsible for a substantial increase in media coverage accorded to the farm animal issue. The HSUS scored an important breakthrough in reaching the broader public in 1980, when David Nevin’s profile of Fox and his investigations appeared in the April issue of Smithsonian. Nevin followed Fox around on a tour of factory farming facilities and helped to acquaint Americans with what Fox called “the five freedoms”—or basic rights—that should be guaranteed to all animals used in food production: “the freedom to be able easily to get up; lie down; turn around; stretch; and groom or preen.”63

The following year, Representative Ronald Mottl (D-OH) sponsored a resolution, H.J. Res. 305, proposing the establishment of a Farm Animal Husbandry Committee to investigate all facets of the factory farming industry for a report to the United States Congress. The farming community, the meat industry, and a range of producer associations attacked Mottl and his proposal, but factory farming had become the subject of federal legislative debate for the first time.64

Under Fox’s leadership, the Farm Animals section targeted industry claims that humane reforms were unnecessary and that modern intensive confinement systems could not be profitable if they jeopardized animals’ overall health and welfare. As a contributor to the 1981 report of the Council for Agricultural Science and Technology (CAST), Fox worked to legitimate the study of farm animals’ well-being as an area of scientific inquiry. The final report reflected the stronger influence of animal-production scientists with ties to...
agribusiness. Nevertheless, it resulted in a $380,000 USDA grant to several universities engaged in the study of stress in animals raised for food, a tacit acknowledgment that The HSUS had raised issues worthy of investigation.65


That same year, the American Farm Bureau and its Utah state affiliate attacked HSUS humane education specialists for their attempts to raise the factory farming issue in the curriculum that the National Association for the Advancement of Humane Education (NAAHE) (The HSUS’s youth education division), was developing. The attack in Utah was promoted under the banner, “How Can You Keep Them Down on the Farm After They’ve Seen NAAHE?”67

Farm groups responded very defensively to the extensive publicity The HSUS’s educational efforts generated. The livestock industry, one representative insisted, “supplies consumers with a nutritious and plentiful meat supply. No one knows better than the livestock producer that sick, malnourished, or suffering animals are less productive. Realistically, no one is more interested in the well-being of livestock than the producer.” In response to such claims, Fox cautioned that factory farming interests’ focus on productivity “as an indicator and guarantor of farm animal welfare” was a misleading approach. In practice, the goal of maximizing productivity did not usually result in a high standard of animal welfare.68

The HSUS was one of the first animal organizations to adopt the use of shareholder resolutions to raise public awareness of the need for reform of food production practices. In 1983 HSUS Counsel for Government and Industry Relations Peter Lovenheim, Esq., zeroed in on another of factory farming’s most egregious cruelties, the force-feeding of ducks for foie gras, by organizing a stockholder resolution at the annual meeting of Iroquois Brands, Ltd., a company that imported paté from France. Lovenheim’s resolution proposed that the company investigate the practices of its supplier and report on any cruelty discovered. The proposal gained more than 5 percent of the votes cast by shareholders at the Iroquois Brands, Ltd.’s annual meeting, and Lovenheim put it forward again in 1984. This time Iroquois declined to include the proposal under a Securities and Exchange Commission exemption permitting the exclusion of shareholder resolutions “not significantly related to the issuer’s business.” Since the paté trade represented only a small part of the company’s business, Lovenheim took the matter to federal court in an effort to secure a ruling that the proposal concerned a significant ethical issue and thus could not be dismissed as trivial.69

On March 27, 1985, Judge Oliver Gasch issued a preliminary injunction requiring the inclusion of Lovenheim’s resolution in Iroquois’s mailing to shareholders. The court noted that humane laws had already established cruelty as a significant social concern and that animal welfare organizations in the United States generally opposed force-feeding. While Lovenheim’s resolution received less support than it had the previous year (gaining just 4 percent of the votes cast), Iroquois subsequently announced its decision to sell its stake in paté.70

As foie gras began to occupy a so-called niche market in American gourmet stores, giv-
ing rise to several production sites in the United States, The HSUS went on the attack. In 2000 The HSUS continued to challenge paté in the marketplace, gaining substantial publicity for its protests against the staging of a foie gras extravaganza by the Smithsonian Institution.

One of the factory farming issues on which the humane movement made the greatest progress in the 1980s involved the mistreatment of calves in veal production. Its conspicuous cruelty, humane advocates charged, revealed the degree to which modern agricultural science had come to ignore the most basic biological and behavioral requirements of animals. Under the standard confinement system, young calves were kept chained or closed up in a wooden crate on a slatted floor without bedding, often in semi- or total darkness, for sixteen weeks before slaughter. They were given almost no room to move and fed an iron-deficient diet to keep their flesh tender and pale.71

The HSUS’s “No Veal This Meal” campaign, launched in early 1982, helped fuel concern about this worst of all husbandry practices; by year’s end, over 300,000 cards addressed to restaurateurs had been distributed to diners nationwide. In preparing the campaign, The HSUS conducted an extensive survey of milk-fed veal operations in the United States. “Think Twice” (before ordering a veal entrée) advertisements, describing the lives of veal calves in intensive confinement, appeared in city magazines in some of the nation’s top restaurant markets, including those in Boston, Chicago, Los Angeles, New York, and Philadelphia. Fox believed that the campaign was the first step toward “a major revolution in public attitudes towards farm animals and the ways in which they are raised.”72

In 1984 The HSUS publicized a disturbing study—that USDA had sought to suppress—in which a government-sponsored researcher determined that most veal and dairy calves in the United States were raised under stressful conditions. The HSUS played a central role in promoting knowledge of the alternative systems then gaining ground in the United Kingdom.73

In 1989 the Veal Calf Protection Act, introduced several years before by Representative Charles Bennett (D-FL), gained a hearing in Congress, the first farm animal welfare bill to do so in about a decade. While the Bennett bill went nowhere, it was an important register of the degree to which public concern over veal had forced its consideration within the nation’s highest legislative bodies. One marker of that concern was the fact that, by 1993, veal consumption had declined to less than one pound per capita, from its peak of 3.5 pounds.74

The HSUS also launched a direct attack on egg and pork production, with its “Breakfast of Cruelty” boycott in 1987, that targeted the suffering that underlay America’s bacon-and-egg repasts. HSUS members flooded the offices of the United Egg Producers and the National Pork Producers Council with boycott pledge cards, and both organizations responded with public relations efforts designed to address The HSUS’s criticisms. Real reform, however, never made it onto the table.75

The 1986 fight over face branding of cattle destined for slaughter under a herd reduction program provided one of the decade’s other benchmarks in relation to the mistreatment of animals used for food. The district court’s decision provided a historically significant example of judicial acknowledgment of the necessity to avoid unnecessary cruelty in the execution of public policy decisions. HSUS legal staff members were enthused about the value of this prece-
dent-setting decision, which marked the acceptance of a legal theory sometimes advanced but never before accepted—"that a humane public policy by itself mandates or requires government programs to choose among the most humane alternatives."76

**The Biotechnology Revolution**

Michael Fox’s eye for emerging threats also put The HSUS in the vanguard of opposition to the genetic engineering of animals, as scientists began experiments with human growth genes inserted into mice, sheep, and pigs to accelerate their maturation, size, and weight. Fox recognized the problematic character of the early research in this arena and its future ramifications for humane work and tried to bring such concerns onto The HSUS’s agenda. The Farm Animals section became the center of the organization’s efforts to focus the attention of the humane movement and the general public on the serious implications of the biotechnology revolution on animal welfare. The HSUS collaborated with the Foundation on Economic Trends in a lawsuit charging that the new studies represented a “new and insidious form of cruelty toward animals by robbing them of their unique genetic makeup.” Fox offered some of the earliest warnings about the care and welfare of genetically manipulated animals and led the movement’s campaign against patents on animals, the first of which was granted in 1986. Such research, as he pointed out, was “not being regulated and taking place in an ethical vacuum.”77

Beginning in 1987 The HSUS backed bills by Representative Charlie Rose (D-NC), Senator Mark Hatfield (R-OR), Representative Ben Cardin (D-MD), and others that called for a moratorium on the granting of patents until such time as the complex ethical and regulatory issues raised by genetic engineering could be addressed properly. The HSUS continued to seek legislation, even after the first patent was granted in April 1988, but without ultimate success.78

The HSUS was also in the forefront of efforts to challenge the adoption of bovine growth-stimulating hormone (BGH) to increase milk production. As part of The HSUS’s campaign work in this arena, Fox testified in 1986 against the approval of BGH technology. Treatment with the hormone, The HSUS charged, would accelerate and expand production pressures on dairy cows, pushing them to the limit and turning them into biological machines that wore out in three to four years. The widespread adoption of BGH, Fox also asserted, would increase milk production by 20 to 40 percent, with the undesirable result of reducing the number of dairy farms in the country by a similar degree. Apart from the animals, who would fall prey to production-related diseases and suffering, the losers would be small and mid-size family dairy farms, central to a diversified, ecologically sound, and democratic agriculture. In summer 1993 The HSUS testified before the U.S. Food and Drug Administration (FDA) in opposition to the authorization of BGH use in cattle. However, the agency did not heed The HSUS’s counsel that products from BGH-treated cows be so labeled.79

In 1997, when British researchers announced the successful cloning of an adult mammal, Dolly the sheep, The HSUS weighed in with its concerns about the exploitation of sentient animals through cloning biotechnology. Staff members publicly discussed the likelihood that cloning would increase animal suffering by “accelerating the expansion of factory farming,” “preempting the development of humane production technologies,” “facilitating the exploitation of animals as involuntary organ donors,” “facilitating the replication of sick animals,” and “rendering animals more susceptible to infectious and other diseases.” Asserting the public’s right to a full review of the new technology’s ramifications, Michael Fox deplored the lack of concern demonstrated by the bioethicists consulted by the federal government.80

**Eating with Conscience: Humane Sustainable Agriculture**

A crucial element in The HSUS’s strategy to fight factory farming involved its effort to forge partnerships with other interests critical of intensive livestock agriculture and livestock rearing in ecologically unsustainable environments. Even as The HSUS began to project its influ-
ence worldwide, its principal advocate for humane and ecologically sound agricultural practices worked to draw attention to the link between the growing worldwide taste for beef and the serious global environmental problems such a trend caused. Fox called upon the public to reduce its reliance on animal products to alleviate animal suffering, prevent the grave environmental harm being caused by intensive confinement livestock husbandry, and preserve the stake of small farmers who wanted to practice traditional agriculture. By doing so, he argued, "we can do more to help the animal kingdom than by any other single act."81

Whatever progress The HSUS had helped to secure on the factory farming front by the 1980s, it had not squarely confronted the rising public demand for meat and other animal products, with all of the demand's implications for animal welfare. It began to do so with greater vigor at the end of the 1980s, even as animal rights organizations like Farm Sanctuary advanced the issue with creativity and innovation. Never a vegetarian organization, The HSUS now sought greater ties to the sustainable agricultural movement, which tended to share the philosophical orientation of the humane movement about how animals used for food ought to be raised.82

In 1988 The HSUS promulgated a set of humane guidelines for raising livestock, poultry, and dairy animals humanely, the organization's first serious step toward the development of minimal housing and husbandry standards in the United States. The guidelines called upon producers to provide adequate living space and a nutritious diet, better handling and care, periodic access to the outdoors, the maintenance of animals in groups, and the use of anesthesia when performing surgical husbandry procedures.83

During the 1990s, under the leadership of Melanie Adcock, D.V.M., who succeeded Fox as head of the Farm Animals section, The HSUS launched a series of campaign initiatives focusing on the treatment of animals used for food. One, "What's Behind These Bars?" focused on the plight of hens in battery cages and encouraged consumers to avoid purchasing eggs produced under such conditions. This marked the beginning of The HSUS's first serious attempts to address the mistreatment of poultry, never covered by the Humane Slaughter Act and forced to endure some of the worst excesses of intensive animal husbandry practices. In 1993 the section launched a campaign to get eggs from uncaged hens into the nation's supermarkets. Joining forces with consumer, environmental, farmer, and animal-protection groups in numerous communities, the campaign encouraged consumers to "shop with compassion." By 1995 the campaign could claim success in eight cities.84 In 1999 the Farm Animals section hired its first poultry science specialist, enhancing its efforts to address the numerous cruelty concerns associated with poultry production and allowing The HSUS to play a role in legislative initiatives to end that suffering.85

In 1994 The HSUS launched an additional campaign, Eating With Conscience™, premised on encouraging Americans to change their diets to support the development of a food production system that provided consumers with options that suited their ethical convictions. The campaign sought to encourage and enhance distribution systems that allowed people to purchase organic and compassionately produced foods in their localities. The HSUS set itself a goal of reaching beyond the humane movement to inform and energize other constituencies in efforts to meet the animal welfare, environmental, and health threats of factory farming.

Adopting the same strategic principles that The HSUS had adopted in relation to the laboratory animal issue, the Farm Animals section began to apply the principle of the Three Rs (reduction, replacement, and refinement) to its work. Eating With Conscience™ marked the formal incorporation of the Three Rs into The HSUS's farm animal welfare program. The campaign's literature asked consumers to reduce their consumption of animal products; to replace such products with grains, fruits, and vegetables; and to refine their food purchases by supporting small-scale, community-based agriculture and choosing healthy, organic, and

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free-range foods whenever possible. Eating With Conscience™ received sharp criticism from agricultural interests wedded to factory farming methods.86

It was notable that vegetarianism fit nicely into the reduction and replacement dimensions of the Three Rs paradigm. Grace Conahan Korsan, an original board member, was a vegetarian when The HSUS began in 1954, and an increasing number of those who joined the staff in the 1980s and 1990s were, too. That said, HSUS policy and program had always been guided by a pluralist perspective that recognized that not all parties to the work or the debate over animals’ treatment were or would become vegetarians. John Hoyt acknowledged the validity of vegetarianism in 1983, and The HSUS actually asked supporters to “eat less meat” as early as 1988. Even so, the case for a pluralist approach could have been articulated more strongly and clearly than it generally was, and the Three Rs framework made possible a more graceful acceptance and incorporation of vegetarian constituencies than earlier responses to the subject had ever accomplished.87

**Factory Farming and the Organics Standard**

During the 1990s, The HSUS worked to support a more level playing field for humane sustainable agriculture by identifying and challenging factory farming practices and expressing strong support for organic and sustainable production. The Farm Animals section also participated in numerous conferences on sustainable agriculture and development to ensure that the humane treatment of animals received its proper due in deliberations and policy statements. The HSUS did its best to capitalize on the opportunity provided by the passage of the Organic Foods Production Act as part of the 1990 farm bill. The act called for the establishment of national standards for organic products. Among other contributions, HSUS staff members lobbied for the federal funding needed to launch the National Organics Standards Board (NOSB).88

In 1995 and 1996, the Farm Animals section persuaded the NOSB, a group of appointees responsible for the standards of USDA’s National Organic Program, to include humane husbandry practices as a criterion for products carrying the “organic” label. Through its participation in the broader coalition of the Campaign for Sustainable Agriculture, The HSUS further advanced the same goal. Throughout the second term of the Clinton administration, the section fought off agribusiness lobbyists’ controversial proposals for a redefinition of the USDA standard for organic certification—proposals that would have permitted factory farming into organic food production. Forging a coalition to fight the inclusion of genetically engineered, irradiated foods grown on land fertilized with municipal sludge and animal products produced on factory farms within the designation “organic,” The HSUS undertook substantial efforts to monitor the outpouring of citizen outrage over the proposal and to recruit those who protested to USDA into a broad-based campaign to preserve the integrity of the “organic” label.89

Factory farming lobbyists continued their assault after George W. Bush took office, seeking to dilute the integrity of the organics standard by removing its requirement that birds raised for food must have access to the outdoors. In May 2002 The HSUS’s testimony before the NOSB resulted in a twelve–one vote in favor of outdoor access. Assuming that eternal vigilance would be the only real guarantor of such principles, however, protecting the integrity of the NOSB standard now became a permanent responsibility of the Farm Animals section and Government Affairs department.90

**Downers and Transportation**

Until the emergence of the downed animal campaigns of the early 1990s, the question of animal handling and treatment in transportation languished. Although humane organizations cared about the mistreatment of animals being shipped to slaughter, they did very little to spur reforms of objectionable practices. In their early years, HSUS staff members investigated...
the problem of livestock shippers’ noncompliance with the Twenty-Eight Hour Law, hoping to make an 1873 law directed against rail transportation applicable and enforceable in the case of animals transported by motor vehicle. By 1957, advocates estimated, 60 percent of the nation’s livestock traffic moved by truck and some 90 percent moved partway by truck. A 1961 study by USDA revealed that the death rate of hogs in truck shipments was nearly double that by rail. In 1964 Representative George M. Rhodes (D-PA) sponsored H.R. 10026 to extend the provisions of the Twenty-Eight Hour Law to the transportation of livestock by truck. It failed.91

The issue surfaced again in the 1970s, with livestock truck hauls becoming ever longer, when national livestock dealers and the American Trucking Association sought the movement’s counsel concerning ways to improve the transport of livestock in trucks. This was a positive measure, although the two organizations lacked authority to make truckers comply with the guidelines. In 1971 Representative William Dickinson (R-AL) introduced H.R. 9086 to amend the Livestock Transportation Act to include common carriers by motor vehicle. The HSUS weighed in on subsequent congressional bills designed to enact measures to stop the death and suffering of livestock being transported by truck, citing one study claiming that over 200,000 full-grown hogs died annually in transit, from overcrowding, unsuitable weather, bad handling practices, and improper loading.92

In the mid-1980s, HSUS investigator Paul Miller found livestock beaten with clubs, hauled in unsuitable vehicles, and held in improperly maintained facilities, and The HSUS told members in a special Close-Up Report that the meat industry and USDA “tolerate a certain level of injury, death, and abuse. Economically, that loss has been built into the profit structure of the meat-producing industries.” By this time other organizations were beginning to sharpen their focus on transportation cruelties and on the related problem of downed-animal abuse, the result of mistreatment and indifferent handling procedures at auctions and stockyards.93

The HSUS also weighed in on the plight of “downers”—animals too weak, sick, or disabled to move on their own. During 1991 and 1992, five HSUS investigators found that downed animals were the victims of abuse and neglect at 73 percent of the thirty-one livestock markets and stockyards they visited. Downed animals were trampled by their healthier penmates or winched and dragged by their necks, ears, legs, and tails. Auctioneers and meatpackers carried on a low-bid trade in “downers,” making a mockery of the livestock industry’s professed commitment to elimination of downed-animal misery. In 1992 The HSUS testified before the House Agriculture Subcommittee on Livestock, Dairy, and Poultry and proposed remedies to the problem that were based on its own investigative findings.94

In the late 1990s, The HSUS joined Farm Sanctuary and other groups in petitions to the FDA and USDA to classify meat from downers as adulterated, a designation certain to remove incentive for owners to prolong the agonies of already suffering animals.95 The more important collaboration with Farm Sanctuary came in 2001, however, when The HSUS made heavy commitments to have downed-animal legislation incorporated into the farm bill. In their gutting of the farm bill’s animal welfare provisions, the House conferees created a “study” bill to review the situation of “downers,” subverting the wishes of the thousands of citizens who had communicated their desire to see this needless cruelty ended.96

Factory Farming and Public Health
In the early 1980s, The HSUS began to raise objections to another disconcerting trend—the excessive use of antibiotics in animal feed, to counter the ill effects and disease conditions that overcrowding of animals created. In 1985 The HSUS was a co-signatory on the Natural
Resources Defense Council’s petition to Secretary of Health and Human Services Margaret Heckler, requesting a suspension of approval for any new animal drug applications. At hearings held by the FDA, HSUS officials recommended a prohibition on the subtherapeutic use of penicillin and tetracycline in animal feeds, on the grounds that their ubiquitous presence in such products would encourage the growth of organisms resistant to these critical medical drugs, with serious consequences for public health. Factory farming environments that relied on the routine administration of potent drugs with proven value in human medicine, The HSUS argued, were inimical to animal well-being, which could best be guaranteed by the removal of animals from overcrowded conditions that caused extreme stress.97

By the mid-1990s, the adverse impacts of factory farming were gaining unprecedented levels of attention. Michael Fox and other staff members had been warning the public about intensive animal agriculture’s massive pollution, inhumane working conditions, damage to rural community life, and food safety concerns for several decades, but many other interest groups were now aware of the problem. Media scrutiny of factory farming focused on the pollution of waterways and drinking water, fish kills, and the emergence of *Pfiesteria* in tributaries of the Chesapeake Bay and in North Carolina. The Farm Animals section responded by producing a video in collaboration with the video services department of The HSUS.

The campaign to highlight factory farming’s inherent dangers also gained from government action to recall contaminated meat. The link between bovine spongiform encephalopathy (BSE, or “mad cow disease”) and the practice of feeding rendered animal protein to cattle in confinement systems made it possible to call into question the viability of factory farming methods. After the controversy over BSE erupted in March 1996, staff member Howard Lyman, appearing on the syndicated television talk show *Oprah*, touched off a firestorm by warning that the presence of animal parts in cattle feed posed a risk to humans. Texas cattlemen sued under their state’s “food disparagement” statute. The trial vindicated the free speech rights of both host Oprah Winfrey and The HSUS.98

The HSUS’s concern over routine use of antibiotics in animal feed finally gained broader attention at the century’s end. In 1997 the World Health Organization called for a ban on the use of antibiotics to promote animal growth, and the European Union prohibited antibiotics commonly used in human medicine from being included in animal feed. The HSUS supported federal legislation to “keep antibiotics working” in human medicine by limiting their use in animals. The HSUS sought to illuminate the factory farming industry’s rampant dependency on subtherapeutic antibiotics to promote growth and control the numerous disease outbreaks common to the factory farm environment.99

**A Closer Look at Animals**

If Michael Fox’s co-workers in the early 1980s sometimes marveled at his prescience concerning trends in the field of animal agriculture, about one matter—his insistence that more and more Americans could be educated to accept the view that animals used in agriculture were complex emotional beings—colleagues had their doubts. By 1997, the year Melanie Adcock became vice president of the Farm Animals and Sustainable Agriculture section and Fox assumed his new role as HSUS senior scholar of bioethics, The HSUS had launched several campaign initiatives working to realize Fox’s vision. The most important, *A Closer Look at Animals™*, explicitly focused on the transformation of public attitudes about farm animals and
tried to inculcate a deeper appreciation of farm animals as feeling beings with emotion. As part of the initiative, The HSUS published a number of full-length essays that showed animals as complex, sensitive, and social individuals, against the technological paradigm that cast them mainly as “meat and milk machines.”

The HSUS annual celebrations of National Farm Animals Awareness Week, launched in 1992, frequently honored efforts to make people more aware of farm animals and their needs. The division also sponsored the care, shelter, and sanctuary of several animals who made occasional public appearances with staff members. In the wake of the 1995 box office hit film *Babe*, The HSUS placed special emphasis on the pig, drawing a stark contrast between that animal’s intelligence and the harsh treatment the animals received under intensive confinement. Staff specialists also sought to focus attention on cruelty cases involving farm animals, especially in those instances where law enforcement and judicial personnel might not be inclined to take them seriously.

“**No Counsels of Despair**”

In 2001, in *The State of the Animals: 2001*, HSUS president Paul G. Irwin proclaimed the welfare of farm animals in the United States “shameful.” With more than eight billion animals killed for food every year in the United States, it was hard to claim that the humane movement had successfully promoted the case for according better protection to animals used for food. It was a hard time for the Farm Animals section, too, as high staff turnover and the decisions of Melanie Adcock and her interim successor, Gary Valen, to take positions with other organizations active in humane and ecologically sustainable agriculture slowed the section’s progress.

It was also a time for taking stock. In The HSUS’s early years, and especially during the campaign for the Humane Slaughter Act, the organization was able to locate a few fair-minded politicians on the congressional agricultural committees that control the fate of relevant legislation. By the 1980s this had changed, and an unyielding “agrigarchy”—congressional committees stacked with politicians heavily tied to factory farming and hostile to genuine principles of humane treatment—blocked all animal protection initiatives, making progress through Congress an unrealistic objective. As The HSUS reached its fiftieth anniversary, it was this “failure of democracy” that left the United States badly lagging behind Western Europe in addressing the worst features of animals’ confinement in industrial agriculture.

Despite this restriction on the possible avenues of reform, The HSUS gave evidence of its determination to halt the spread of factory farming in the new century and to wage the campaign for animals’ humane treatment on a number of other fronts as well. As Michael Appleby, B.Sc., Ph.D., who left his position as senior lecturer on animal behavior at the University of Edinburgh to become vice president for Farm Animals and Sustainable Agriculture in 2002, observed, “The HSUS ‘should yield to no counsels of despair.’”

The years 2000–2003 saw The HSUS launch at least three initiatives to confront the excesses of industrial animal agriculture and slaughter. Each reflected the moral indignation Irwin had expressed in his *State of the Animals* assessment. All three bore the marks of the enhanced organizational capacities that characterized The HSUS during Irwin’s presidency.

Taking stock of the agricultural committees’ approval of the “race to the moral bottom” that characterized intensive animal husbandry in the United States, The HSUS resorted to the state ballot and initiative process to secure a striking victory that revealed and capitalized upon Americans’ desire to improve the lot of animals raised for food. Together with Farm Sanctuary and other groups, the HSUS Government Affairs department coordinated a significant effort to delegitimize factory farming by placing a ballot initiative before Florida voters in
2002. By a 55 percent to 45 percent count, Floridians approved Amendment 10, a proposal to ban the use of gestation stalls, so-called crates of cruelty, two feet by seven feet in dimension, in which pregnant sows could not turn around and were forced to spend every minute of their lives in their own feces and urine. Agricultural interests, not brazen enough to argue that the crates were humane or appropriate, instead sought to scuttle the initiative by arguing that it was unsuitable for consideration as an amendment to the Florida constitution. They failed.

The HSUS also sought to invigorate Humane Slaughter Act enforcement, a neglected concern since the 1980s. Neither The HSUS nor other organizations had worked hard enough to enhance funding and support for inspection regimes since the 1978 amendments. In fact, things had gotten much worse, and there was considerable evidence of animal suffering in slaughter. Among other factors, deunionization had allowed the slaughtering industry to speed up kill lines so much that animals were being hung up on hooks, skinned, dismembered, disemboweled, and boiled while still alive and conscious. While empowered to do so, inspectors were rarely instructed or given an opportunity to halt production lines after observing humane slaughter violations, and some plants had erected visual barriers that rendered such oversight unfeasible in any case. After a 1997 USDA-commissioned survey of federally inspected slaughterhouses revealed numerous violations of federal laws, including the Humane Slaughter Act, the Government Affairs department made such objectionable practices a priority. The HSUS was not alone in its outrage, as Senator Robert Byrd (D-WV)—a young congressman during the humane slaughter battle of the 1950s—took to the floor of the U.S. Senate in 2001 to express his indignation at press reports of horrendous treatment of animals and human workers in the nation’s slaughterhouses. Wayne Pacelle, senior vice president for Communications and Government Affairs, immediately enlisted Byrd’s help with reform, and Byrd led the fight for supplemental funds in 2001 to hire inspectors to monitor unloading, handling, stunning, and killing practices. The fiscal year (FY) 2002 Agriculture Appropriations bill contained a substantial increase for enforcement activities, and, for FY 2003, Byrd and a bipartisan roster of 39 senators and 132 representatives sought a $5 million increase from the Appropriations Committee for oversight activities. Sponsors expected that the new inspectors would work solely on humane slaughter enforcement.\[105\]

Finally, in 2002, The HSUS’s Farm Animals and Sustainable Agriculture section rolled out Halt Hog Factories™, a campaign drawing attention to the devastating impact of confined animal feeding operations on animal well-being, human health, and the environment. The HSUS launched its efforts in Iowa, which had more than six hundred hog confinement operations. Staff members worked with local activists and citizens’ groups to make the fight against factory farming a genuine grassroots struggle. “By directing our attention to Iowa,” Michael Appleby declared, “we can make a real difference in the battle against large-scale confinement operations and have a ‘trickle-down’ effect in other top producing states.”\[106\]

Fred Myers and other HSUS campaigners of the 1950s undoubtedly would have been horrified by the numerous and conspicuous cruelties that characterized modern food production at the dawn of the twenty-first century. They would just as likely have found encouragement, though, in the range of efforts—like the federal legislative drive to enhance humane slaughter enforcement and eliminate the suffering of downers, the Florida ballot initiative, and the campaign to reach America’s heartland with the ugly truth about factory farming—that characterized The HSUS’s twenty-first-century program of action. In its efforts to curb the myriad abuses of factory farming, The HSUS followed in the spirit of its founders’ very first campaign, continuing to make the abuse and suffering of animals used for food the subject of a broad-based and democratic debate.