CHAPTER 5

The Great Chain of Life:
Wildlife and Marine Mammals

When The HSUS formed, it had a philosophical commitment to wildlife and marine mammal protection, but it lacked the resources to pursue those issues with vigor. The main focus of The HSUS during its first decade was on animals used for food and in research. Still, it made some tentative steps toward incorporating wildlife and marine mammals into its range of concerns. Opposition to hunting, mismanagement of animal populations by state wildlife agencies, lethal predator control in the interests of agriculture, the clubbing of seals, and the harpooning of whales all emerged as target issues once the organization acquired the resources to address them.

By 1970, the year John Hoyt joined The HSUS, the era’s burgeoning environmental consciousness had brought the plight of some animals, including whales, seals, dolphins, bears, wolves, and numerous endangered species, to greater public attention. One of the first things Hoyt did after coming to The HSUS was to create a wildlife issues program. During the 1970s Hoyt hired a number of specialists to work on wildlife and marine mammal issues. Guy Hodge, Hal Perry, Sue Pressman, Michael Fox, Patricia Forkan, and Natasha Atkins all helped to advance the program in those years. They witnessed some stunning victories in the realm of wildlife protection: the ban on DDT in 1971; enactment of the Marine Mammal Protection Act and the ban on predator poisons in 1972; and the signing of the CITES treaty and the passage of the Endangered Species Act (ESA) in 1973. As one HSUS staff member noted, however, these were battles that would not stay won.1

In 1981, with the Reagan administration’s policies threatening wildlife, marine mammal, and environmental protection gains on virtually all fronts, The HSUS moved to establish a program specifically devoted to these concerns. Hoyt chose wildlife scientist John W. Grandy, Ph.D., to head a newly established department of Wildlife and Environment as a vice president. Grandy had six years of experience at Defenders of Wildlife and broad knowledge of predator control programs, federal wildlife policy, and the CITES treaty. He also brought a network of political and legal contacts that would prove to be useful to The HSUS in the years to come.2

Building upon its first principled expressions of concern for wild animals, The HSUS developed one of the most comprehensive wildlife-oriented and marine mammal advocacy programs in the world. A quarter-century after its establishment within The HSUS, the section labored on behalf of numerous species. Its concerns ranged from wildlife death tolls on the highway to disreputable hunting practices in the fifty states, from the peril of endangered species to the challenge of living with wildlife in the nation’s suburbs, from the clubbing of seals to the display of captive animals at roadside zoos, from the depravity of the “canned” hunt of confined wildlife to the calculated destruction of the drift net. Strong support for The HSUS’s wildlife and marine mammal protection programs gave the organization an opportunity to establish itself as an influential and credible force, bringing together...
good science, good principles, and the full panoply of legal and legislative remedies available for ensuring animals’ interests.

**Wildlife and Marine Mammal Issues and The HSUS before 1970**

The early- to mid-twentieth-century humane movement’s engagement with wildlife and marine mammal issues was a limited one. For many years advocates associated with AHA and other groups campaigned for a humane trap and protested the use of fur. Humane publications deplored hunting but did not mount any serious challenges to it. Even after The HSUS formed, inadequate funding and higher-priority program commitments made it impossible for the organization to devote much time or resources to wildlife and marine mammal concerns before 1970. The HSUS did, however, make selective contributions that made clear its dedication to the protection of wild animals and marine life and set the stage for the emergence of a full-fledged program of related advocacy.

At least one original board member, Delos E. Culver (1954–1958), had a strong interest in wildlife issues, with roots in the movement that extended back to the Anti-Steel Trap League (ASTL), founded by Colonel Edward Breck in the 1920s. Culver was one of the incorporators of the ASTL’s successor group, Defenders of Furbearers, in 1947 and, when this group in turn became Defenders of Wildlife, Culver served for a time as president. Culver was arguing for the prohibition of the leghold trap and the need for humane alternatives years before the founding of The HSUS.³

In 1957 another HSUS director, Senator Richard L. Neuberger (D-OR), sponsored the first humane trapping bill ever introduced in the U.S. Congress. The bill required that trappers check their traps daily or use traps that killed animals instantly. Neuberger introduced a better version in 1959, but it did not garner much support. For one thing, its successful passage depended on the availability and acceptability of a humane trap. In addition, both the Department of the Interior and USDA opposed the bill.⁴

In 1958 Alice Morgan Wright and HSUS director Edith Goode, working with humane advocates from all over the world, secured an early victory on the marine mammal protection front, as the principle of humane treatment of sea animals won endorsement from participants in the United Nations conference on the Law of the Sea. While not compulsory, humane advocates believed that the resolution approved would signal the start of serious progress toward the adoption of humane methods of killing whales and seals.⁵

In 1956 The HSUS produced “It Pays to Give Wildlife a Brake,” a poster addressing the problem of animal casualties on the nation’s highways. In 1962 the organization began a five-year effort to inventory the number of animals and birds killed on the nation’s highways in one day, each July 4. Twice as many birds as animals were killed, and rabbits topped the list of animals killed, ahead of rats, snakes, deer, and squirrels. The premise was to confirm or deny prevailing theories regarding preferred soil cover, foliage, and other factors along highway rights-of-way. Eventually, this program inspired efforts by the Federal Highway Administration to reduce the number of animals killed on highways through the use of fencing, repellents, and roadway design.⁶

From its founding, The HSUS also took a strong stand against hunting, whose enthusiasts, to say the very least, as Oliver Evans put it, could not cite the kinds of benefits claimed for medical and nutritional use. The HSUS’s opposition went deeper than such assessments, however. As early as May 1957, the HSUS News shared with its readers Joseph Wood Krutch’s compelling indictment from *The Great Chain of Life*: “When a man wantonly destroys one of the works of man we call him a vandal. When he wantonly destroys one of the works of God we call him a sportsman.” Just a year later, The HSUS’s annual report repeated Krutch’s disparagement of hunting as “the pure evil of which theologians speak.” By the mid-1960s, it had published pamphlets on the issue, including *Killing for Fun, A New Look at Sportsmanship*, written and illustrated by naturalist Hope Sawyer Buyukmihci (1913–2001), and *Lust to Kill,*
based on Fred Myers’s 1952 article. 7 The HSUS did more than just publish pamphlets. In summer 1966 the HSUS California branch strongly condemned bow and arrow hunting in testimony before the California Assembly Interim Committee on Conservation and Wildlife, and HSUS President Oliver Evans lodged a strongly worded protest with the U.S. Fish and Wildlife Service about the opening of the Aransas (Texas) National Wildlife Refuge to archery hunting for deer.8

The mid-1960s witnessed The HSUS’s entry into the realm of predator control policy, too. It opposed government-sponsored destruction of wild animals in California and backed the Dingell bill to establish a national policy and program to curb indiscriminate predator control practices.9

During the 1960s wildlife concerns increasingly gained attention as a topic of internal deliberations within The HSUS. Participants at its twelfth annual National Leadership Conference, in Hershey, Pennsylvania, in September 1966, heard Mrs. Robert Arny, of Montclair State College, talk about the need for a wildlife-focused humane agenda. Arny went beyond condemnations of hunting to indict the work of the dam-building Bureau of Reclamation and the government’s predator control programs.10

When plans for ISAP emerged in early 1970, The HSUS began a more systematic review of the contributions it might make in the field of wildlife protection. The original proposal for ISAP identified a variety of potential projects, including data collection, promotion of first aid techniques, the support and analysis of field studies focused on wildlife, review of wildlife management policies, focus on endangered species issues, monitoring of federal and state agencies, disaster relief and disease outbreak procedures, and evaluation and standardization of tranquilization and handling techniques. The HSUS also hoped to deploy ISAP’s resources for the development of educational and factual materials for school distribution as well as for the evaluation of relevant legislation and its effects.11

**Predator Control**

Lethal predator control has been going on in North America at least since Europeans arrived in the early 1600s, and it was firmly established as a national policy by the early twentieth century. In 1931 the first federal legislation on the subject resulted in the Animal Damage Control (ADC) program. This enactment inaugurated an astonishingly destructive phase of the human war against wildlife, as Americans liberally poisoned, trapped, shot, and exterminated animals—both predators and nonpredators—by the millions. Since the 1930s, under the alternate control of USDA or the Department of the Interior, the ADC program has been the largest and most conspicuous practitioner of lethal predator control in the United States. In recent years, renamed the Division of Wildlife Services, the program killed about one million wild animals a year.

The HSUS was one of many organizations that began aggressive efforts to confront the ADC program in the late 1960s, arguing that it was indiscriminate, cruel, environmentally and ecologically harmful, and out of step with contemporary science and values. The issue of predator control surfaced still more prominently in the 1970s, as conflict between livestock interests and wildlife protection advocates increased. In May 1971 The HSUS further expanded its efforts in this area by hiring Hal Perry, a longtime campaigner against predator control programs conducted by the federal government in the Southwest. Perry started out as a wildlife specialist but then worked as a field representative out of the Rocky Mountain Regional Office, opened by Frantz Dantzler, in 1972.12

Even before Perry came to The HSUS, the organization had joined in a lawsuit to halt the use of Compound 1080, a poison used to kill predators. The primary target of the ADC pro-
gram was the coyote, accused by sheep ranchers of destroying their livestock. In the process of trying to eradicate the coyote with an arsenal of poisons, however, federal agents killed hundreds of thousands of other animals, including some endangered species. In 1971 HSUS General Counsel Murdaugh Madden took the deposition of an ADC official as part of ongoing litigation targeting the Department of the Interior. Along with other evidence, the official’s answers confirmed that the federal government could not substantiate sheepmen’s claims of massive losses from the depredations of coyotes, had invested virtually no effort in the search for more humane and selective methods of killing predators, and had conducted the program largely to prevent ranchers from taking matters into their own hands.13

In 1972 President Nixon announced an immediate ban on the use of poisons for predator control on public lands, and the Environmental Protection Agency (EPA) banned the shipment of all poisons used in predator control shortly thereafter. The HSUS quickly followed up with campaigns to obtain a complete ban on the use of poisons by states and individuals, rigorous enforcement of the president’s order, and training of state employees and private landowners in other methods for coyote removal and popular control.14

Elation over the president’s executive order waned with the clarification of administration-sponsored proposals that large-scale killing would continue under the auspices of individual states and the creation of exemptions for Native American lands leased to sheep ranchers. It also quickly became apparent that sheepmen—through the National Wool Growers Association—would intensify their lobbying efforts to get the Nixon ban lifted.15

Challenges to predator control dragged on through the Ford and Carter administrations, as The HSUS filed suit to stop EPA from allowing ranchers to poison animals, and sheep ranchers pressured the Ford administration to approve the use of sodium cyanide. Critics of the ADC programs became bolder and bolder in their charge that federal predator control policy was the product of ranchers’ greed, indifference, and sloth. For generations, private ranchers paid the smallest of fees for the right to graze ever larger herds of animals on public lands. They undertook no responsibility whatsoever for the protection of animals from disease, starvation, harsh weather, and other adversities.16

In 1979 President Jimmy Carter’s secretary of the Interior, Cecil Andrus, articulated specific goals for the ADC program, including a phasing out of lethal preventive controls over the long term, the adoption of nonlethal, noncapture methods of control, and a concerted effort to redirect attention to the goal of “preventing predator damage rather than controlling predators.” However, in 1980 a two-year government study of the use of a Compound 1080 toxic collar recommended its increased use.17

In 1981 The HSUS registered a big victory when EPA canceled a permit allowing the field use of Compound 1080 after an HSUS lawsuit. But the policy was reversed several years later. By that time John Grandy, who had considerable experience with the issue, had joined The HSUS and had begun to mobilize staff members and consultants in pursuit of a permanent ban. For a time in the late 1980s, Grandy served on the U.S. Secretary of Agriculture’s Advisory Committee on Animal Damage Control, using the position to promote rational approaches to animal damage control and to monitor the disastrous impact of nonselective programs of predator control on animals. In 1986 The HSUS singled out ADC for particular scorn when Ronald Reagan’s proposed fiscal year 1987 budget included no funds for the AWA. “$0 to Protect Animals, $10 Million to Kill Them,” the Animal Activist Alert proclaimed, decrying the ADC budget as “one of the biggest gravy trains ever to roll out of Congress.” The ADC’s transfer from the Department of the Interior to USDA did nothing to change things.18

Dick Randall, recruited by Grandy from the Defenders of Wildlife network, where they had first become acquainted, was an important figure in The HSUS’s engagement with the
issue. From 1988 until Randall’s death in 1997, The HSUS supported his efforts to document the irrationality and violence of the ADC program through photography, writing, and personal witness. Randall’s humane epiphany came after years of working as a wildlife killer in the employ of the U.S. Fish and Wildlife Service during the 1950s. A skilled shooter and trapper, he spent five years destroying predators and rodents through poisoning, trapping, and shooting. Eventually Randall became convinced that natural forces, left alone, were sufficient to control predators and rodents. He quit ADC in 1971 to devote the rest of his life to reforming the agency. Randall’s road to Damascus conversion made him a powerful witness against Compound 1080 and other disturbing predator control methods sponsored by federal and state agencies.19

Randall’s intimate understanding of ADC programs, together with his damning photographic evidence of their non-selective and highly destructive effects upon wildlife, made him an extraordinary ally. He was a walking encyclopedia concerning ADC and the lawless conduct it fostered, including the rampant destruction of bald and golden eagles by jealous ranchers in the 1970s. He helped to sharpen The HSUS’s long-standing critique of ADC as a conspicuous misappropriation of federal tax revenues, secured in the interests of a minority of belligerent western ranchers by their elected representatives in Washington, and he helped Grandy and other staff members to make the case that predator control programs exert a devastating impact on ecosystem balance.20

In 1997, when Animal Damage Control became “Wildlife Services,” The HSUS could not let the name change go without comment, publicly arguing, “the name should not change until the program does.” Several years later The HSUS’s Government Affairs department successfully lobbied for an unprecedented $10 million cut from Wildlife Services’ budget. Although the vote was reversed, it was a sign of The HSUS’s progress in advancing its agenda through the Capitol Hill funding process.21

Government Affairs registered a victory over Wildlife Services in 2002, when it secured a referendum victory in Washington State, where voters overwhelmingly endorsed an initiative banning the use of Compound 1080 and sodium cyanide. After USDA received unofficial approval from state officials, Washington made plans to go ahead with its poisoning regime—in violation of its own policy stating that employees must comply with applicable federal, state, and local laws. However, The HSUS persuaded the state’s attorney general that USDA’s response amounted to willful disregard of voters in her state, and she successfully pressured the federal agency to observe the requirements of the referendum, effectively ending Wildlife Services’ poisoning and trapping activities in Washington.22

Captive Animal Populations: Zoos, Circuses, and Nature Parks
When The HSUS began its work, it focused on cruelties far more conspicuous than those that could be found in the nation’s zoos. While zoos were not uncontroversial within the movement before 1970, they did not receive much scrutiny from humane organizations, nor did animal protectionists present a coherent or even a very public critique of keeping animals in captivity.

The HSUS did care about the welfare of captive animals though, as Frank McMahon demonstrated in a widely publicized confrontation with USDA officials over a shipload of animals in 1966. USDA had forced the Maaslloyd, a Dutch freighter, to halt outside New York Harbor because of fears concerning hoof and mouth disease, several cases of which had re-
ently surfaced at two of the ship’s ports of call in Africa. A Nebraska congressman asked The HSUS to intervene when USDA declared that if no overseas quarantine site could be arranged, the animals, bound for American zoos, would have to be dumped overboard. McMahon and HSUS director Edward Bostick had a stormy meeting with USDA officials, who finally admitted that the Department of Defense had offered a small island in Long Island Sound to serve as a quarantine site for the required sixty days. USDA finally relented and cleared the ship for entry into the harbor. When the Maaslloyd reached the docks, government officials saw McMahon—triumphant—standing on its bridge, having convinced the captain of a small boat to take him out to the ship in the middle of the night while it was still outside the three-mile limit to guarantee the outcome.

The HSUS’s real zoo-related activities began in 1971, when John Hoyt hired zoo specialist and veterinarian Sue Pressman from Boston’s Franklin Park Zoo as director of wildlife protection. It was a timely appointment, because zoos were now subject to minimum standards enforceable under the AWA amendments of 1970. One of Pressman’s first assignments was to conduct an investigation of zoos, roadside menageries, and other captive animal displays in the United States. The HSUS position was characteristically pragmatic. “The HSUS does not believe in caging animals,” the article announcing Pressman’s appointment declared, “but until a practical alternative is put into effect, it intends to work toward improving the condition of all caged animals.” Pressman visited many zoos during her time at The HSUS, and her inspections and reports garnered significant public attention, prompting zoo officials to embark on crash cleanup strategies both before and after the exposure her visits generated. “We thought long and hard” before sending Pressman out to do such zoo surveys, John Hoyt recalled. “Zoos are like apple pie. Very rarely do you see the bad side…. Some of the ones we identified did disappear. We tried to help those that wanted to improve.”

The HSUS first adopted a comprehensive policy position on captive animals in 1975, as its board of directors pledged to work against roadside menageries and other substandard facilities. The organization did not take a position against all zoos, however, and pledged continued support for endangered-species breeding and educational programs managed by zoos. Staff members inspected numerous roadside menageries, zoo parks, and other facilities and interceded in cases where traveling acts and shows were the source of animal misery. In such instances, The HSUS often functioned as a self-declared “goad, exposing a problem and stimulating action from law enforcement agencies.” By 1983, however, HSUS staff members had inspected 363 zoos nationwide and singled out ten of the nation’s worst.

In 1984 the board of directors revised HSUS policy, adopting the position that animals should not be taken from the wild for public display at zoos, which, to a considerable extent, were responsible for “abuse, neglect, suffering, and death of animals.” When it came to support for endangered-species breeding and educational programs, moreover, few zoos, it appeared, met satisfactory standards. There was no place for zoos that could not improve on their programs of care and education. The Wildlife section was an early and stalwart critic of ineffectual education programs, underscoring the superficiality of what passed for instruction at most zoos. Their continuing popularity, HSUS staff members asserted, rested upon their status as a relatively inexpensive recreational option, not on their claims to provide the public with an introduction to the value of ecosystems, habitat protection, and endangered-species protection.

Staff members’ knowledge of zoos and the needs of their captive populations sometimes
led to happy outcomes, and The HSUS was involved in many successful efforts to relocate displaced or relinquished wild animals, beginning with Pressman’s years of service (1971–1986). One of the best known of these interventions came in 1981, when Pressman addressed the situation of the chimpanzee Ham, the first animal the United States sent into space. Zoo staff had never been able to find a suitable group environment in which to situate Ham, whose unusual background had included almost no socialization whatsoever with others of his species. He had lived alone for twenty years. Pressman urged Ham’s transfer to the North Carolina Zoological Park, where he was paired with a lonely female chimp of comparable age.27

Sometimes, such interventions could involve many animals. John Dommers intervened in 1987 when a small zoo in Connecticut closed its doors, helping to find new facilities for a group of animals, including primates. In the early 1990s, New England regional staffers Arnold Baer and Frank Ribaudo drew The HSUS into a similar situation involving Rhode Island’s Slater Park Zoo, long reviled by local animal protectionists as a substandard facility. Staff members worked with city authorities to explore all options for improving the situation and ultimately influenced the Pawtucket City Council’s 1993 decision to close the zoo as a cost economy. As the Wildlife section’s Richard Farinato noted, there were approximately two hundred such municipally owned zoos at the time, but “few cities are getting into the zoo business and many of them will be looking to get out—for the same reasons that existed at Slater Park.” The HSUS helped to relocate Slater Park’s animals to more suitable facilities, including the Black Beauty Ranch and Wildlife Rescue and Rehabilitation Center in Texas.28

During the 1970s, recognizing that zoos were not the only places where captive animals were kept, The HSUS put Sue Pressman’s talents to use in investigations of the television and movie industry. Although Mel Morse had monitored the issue on behalf of The HSUS for some years, the organization had not gotten directly involved, in part because AHA had a Hollywood office charged to look out for abuses. The movie and television western was the focus of attention for many years, and humane organizations campaigned with some success against the use of trip wires to yank the legs out from under horses during spectacular staged falls, particularly on overseas sets. However, the scrapping of a production code led to a rise of abuses by 1966, and even the trip wire made a triumphant return. Animals suffered and died (like the donkeys in *Patton*) in a spate of movies where the bullets and knives were real, and by the mid-1970s, Hollywood wasn’t even sending the scripts to humane groups for review.29

In 1975 The HSUS decided to do more to establish the facts about the performing animal industry. Pressman went on several trips to California and spent weeks at a time undercover, observing the living quarters, training methods, and standards of care in the industry and questioning actors, actresses, producers, cameramen, script writers, trainers, and others for information concerning persistent allegations of neglect and abuse. Pressman saw animals (whose owners had in many cases reaped thousands of dollars from their performance work) confined in the worst possible housing, subjected to abusive training methods, deprived of proper nutrition and exercise, and denied any kind of preventive veterinary care. Animal trainers occupied a netherworld of deliberate cruelty, rampant opportunism, and shameless deceit in pursuit of profit. “Nine different trainers told me they owned Gentle Ben, the bear from the TV series of the same name, and almost as many people told me they owned the Mercury cougar,” Pressman recalled. “It is a rare producer who knows enough about animals to know whether the animal is being cared for and treated properly.”30
As word of the investigation spread, the ranks of The HSUS’s movie industry informants swelled. A congressional sponsor of animal welfare legislation began to examine the possibilities of protection for captive animal populations. Jack Valenti of the Motion Picture Association of America took notice and warned colleagues of “the extent to which The Humane Society...is checking through undercover agents [about] such cruelty.”

In the 1970s The HSUS also kept an eye on circuses, because in their case, too, 1970 amendments to the AWA established requirements for adequate treatment and care. Both Frank McMahon and Sue Pressman checked out the animal quarters of major circuses whenever they got the opportunity to do so. In 1977 investigators Frantz Dantzler, Phil Steward, and Marc Paulhus joined Pressman in an investigation of traveling circuses. As a result of their efforts, one operator was arrested three times in three different states for his neglect of primates. In 1980 Pressman actually joined the circus, working undercover for several months on a cleanup crew, traveling with several troupes and observing the lives of performing animals. Especially in the smaller “mud shows,” she witnessed terrible shortages of water for cleaning animals, cooling them down, and quenching their thirst; days of being chained in the heat; starvation and malnutrition; and inadequate veterinary care.

By June 1997, when The HSUS launched a concerted campaign to raise public awareness of the suffering of wild animals in circuses, it had more than two decades of experience with “The Big Lie Behind the Big Top.” A videotape and education kit of the same name went out to hundreds of organizations nationwide, as public misgivings about animal welfare in American circuses increased in the wake of several high-profile cases of abuse and mistreatment.

From the 1980s onward, The HSUS also worked to expose the proliferation of “game ranches,” where those with the money could purchase the right to shoot just about any animal they desired—at close range and with little or no personal risk. The ranches were intimately tied to the trade in exotic animals, something which The HSUS investigated at some length during the 1980s and 1990s, sending staff members out to auctions and other sites important to wildlife exchange. In 1985 HSUS West Coast regional investigator Eric Sakach accompanied officials of the Oregon State Police, USDA, and the Central Coast Humane Society on a raid of an exotic game ranch in Siletz, Oregon. The operator of this substandard facility moved his animals to Idaho, where, in 1996, he became the subject of another HSUS-assisted investigation. This time, Northern Rockies Regional Office director Dave Pauli coordinated The HSUS’s response to a tragic episode that resulted in the killing of sixteen lions who escaped from a game farm co-owned by the man whose Oregon operation The HSUS had helped to shut down. This time, The HSUS’s testimony helped to ensure that the shocking negligence of the operators not only earned them prison sentences (not long enough, in the opinion of many observers), but barred them from any further contact with animals for eight years.

At century’s end the section focused its efforts on framing the problem of captive wildlife as a circular or interconnected process, in which zoos, circuses, auctions, animal traders, hobby breeders, exotic meat purveyors, canned hunt operators, animal parks, pet shops, and other individuals and institutions comprised an intricate network for animal exchange. While they advanced differing rationales for their activity, all of these participants bore some responsibility for animals’ suffering and death. Inhumane and abusive conditions prevailed in many facilities, and the often underhanded means by which the traffic was carried out made it difficult for humane advocates to track.

Given the transnational scope of so many of the issues it had to confront, the Wildlife section also developed an ever stronger role in promoting responsible and humane management of captive wildlife in other nations. HSUS representatives assisted South African humane organizations in the highly publicized case of the Tuli elephants, in which a court of law ruled that traditional elephant training methods were cruel, and a number of the animals were set free in protected parklands in South Africa.

It was fitting that more than thirty years after The HSUS undertook its first extended in-
vestigations of captive wildlife cruelties, Richard Farinato, HSUS director of captive wildlife, was quoted in *Newsday* (28 July 2003) and the *Washington Post* (16 March 2003, 9 December 2003) about a series of animal deaths at Washington, D.C.’s National Zoo. If zoos made any progress during the last quarter of the twentieth century, it was due in some measure to the steady surveillance, criticism, and constructive input that The HSUS had provided since 1970. Public skepticism about the legitimacy and quality of zoos grew substantially during this period, as media exposés revealed gross neglect, impenetrable secrecy, and the zoo community’s reluctance to accept thoroughgoing mechanisms of regulation to prevent abuse and suffering.

**Hunting**

“In these United States,” Fred Myers observed in 1952, “an attack upon the tradition-hallowed sports of hunting and fishing is likely to bring down on one’s head as much abuse as hostile criticism of Motherhood [or] the Fourth of July.” Myers and his colleagues assumed that risk, however, placing The HSUS squarely against recreational hunting from the very first. They saw it as a particularly demoralizing form of cruelty—“propagandized as a sport”—that undermined what they took to be a fundamental tenet of humane conviction. “Cruelty, like kindness, is indivisible,” Myers wrote. “Children and men cannot be taught simultaneously to take pleasure from cruelty to some living things and to abhor cruelty to others.”

While The HSUS had a clear view concerning the morality of hunting, however, the organization had a harder time developing a program strategy to address it. In the early years, hunting usually came up in discussions of demoralization of youth through their observation of or participation in cruelty. On occasion The HSUS or one of its state branches might level a protest against a particularly egregious practice. However, lack of funds and a preoccupation with more urgent priorities kept The HSUS from doing much about it.

By 1970, when John Hoyt came to The HSUS, this had begun to change. The ratio of hunters to the total American population had begun to decline. At the same time, The HSUS was beginning to learn more about the available means for challenging it through legal, legislative, and other strategies.

The most obvious line of attack was to challenge hunting on publicly owned lands. In 1971, with the help of Senator Gaylord Nelson (D-WI), a board member, The HSUS worked for a bill to prohibit aerial hunting over any U.S.-owned public lands. The next year, the organization mobilized quickly when a number of western states began to take advantage of a loophole to wage aerial warfare against wildlife on their own authority.

In the early 1970s, The HSUS and its New Jersey branch also began what became a long campaign to block public hunts at the Great Swamp National Wildlife Refuge in Morris County, New Jersey. In 1970 federal judge John Sirica granted a temporary restraining order to halt the hunt, which was upheld in the circuit court. “It is a small but significant step,” John Hoyt commented, “toward the day when decisions affecting the nation’s animals will be considered and dealt with humanely and intelligently....The Interior Department’s plan was basically intended to give pleasure to hunters, and this, by any standard, is not a legitimate purpose in a government conservation project.”

In 1973 Judge Charles Richey rejected The HSUS’s lawsuit against the Department of the Interior to stop hunting at Great Swamp. Richey ruled that private hunting was permissible in federal game preserves, that hunting was one of the public recreations for which the refuges were established, and that “public hunting is not inconsistent with sound wildlife management.”
In successive years during the late 1970s, the HSUS New Jersey branch filed suit in federal court to prevent the annual deer hunt at Great Swamp. The lawsuit challenged habitat management practices at the refuge in an effort to show that the Department of Interior was itself responsible for the increase in deer population that (it alleged) made a hunt necessary. The HSUS suit failed.41

The HSUS’s approach to hunting during the decade also broadened beyond the Great Swamp fight. Among other actions, The HSUS sought to force the federal government to use humane methods of wildlife control on national wildlife refuge grounds. The organization sued to prohibit public hunting with bow and arrow on the refuges, contending that humanness ought to be declared to be part of an explicit public policy.42

The HSUS sent representatives to meet with wildlife and fishery management officials to share its views, too. John Hoyt frequently represented The HSUS before such groups. “It is wrong for animals to be reduced to animate targets, with no meaningful purpose in their deaths, save one of personal pleasure and satisfaction of the hunter,” Hoyt told one audience of wildlife managers in 1975. Speaking opportunities increased after the appearance of the CBS documentary The Guns of Autumn, broadcast nationally on September 5, 1975, which generated unprecedented public exposure of hunting’s seamier side.43

HSUS staffers also took aim at hunters’ claims that they paid their own way through fees and taxes. Studying the revenues from Pittman-Robertson, the Federal Aid in Wildlife Restoration Act, the Migratory Bird Conservation Account, the Federal Duck Stamp Program, and other income streams, The HSUS advanced its view that hunters were not self-sustaining conservationists but self-interested influence brokers with disproportionate sway over wildlife management policy at both the state and federal levels.44

Such accusations formed the core of efforts to protest against Project WILD, a conservation education program emphasizing utilitarian and consumptive approaches to wildlife management, while glossing over animal welfare and ecological concerns that might have created a fuller picture. Project WILD characterized wild animals as renewable resources and cast hunting, trapping, and lethal predator control as essential wildlife management tools. The HSUS joined forces with other groups in late 1984 to oppose the use of public monies for the distribution and dissemination of the curriculum.45

During the 1980s The HSUS continued its long campaign to make the national wildlife refuges true places of sanctuary for animals. As it turned out, animals on the refuges were almost never safe from hunting, trapping, cattle grazing, timber cutting, mining, pesticide spraying, motorboating, waterskiing, and other human activity. By 1985 staff members estimated that more than half of the 424 refuges in the National Wildlife Refuge system were open to hunting and that at least 400,000 animals were killed or wounded on those refuges every year.46

In November 1984 The HSUS filed a lawsuit alleging that the U.S. Fish and Wildlife Service (FWS) had violated numerous federal laws through its administration of hunting programs on refuges. Above all, The HSUS charged, FWS had failed to prove that hunting programs were compatible with the original purposes of the Refuge System Administration and Recreation Acts. In addition, FWS had been negligent in failing to take proper action to protect endangered species on the refuges, had improperly delegated authority for their management to state agencies, and had disregarded its responsibilities for full consideration and disclosure of the impact of the decision to permit hunting on refuges. However, this litigation to prevent hunting on the National Wildlife Refuge System fell short when a court ruled that The HSUS did not have standing to sue.47

On the other hand, The HSUS did manage to stop hunting in a few instances, like at Loxahatchee National Wildlife Refuge in Florida in 1985, where The HSUS worked as part of a successful coalition effort to cancel a planned hunt by the Fish and Wildlife Service. The same year, director O.J. Ramsey represented The HSUS in a lawsuit against the state of California, to halt Placer County’s killing of mountain lions.48
The HSUS led all organizations in calling for the resignation of Ray Arnett as assistant secretary for fish, wildlife, and parks in the Department of the Interior, in strongly worded statements that identified Arnett’s responsibility for policy reversals and initiatives that opened up more refuges to hunting, trapping, and commercial uses like timber cutting and mining.

At about the same time, the fight to give meaning to the designation “national wildlife refuge” moved to the U.S. Congress. In 1987 The HSUS took a leadership role in urging introduction of the Refuge Wildlife Protection Act, sponsored by Bill Green (D-NY). The HSUS was also a mainspring in the Wildlife Refuge Reform Coalition, a coalition of thirty-five organizations determined to restore integrity to the management of the National Wildlife Refuge System.

The next year The HSUS won an appeal of its four-year-old lawsuit concerning hunting programs in the National Wildlife Refuge System. The U.S. Court of Appeals for the District of Columbia ruled that The HSUS did have standing to file a legal challenge to the Department of the Interior’s policy concerning the opening of wildlife refuges to hunting. HSUS members, in the words of the Court, had “classic aesthetic interests, which have always enjoyed protection under standing analysis,” and while not explicitly stated in The HSUS’s charter, the human appreciation of other living beings was an “unstated but obvious side goal of preserving animal life.”

As it happened, ultimate success on this front proved to be elusive, because The HSUS was never really able to gain the support necessary from the Department of the Interior or Congress. The hunting lobby, moreover, was simply too strong.

The HSUS was somewhat more successful in its efforts to influence the process by which the federal government annually set hunting seasons and bag limits on migratory birds. Unlike most other forms of hunting, duck hunting attracted wealthy individuals who hunted not for sustenance but purely for recreation. The HSUS judged it especially shameful that any species should fall into decline simply to satisfy a nonessential interest. By the early 1980s, for example, the nation’s black duck populations (a favorite target of hunters) had declined precipitously throughout much of their range, yet the federal government continued to permit hunters to kill large numbers of them. The HSUS’s efforts to force the federal government to give this species the protection it needed took the form of public education and litigation. Although the government reduced allowable kills under pressure, bag limits remained too liberal in the early twenty-first century to permit the species to rebound.

In the mid-1990s the federal government’s proposals to reduce by as much as half the population of the magnificent snow goose—purportedly because high numbers were damaging their Arctic breeding grounds—brought heavy protest from the animal protection community. Led by The HSUS, snow goose advocates asserted that the reduction program was driven, not by habitat concerns, but by state pressure to ease hunting restrictions on an abundant species to increase hunting license sales and shore up declining hunter numbers. Although the killing was eventually permitted, the most egregious proposals to achieve population reduction goals were rejected. The HSUS succeeded in its campaign to substantially reduce the number of gulls poisoned by the federal government in an effort to protect nesting shorebirds in a Massachusetts wildlife refuge and influenced a federal decision to reject a
proposal to poison millions of blackbirds to determine whether such draconian measures increased commercial production of sunflower seeds. By the late 1990s, The HSUS was actively opposing demands by sport and commercial fishing and aquaculture interests to lift restrictions on the killing of double-crested cormorants, and as the new century dawned, The HSUS was also fighting for the recovery of imperiled trumpeter swan populations and arguing in favor of nonlethal control of the introduced mute swan.54

In the 1990s, the humane movement’s attempts to challenge hunting took another tack, as The HSUS and other organizations resurrected a time-honored American tradition, the referendum and initiative process, to advance an agenda of wildlife protection at the state level. This resort to the democratic legacy of the Progressive era proved to be eventful and resulted in decisive victories against hunting and trapping interests. The HSUS played crucial and often central roles in the passage of these initiatives, all of them benchmark victories in the struggle to give nonhunters a voice in the determination of wildlife policy.

In 1992 Colorado voters endorsed a ballot measure to prohibit the baiting and hounding of black bears and the hunting of black bears by any means during their spring nursing season. In 1994 voters in Oregon supported Ballot Measure 18, a ban on the baiting of bears and the hounding of black bears and mountain lions. Intense efforts by the National Rifle Association and other shooting lobbies, and opposition from the Oregon Department of Fish and Wildlife, failed to stop the measure. There was no sport involved in the practice, Wayne Pacelle charged. “Baiting and hounding are the moral equivalent of shooting an animal in a cage at a zoo.”55

The Government Affairs department also worked to defeat hostile ballot measures, like California’s Proposition 197, which proposed eliminating the protected status of mountain lions in the state and making them permissible targets for trophy hunters. In March 1996 California voters rejected Proposition 197. The HSUS led the coalition that squared off with hunting interest groups, which spent $600,000 on the initiative.56

The same year, voters in Oregon, unresponsive to suggestions that they had been duped by “animal-worshipping extremists,” rejected the hunting lobby’s proposal to rescind Ballot Measure 18 banning the baiting and hounding of bears, approved just two years earlier. Almost 60 percent of the vote was wildlife-friendly.57

Besides the hope it offered for tangible protection of animals, The HSUS’s successful embrace of the ballot initiative strategy marked a new era in its efforts to overcome the stranglehold enjoyed by hunters, trappers, and other consumptive users of wildlife over the decision-making process concerning wildlife at all levels. Throughout the history of wildlife management in the United States, state commissions excluded the interests and participation of nonhunters, and the agencies they oversaw tended to ignore many important issues that fell outside the realm of hunters’ concern. During the 1990s, especially, these ossified boards were preoccupied with encouraging women and the young to hunt (to bolster waning numbers), responding to the perceived threat from antihunting and antitrapping groups, and the protection and enhancement of established hunting and fishing areas. Myriad wildlife concerns, including habitat loss and degradation, extinction, illness, and the interests of nongame species, did not even come onto their agenda. Despite the known magnitude of the population of birding and wildlife enthusiasts who did not hunt, these commissions made no serious effort to address the interests and concerns of the nonhunting major-
ity, let alone to harness their practical and financial support for programs and initiatives. Wildlife agencies were, moreover, disturbingly unresponsive to citizens’ pleas for assistance and counsel with wildlife problems that did not relate to hunting and hunting practices. The domination of such agencies by hunting interests virtually guaranteed the permanent neglect of animal populations that were not preferred targets of hunters.58

The HSUS’s embrace of the referendum and initiative process offered humane advocates a way to overcome this inherently undemocratic arrangement, allowing citizens with a broader view of wildlife policy to exert some influence on wildlife commissions and the agencies they oversaw. In some instances the ballot initiative could be used not simply to change an objectionable policy or practice, but to affect the very character of a wildlife commission itself. Question 1, the successful 1996 Massachusetts referendum banning the use of steel-jawed leghold traps, also abolished the requirement that hunters and trappers constitute a majority on the state’s Fisheries and Wildlife Board, authorizing the governor to appoint any qualified individual to serve. It was a striking victory for the principle of democratic representation for nonhunting and nontrapping constituencies on such commissions. Two years later the HSUS registered a related success through moral suasion, when it persuaded Maryland’s governor to appoint a nonhunter to the state’s Wildlife Advisory Commission.59

**Immuoncontraception**

Suburban development, one of the defining demographic characteristics of post-World War II America, drew the HSUS into many situations centering on the explosion of white-tailed deer populations in urban, suburban, and exurban parklands. Wildlife section staff members John Grandy, Tony Povilitis, Ph.D., John Hadidian, Ph.D., and Allen Rutberg, Ph.D., all represented the HSUS at one time or another in cases where perceived conflict between the human and deer populations led in the direction of hunts. Wildlife commissions and hunting enthusiasts were only too happy to cast themselves as the experts in population control, their solutions usually tilting toward annual deer hunts that never did resolve the problems they purported to address. The HSUS, for its part, tried to promote nonviolent resolution of these situations, with controlled hunts a last resort in all cases.60

There were other situations in which the perception that excessive numbers of animals in some instances posed a threat to humans or to themselves led to proposals for hunting, roundups, and other objectionable responses. In addition to its role in dozens of local skirmishes about the deer population in a variety of urban and suburban contexts, the HSUS was involved in debates over the control of excess elephant populations in African nature parks and wild horses on the American range.

Eventually, such confrontations inspired dialogue about the feasibility of wildlife contraception as means of population control for deer, elephants, wild horses, and other species. While public expectations in this arena tended to exceed current technology, the demand for nonlethal solutions did encourage experimentation and serious discussion of immunocontraception technology as a long-term goal for the management of select wild animal populations.

In the 1980s the HSUS’s interest in immunocontraception led it to assume a serious role in funding and coordinating research and development in the field. The Wildlife section led the drive to develop refined, field-tested immunocontraception vaccines for use in appropriate settings. This ambitious goal involved the selection of qualified scientific collaborators, reliable manufacturing partners, and the capacity for advanced training of those who might use such vaccines. To be successful, the HSUS and its partners would have to shepherd the compounds through a lengthy and complex FDA review process. Moreover, contraceptives would have to be species-specific and demonstrably easy to control before they could ever be approved.

Even so, the incentive to pursue immunocontraception was very strong, because it promised a nonviolent solution for a handful of issues that the HSUS had been trying to ad-
dress for decades. Thus, in the early 1990s, The HSUS initiated a wild horse immunocontraception program as part of an effort to end reliance on roundups and other extermination programs while preserving the integrity of wild horse populations on America’s public lands. In 1991 Grandy and HSUS consultant Jay Kirkpatrick, Ph.D., offered testimony to the Senate Appropriations Subcommittee on Interior and Related Agencies. There they pushed for the Bureau of Land Management (BLM) to adopt criteria for fertility control initiatives to aid in the management of wild horse populations. It was an old idea, dating back to passage of the Wild, Free-roaming Horse and Burro Act of 1971, and Kirkpatrick and his colleagues had worked steadily on its development. Unfortunately, the research had come to a dead halt with the appointment of James Watt as Secretary of the Interior in 1980.61

By 1993 The HSUS could proclaim “a new day for wild horses,” however. With the political climate more favorable, The HSUS collaborated with Kirkpatrick, John W. Turner, Ph.D., Irwin K.M. Liu, Ph.D., and other colleagues to develop contraceptives suitable for the uses it advocated. In one instance The HSUS team collaborated with the BLM to test the effectiveness of several versions of the immunocontraceptive vaccine. The presence of the Assateague Island, Virginia, wild horse herds as a nonnative species but protected cultural resource in a fragile ecosystem, and historic concern with the mistreatment of wild equines in the annual round up at Chincoteague (see chapter 7), also created a distinctive opportunity for testing new approaches. After research showed that the the immunocontraceptive vaccine porcine zona pellucida (PZP) worked well to inhibit fertility in domestic mares, The HSUS helped in efforts to evaluate its effectiveness in wild horse herds on Assateague Island. These trials proved to be very successful.62

Another important benchmark of the drive for immunocontraceptive solutions was the elephant project launched in Kruger National Park, South Africa, in 1996 to assist authorities trying to managing elephant populations. While elephants were safe within Kruger, South African authorities were interested in developing a humane means for limiting their population in situations where wildlife-people conflicts could lead to serious controversy and illegal and violent activity on Kruger’s boundaries and elsewhere. HSUS staff and consultants joined South African officials to administer PZP to eleven elephants.63

That same year Paul Irwin and John Grandy participated in the fourth International Conference on Fertility Control for Wildlife Management in Queensland, Australia, sponsored by The HSUS and HSI. The novelty of this emerging field was apparent: Jay Kirkpatrick’s presentation was the only one based on the results of extensive field research. Irwin, Grandy, and Kirkpatrick found that much of the research going on elsewhere focused not on the control of wildlife populations in geographically limited areas, but on the limitation of nonnative species. In his presentation Grandy questioned the legitimacy of large-scale population control, especially the assumption that the suppression of nonnative species is a management imperative.64

By 1996 The HSUS was also involved in collaborative efforts at three field-research test sites for the control of white-tailed deer populations through immunocontraception. At one of these, the Fire Island National Seashore in New York, The HSUS’s contraception research team made exceptional gains in knowledge and experience with the administration of vaccine, in a situation where the National Park Service required the team to avoid capturing, handling, or touching the animals.65

At the dawn of the twenty-first century, The HSUS’s immunocontraception program encompassed projects involving white-tailed deer, wild horses, zoo animals, elephants, elk, water buffalo, and dogs. Virtually all of the HSUS-sponsored work in this area relied on the PZP vaccine, and with demonstrated reductions of unconfined deer populations at several tests sites under steady surveillance, and contraception studies underway in South Africa and elsewhere, The HSUS was well on its way to the validation of nonviolent methods of controlling wild animal populations.
Trapping

Trapping was a prominent concern of early twentieth-century humane societies, one that the individuals who founded The HSUS perpetuated in their work, too. The abolition of the steel-jawed leghold trap was an important early campaign and legislative priority, and The HSUS led or supported virtually every attempt to limit or eliminate its use. Popular in the fur trade because it does not spoil the value of the pelt of the animal, the leghold trap provided one of the most shocking examples of how far the United States lagged behind the numerous other developed nations that had abolished its use.

Trapping of animals was closely tied to the production of furs for the market. This issue, too, came into sharp relief during the 1970s, as public concern for imperiled species led to restrictions on the sale of clothing and items of fashion made from the skins of endangered species like leopards, cheetahs, ocelots, and jaguars. The HSUS was an early promoter of synthetic furs.66

The 1970s also saw the reemergence of legislative efforts to ban the trap. HSUS director Senator Gaylord Nelson (D-WI) proposed a bill prohibiting use of the steel-jawed leghold trap in 1971. Five years later The HSUS testified in support of the Bayh-Anderson bill against trapping. In the aftermath of the hearings, HSUS officials judged that neither The HSUS nor other humane organizations had effectively countered “pseudo-scientific arguments of trapping advocates” who presented testimony. Attempting to combat the claims made by trappers and some wildlife managers about the benefits and necessity of trapping, The HSUS commissioned its own trapping study by Martha Scott Garrett, aimed at gathering support for an elimination campaign. The HSUS study underscored the fact that the removal of surplus animals by trapping does not protect wildlife against population buildups that lead to the spread of disease, starvation, and habitat destruction, as claimed by trapping’s supporters.67

The publication came just in time for use by Margaret Morrison, Michael Fox, and Guy Hodge, who went to Ohio to work on behalf of the antitraping referendum introduced by future Great Lakes regional director Sandy Rowland’s Ohio Committee for Humane Trapping in 1977. HSUS representatives also worked closely with Senator Harrison Williams (D-NJ) when he introduced a bill to forbid importation and interstate shipment of furs from any animal trapped in a state or nation where the leghold trap was not banned.68

A few years later, both The HSUS and its regional office played a role in the 1984 ban on the leghold trap in New Jersey, Senator Williams’s home state. The next year, after trappers filed suit to challenge the constitutionality of the ban, The HSUS threw its energies behind defending the ban, with staff members testifying in the trial that resulted in a 1986 decision upholding the ban. During the same period, the Wildlife section worked to assist those seeking to enact local bans in several counties and communities nationwide.69

There were no further federal hearings on trapping after the Bayh-Anderson hearings. In 1984, however, John Grandy testified...
HSUS continued to receive and compile reports of nontarget species, including companion animals, being harmed in traps.

As the hunting issue had gone, so went trapping. In the 1990s The HSUS’s Government Affairs department led the humane movement’s efforts to secure the passage of several anti-trapping initiatives at the state level. In 1994 Arizona voters approved a ban on the use of leghold traps and other body-gripping traps on public lands. Proposition 201 encompassed 83 percent of the land in the entire state, and passed just two years after a similar measure failed amid a massive spending campaign by protrapping forces. It was also the first successful passage of a statewide trapping measure in decades. In 1999 the department helped to ensure passage of Proposition 4, a California initiative that banned the use of the steel-jawed leghold trap, as well as the use of Compound 1080 and sodium cyanide to kill animals.

The Campaign against Fur

For years those concerned about the suffering of animals trapped or ranched for fur understood the degree to which it was a consumer-driven problem. In 1988–89, the fur issue was given special emphasis by The HSUS and its Campaigns department and Wildlife section. The HSUS’s Investigations Department backed the campaign with a number of investigations of fox farms in Midwestern and western states. Pat Parkes and Frantz Dantzler conducted one in Illinois, and Bob Baker and Lisa Landres did the same in Oklahoma.

The Shame of Fur™ campaign became one of The HSUS’s most ambitious public outreach activities, featuring Times Square light displays, billboards, celebrity participation, and numerous media appearances. Actress Candice Bergen and model Carré Otis lent their names to the campaign, which targeted affluent, career-oriented young female customers. For several subsequent years, animal protectionists saw encouraging signs that the fur industry was in demise.

The HSUS tried to undercut the fur industry by attacking substantial government subsidies that supported the advertising budget of the mink industry, which raised animals in small wire cages and killed by anal execution, among other methods. In 1995 the U.S. House of Representatives voted to cut the $2 million annual mink subsidy. Senator Robert Smith (R-NH), a strong champion of the measure as it made its way through the legislative process in the U.S. Senate, observed, “where mink coats were once seen as a status symbol, now they are a symbol of cruelty,” and “because we know that they are being subsidized so heavily by the taxpayers, they are a symbol of government waste. People are not interested in either one.”

As the fur industry began to fight back hard with efforts to repopularize fur, The HSUS reinvigorated its antifur programs with Fur-Free 2000, a multiyear effort to counter the industry’s move with a new look, new research, and new statistics. The campaign took a more pos-
itive, less accusatory tack than that which characterized earlier campaigns and involved collaboration with designer Oleg Cassini, who brought out a line of synthetic fur garments and contributed some design work to the campaign. As part of a public effort to redeem the misery of fur production, the organization collected furs for distribution to wildlife rehabilitators, who put them to use in providing comfort for injured and orphaned wild animals.

HSUS analysts found cause for celebration in the dramatic reduction of animals killed in traps or kept in cages, the decline of fur farms, and the decrease of ranched mink killed for fur.75

Before the end of 2000, HSUS investigative campaigns concerning clothing made from dog, cat, and fetal lamb fur had hauled two more skeletons out of the fur industry’s closet and frustrated its efforts to diversify and extend fur product lines through the promotion of “trimmed” accessories and garments. While the nation was not yet fur-free, it was—increasingly—free from illusions about the misery and death of animals that lay behind the fur trade.76

Living with Wildlife
In the booming years of post-1970 suburbanization and sprawl, encroachment upon wildlife habitat created countless crises in which The HSUS sought to help sympathetic citizens, organizations, and government agencies to stem the cycle of animal destruction. The promotion of public awareness, tolerance, and appreciation of wildlife became an important priority, and the number of queries concerning wildlife in urban settings and the resolution of conflict between people and wildlife rose steadily through the years. Responsibility for such concerns became Guy Hodge’s specialty after he joined The HSUS. In one highly publicized episode of the mid-1970s, Hodge reviewed a Department of Defense plan for continued destruction of blackbirds at Fort Campbell, Kentucky. Hodge and other specialists condemned the aerial spraying operation, in which thousands of roosting blackbirds suffered lingering and painful deaths. The HSUS threatened litigation and pressed Army officials to abandon the use of Tergitol, a detergent that, when mixed with water, removed the natural insulating oils from the birds’ feathers, causing them to freeze to death.77

For over a quarter-century, Hodge counseled callers and correspondents about wildlife-related problems, providing advice on nonlethal solutions for a variety of challenges—from bats in the attic, to raccoons in the chimney, to deer in the garden. Hodge and other staff members also participated in public debates over the removal of beaver colonies from urban and suburban ponds, the elimination of pigeons judged either too “abundant” or “threatening to public health,” and other topics. In all of these situations, The HSUS sought to promote nonviolent solutions and preventive measures to the problems associated with animals’ presence. In 1991 Hodge put the accumulated wisdom of several decades’ experience into the much-valued Humane Control of Wildlife in Cities and Towns, a pocket guide that was widely used by animal control and humane society personnel as well as by the general public.

In 1996 the realm of service that Hodge pioneered blossomed into a full-fledged program directed at suburban wildlife protection. The program, overseen by John Hadidian, Ph.D., incorporated three core elements—resolution of the continuing tension of human-wildlife conflicts, enhanced public recognition and acknowledgement of the intrinsic value of wildlife in the human social world, and deeper reflection concerning the human relationship to the natural environment and its nonhuman inhabitants. By providing practical assistance, reliable information about animals and their environments, and a strong perspective on the need for guidelines and foresight in relation to human-wildlife conflicts, The HSUS sought to promote compassionate attitudes and conduct toward animals in those contexts where people and wildlife most frequently encountered one another.78

In 1997 The HSUS responded to the explosion of interest in wildlife commensals with a
more comprehensive book, *Wild Neighbors: The Humane Approach to Living with Wildlife*. Staff members also worked with The HSUS’s Video Projects staff to produce one-minute spots as part of a Wild Neighbors series, featuring advice and information concerning the activities and needs of wildlife in urban and suburban areas and the appropriate means of resolving potential conflict involving such animals. Many of the segments were made available on the HSUS website, www.hsus.org.

The HSUS’s commitment to urban wildlife populations also led to its acquisition of the Urban Wildlife Sanctuary Program of the National Institute for Urban Wildlife, America’s oldest urban land and sanctuary program, in the late 1990s. At that time 150 properties fell under the oversight of The HSUS, ranging in size from small residential backyards to entire municipalities. By 2003 the Urban Wildlife Sanctuary Program included some 550 members, mostly residential property owners. Members of the program received *Wild Neighbors News*, a quarterly newsletter offering practical background and habitat advice, introduced in 1999.79

Eventually The HSUS became directly involved in the protection of wild animals through the preservation of natural habitat and the establishment of permanent sanctuaries. The HSUS Wildlife Land Trust (WLT), formed in 1994, provided a mechanism through which donors and testators could keep designated tracts of land wild and free from hunting in perpetuity. At its launch, the WLT was the only national land trust that committed itself never to permit commercial or recreational hunting and trapping on its properties. It did so through the acquisition of easements on property it does not own, monitoring and maintenance, and other means. The organization has not limited itself to the United States but has acquired properties in other countries as well. These “shelters without walls” ensure that there will always be some places on earth where animals may live free from the threat of exploitation and death at the hands of humans.80

Also in 1994, through the generosity of Barbara Birdsey and the Orenda Wildlife Land Trust, The HSUS enhanced its wildlife program capability with the establishment of the Wildlife Rehabilitation Training Center (WRTC) on Cape Cod, Massachusetts, later known as the Cape Wildlife Center. The Geraldine R. Dodge Foundation underwrote a feasibility study that led to the development of a full program of classes, workshops, and seminars and a clinic and classroom framework in which to offer them.81

From the 1990s on, quite apart from its ambitious efforts to protect animal habitat and to provide for the rehabilitation of wildlife, the HSUS Wildlife section greatly expanded its capacity to advise and counsel individuals, associations, corporations, and government agencies on appropriate responses to a variety of challenges associated with the presence of wildlife. This enhanced level of expertise became the basis of a signature program for the twenty-first-century HSUS.82

**Endangered Species, CITES, and the War on Wildlife**

After The HSUS made a full commitment to expanded coverage of wildlife issues in the early 1970s, staff members became stalwarts at congressional hearings concerning reauthorization and enhancement of such enactments as the ESA and CITES. Against the endless and determined assaults on these protective enactments, The HSUS worked on its own and in coop-
eration with other organizations to preserve them in both spirit and practice. Guy Hodge’s 1972 congressional testimony concerning the ESA was the first of many such engagements that staff members would undertake during the next three decades. During the struggle over the ESA’s reauthorization in the mid-1980s, The HSUS anchored a coalition to preserve and strengthen it. After joining The HSUS, Grandy brought the organization into the fight over a status review of the bobcat for possible protection under the ESA and its listing as an Appendix II species under CITES, a long-running struggle with which he had been involved while at Defenders of Wildlife. The HSUS also helped to get the harlequin duck added to the list of endangered waterfowl species.

After 1982 The HSUS also played a crucial role in the meetings of CITES, held every two years. The CITES signatory nations agree to prohibit trade in species listed in Appendix I as endangered and to strictly regulate trade in species on Appendix II, those determined to be threatened. CITES had gotten off to a fine start in its early years, when the United States evinced a serious commitment to the protection and preservation of animals. By the 1980s, however, when HSUS staff members first began to attend, CITES had become a field of battle where trophy hunters, fur profiteers, exotic animal traders, and other interests tied to the destruction and use of animals fought to limit restrictions on their activities. The Reagan administration’s permissiveness concerning increased exploitation of animals inspired similar laxity in other nations.

The HSUS’s participation in CITES politics became even more necessary in the 1990s, when the decisions of CITES Parties increasingly began to reflect the influence of protrade officials and wildlife traders who argued that wildlife must “pay its way,” and that, to ensure their survival, even endangered and threatened species must render economic benefit to humans who live nearby. In the 1990s a few influential conservationists endorsed this view by supporting Zimbabwe’s efforts to promote international trade in endangered species.

In the late 1980s, as the plight of the African elephant worsened, opposition to poaching and the sale of ivory gained a prominent place on the division’s agenda. CITES instituted a limited quota system in 1986 to permit the export of ivory from those nations making sincere efforts to suppress poaching and encourage conservation. Unfortunately, the system failed badly; a stunning proportion of the ivory traded worldwide proved to be poached. The HSUS began pushing for a worldwide ban on the trade of ivory, and in 1989 a vigorous campaign resulted in listing the elephant on CITES Appendix I, thus prohibiting any legal commerce in live specimens, parts, and products.

The campaign for elephants took on a special urgency when proposals for lifting the CITES ban on ivory surfaced. Attempting to forestall a “downlisting” of the African elephant to CITES Appendix II, HSUS investigators went to four African nations in the early 1990s to gather evidence that the continent’s elephant populations could not survive a reopening of trade in elephant parts. Unfortunately, in 1999 the ivory trade resumed, as the CITES Standing Committee permitted Botswana, Namibia, and Zimbabwe to ex-
port 107,026 pounds (fifty-nine metric tons) of stockpiled ivory to Japan.87

During the last several decades of the twentieth century, The HSUS became even more involved with issues stemming from the international trade in wildlife and wildlife parts. This traffic generated terrible pressure on wildlife populations in the United States and other nations, speeding extinction, generating indifference to animal well-being, and causing untold animal suffering in all parts of the world.

This issue went back to the 1970s, a decade in which The HSUS frequently confronted the elaborate machinations of the pet shop industry, which pressured the Department of the Interior to relax its restrictions on the importation of wild animals sold to the public by the industry. HSUS staff members were very familiar with the numerous problems that resulted from this traffic, because they handled a steady flow of inquiries about the removal of wild animals that people had concluded they could not keep. Animal shelters rarely had the resources or facilities for providing appropriate care, and zoos did not want these animals. Mortality rates of animals caught for the pet trade were high at all stages of the process.88

In 1978 ISAP conducted an investigation of the trade in wild birds, then increasing in popularity as household pets. In just a few years, the pet trade’s rapid commodification of wild-caught birds had caused substantial harm and suffering. The traumas of capture and captivity led to high rates of illness and mortality among birds, whether smuggled or imported under legitimate circumstances. Many died at quarantine stations established by USDA to prevent the spread of Exotic Newcastle Disease and other perceived threats to the nation’s domestic poultry.89

In the mid-1980s The HSUS created a full-time staff position devoted to the live bird trade, and biologist Susan Lieberman, Ph.D., played a crucial role in worldwide efforts to end the traffic in wild-caught birds. The first domino fell in New York in 1985, when legislators approved a law to prohibit the sale of wild-caught birds within the state. State campaigns in Pennsylvania and New Jersey followed in 1987. The HSUS bolstered these campaigns by publishing Lieberman’s The Wild Bird Trade: Ending Commercial Imports, a scientific case against the keeping of wild birds as pets.90

In a 1991 investigation that transcended national borders, HSUS staff members generated useful evidence in support of the campaign for an immediate halt to the trade in imperiled species. The HSUS’s work in Honduras demonstrated how the U.S. failure to prohibit the importation of birds consistently undermined the efforts of those nations that were making sincere attempts to halt bird exports. The HSUS went on to play a crucial role in the passage of the U.S. Wild Bird Conservation Act of 1992 (WBCA), which banned importation of parrots and other birds listed on the CITES appendices. Unfortunately, the Department of the Interior continued to permit the importation of more than one hundred species of wild-caught birds listed on CITES Appendix III (a unilateral listing by a so-called range state of its own species). The HSUS and Defenders of Wildlife joined in a successful lawsuit that forced the Interior Department to comply with the WBCA by banning the traffic in birds listed on the CITES appendix.91

Sustainable Use and the Slaughter of Animals
In 1972 The HSUS sent General Counsel Murdaugh Madden to the United Nations Conference on the Human Environment in Stockholm, Sweden, to see if he could place concern for animals on the agenda of the international environmental community. While at the sessions,
Madden grew disturbed over repeated recommendations that developing nations seek to attract tourists by either introducing or increasing hunting opportunities within their borders. "[When] it came to animals," Madden reported, "the only concern voiced was for the urgency to use wild animals as a means of building national economies." 

Two decades later the trend Madden identified had become an unmistakable threat to animals in all parts of the world. During the 1990s the HSUS became aware of rising numbers of animals, including endangered species, being killed by American hunters in other nations. In "Big Game, Big Bucks," a special report, HSUS Wildlife staff members Teresa Telecky, Ph.D., and Doris Lin tracked the alarming 71 percent rise in trophies taken between 1990 and 1993 and the shocking number of endangered animals included in those figures. A relaxed policy of acceptance by the American government and the proactive safari hunting agenda of several hunters' organizations spelled disaster for other nations' wildlife.

The publication of John Hoyt's *Animals in Peril: How "Sustainable Use" Is Wiping Out the World's Wildlife* (1996) marked The HSUS's increasing focus on safari hunting dressed up as good conservation practice. The claim that trophy hunting generated income for communities in need resulted in several misguided programs that diverted badly needed U.S. Agency for Development (USAID) funds into safari hunter boondoggles as part of sustainable development approaches to helping other nations.

In 1997 The HSUS launched a successful effort to end USAID support for Zimbabwe's CAMPFIRE (Communal Areas Management Program for Indigenous Resources), an initiative that promoted both trophy hunting of elephants and ivory trading as a means of generating income for local communities. HSUS Government Affairs and Wildlife staff persuaded representatives and senators to block the diversion of funds from the African Elephant Conservation Act to CAMPFIRE. The HSUS issued a special report on CAMPFIRE to document the program's known flaws and its threat to the long-term health of elephant populations and African communities. Along with the International Fund for Animal Welfare (IFAW), The HSUS sponsored the first Pan-African Symposium on Non-Consumptive Approaches to Wildlife Conservation.

In a related publicity campaign, The HSUS exposed the story of a wealthy American hunter whose trophy lust drew the Smithsonian Institution's National Museum of Natural History (NMNH), into a shocking evasion of the ESA's prohibition against the importation of trophy kills of endangered species. After accepting a $20 million donation from Kenneth Behring, the museum administrators obsequiously moved to apply for scientific permits covering the importation of his most recent rare kills. "[It is] inappropriate," John Grandy charged in a widely publicized letter of condemnation, "for the Smithsonian to contribute to the further endangerment of these subspecies." The HSUS's protests reached a nationwide audience even as the Smithsonian struck bargains that placed Behring's name not only on the NMNH's Hall of Mammals but also on the Smithsonian's National Museum of American History building.

Given the attention accorded to market-driven hunting as a problem that typically depleted the endangered animal populations of other nations, there was a special irony in the fact that during the 1990s it became a serious threat to animals in the United States. As bears were pushed ever closer toward extinction in the drive to meet the lucrative market demand for traditional Chinese medicines incorporating bear gall bladders, The HSUS took the fight to the U.S. Congress, where legislators approved an amendment to the 2002 farm bill that would have effectively halted this unlawful activity. Like the other animal-friendly measures in that year's farm bill, however, it, too, fell victim to the political chauvinism of a handful of House conferees determined to scuttle animal-friendly measures irrespective of the support that congressional colleagues had demonstrated through their earlier votes in both the House and Senate.
Marine Mammal Protection

One of the most important developments in animal protection in the post-1950 period was the heightened public interest in marine mammals, especially dolphins and whales. Sensitive, highly intelligent, and charismatic animals, they were the favored subject of documentaries and television programs and became iconic fixtures in American popular culture. At the same time, marine mammal species were under extraordinary pressure from commercial exploitation, pollution, trophy hunting, and government-sanctioned predator control.

The HSUS established early ties to the issue in 1957 when longtime supporters Edith Goode and Alice Morgan Wright initiated efforts to get a U.N. conference working toward a Law of the Sea treaty to adopt a conservation provision to ensure that commercial killers of marine life use humane methods of slaughter. In 1958 their effort bore fruit, as a special subcommittee of the U.N. Conference on the Law of the Sea adopted a resolution asking states "to prescribe, by all means available to them, those methods for the capture and killing of marine life, especially of whales and seals, which will spare them suffering to the greatest extent possible."98

While The HSUS did not pursue an active program of marine mammal protection, chief investigator Frank McMahon was among the first humane advocates to investigate the Pri-bilof seal cull, first going there in 1968. After McMahon’s death in 1974, The HSUS continued to work to limit the cruelties of the annual slaughter he had helped to bring to light. Frantz Dantzler and John Grandy also witnessed the event in subsequent years. The HSUS would play the lead role in the seal slaughter’s ultimate demise.

The HSUS developed a steadier presence in the arena of marine mammal protection after Patricia Forkan joined the staff in 1976, and she represented the organization in virtually every battle over the fate of whales, dolphins, and seals. In 1981, after three years of intense lobbying and the support of sympathetic officials, Forkan’s campaign to legitimize the policy option of not exploiting marine mammals found its way into the Law of the Sea via Article 65: "Nothing…restricts the rights of a coastal state or the competence of an international organization, as appropriate, to prohibit, limit, or regulate the exploitation of marine mammals more strictly than provided for….States shall cooperate with a view to the conservation of marine mammals and in the case of cetaceans shall in particular work through the appropriate international organizations for their conservation, management, and study.” From that time forward, Forkan kept The HSUS in the forefront of battles to save marine mammals worldwide.99

In 1993 The HSUS hired its first marine mammal scientist, Naomi Rose, Ph.D., making it possible to provide not only strong advocacy but also enhanced technical and scientific expertise in support of its efforts to address issues that continued to gain status as an organizational priority. The HSUS’s marine mammal program—once a dream of Goode and Wright—was engaged in a full program of advocacy for whales, dolphins, seals, and other animals.100

Save Whales, Not Whaling

Most of the post-1970 battles over whaling were fought within the deliberative sessions of the International Whaling Commission (IWC). Founded in 1946 to control commercial whaling, by the early 1970s, the IWC had become the center of debates over conservation, preservation, and appreciation of whales. Because the IWC had no enforcement authority, the pressure of individual governments in ensuring compliance by other nations was essential to progress.101

In 1971 the U.S. Congress enacted the Pelly Amendment, which gave the president the
power to place an embargo on the fish products of those nations whose citizens conducted any whaling that undermines international conservation goals. The original ESA restricted importation of sperm whales. In 1973 the ESA was amended to prohibit all exports as well as interstate commerce.

The first call for an international moratorium on whaling came in 1972, and in 1974 the HSUS board voted to endorse an economic boycott of one whaling nation, Japan. After Patricia Forkan joined the staff two years later, she regularly attended meetings of the IWC, something she had done since 1973. Most groups working on the issue, like The HSUS, sought a total prohibition on whaling. With synthetic or natural equivalents available for virtually every product derived from whales, they argued, the balance ought to shift in favor of such extraordinary animals.

In 1979 The HSUS pushed hard to ensure the successful passage of the Packwood-Magnuson Amendment, which denied fishing rights within the United States’ two-hundred-mile limit to any nation that failed to support the international agreement on whale conservation. In 1981 whale campaigners took encouragement from the approval of a “near-moratorium” on the taking of sperm whales. However, the whaling nations of Japan, Norway, and Iceland filed objections to the IWC’s proposed 1983 phaseout of the cold harpoon for killing minke.

In 1983 The HSUS participated in the first Global Conference on the Non-Consumptive Utilization of Cetacean Resources. This benchmark event introduced whale watching as an economic alternative to whaling. It drew upon the principle embodied in Article 65, the measure Patricia Forkan had championed—that a coastal nation could legitimately decide not to use marine mammals consumptively or view them as a resource to be harvested.

In 1985 The HSUS responded to the American government’s deal with Japan allowing that nation’s whalers to hunt sperm whales for another four years by co-sponsoring a successful lawsuit to invoke the sanctions called for by the Packwood-Magnuson Amendment. That same year The HSUS participated in the “Boycott for the Whales” campaign, an international coalition that targeted Japan Air Lines (JAL), in which the Japanese government held a 40 percent stake. HSUS Whale Campaign Coordinator Campbell Plowden toured major cities with a twenty-five-foot-long humpback whale balloon, presenting a multimedia presentation and staging protests outside of JAL ticket offices.

The third prong of the 1985 campaign involved the mailing of more than one million pieces of direct mail targeting the fish products sold by the whaling nations of Iceland, Japan, Norway, and the Soviet Union. The HSUS also distributed hundreds of thousands of wallet-size cards promoting the fish boycott. There was some good news that year: the Soviet Union announced its decision to “temporarily” halt its whaling activities after the 1987 season. Glasnost, it seemed, had wrought a change in Soviet whaling policy.

Finally, in 1986 the indefinite moratorium on commercial whaling went into effect, on the narrow basis that the IWC lacked sufficient information to manage whale populations.
properly. However, Icelandic whalers continued to slaughter fin and sei whales for commercial profit, under the guise of scientific research; they were, literally, studying whales to death. This set the stage for a heated debate at the 1987 IWC meeting that resulted in the passage of a resolution establishing stringent criteria for the killing of whales under research exemptions. In 1988 a consortium of organizations, including The HSUS, filed suit against the U.S. departments of Commerce and State for failure to enforce domestic laws, including the Pelly Amendment to the Fisherman’s Protective Act and the ESA. The lawsuit focused on Iceland’s continuing contravention of IWC prohibitions against commercial whaling. But The HSUS did not let it rest there. Counting on the fact that whaling for scientific advancement would subside if the resulting whale products could not be sold, The HSUS pushed for a boycott of Icelandic fish products. The HSUS initiated a public boycott of several major restaurant chains that led at least one of them to halt purchases of Icelandic fish.107

The HSUS was also active in the protests against the slaughter of thousands of pilot whales in the Faroe Islands, midway between Scotland and Iceland. The Faroe hunt was outside the jurisdiction of the IWC and expanded during the 1980s without any concern for its impact on the whale populations of the North Atlantic.108

The HSUS called for an economic boycott of Norway in 1993, after that nation defied the IWC by killing approximately 300 minke whales. At about the same time, the U.S. Congress passed unanimous resolutions calling upon the federal government to oppose any management scheme through the IWC that proposed commercial whale hunting. Unfortunately, the optimism created by the congressional resolutions was dashed by the evidence that the Clinton administration was quietly engineering a reversal in U.S. antiwhaling policy, easing Norway’s resumption of whaling by refusing to impose sanctions of any kind.109

Even so-called sanctuary programs threatened animals. The HSUS worked hard to challenge a 1998 proposal that would have fully authorized whaling within a country’s two-hundred-mile coastal zone in exchange for the establishment of a whale sanctuary on the high seas.110

The HSUS opposed the proposal to resume the Makah tribal hunt of whales in 1998 because the Makah initiative did not fit the IWC criterion for aboriginal whaling. The HSUS rejected the charge of “eco-colonialism” leveled by proponents. Not to oppose it, HSUS representatives argued, would have opened the door for “cultural whaling” arguments by Japan (which gave funds to the tribe in support of its plans) and others.111 Clinton eventually failed to impose sanctions, while chiding Japan for its pursuit of policies that undermine the developing global consensus in support of sanctuary programs.112

In 2000 The HSUS also went to court to force the National Marine Fisheries Service to take steps to protect the beleaguered right whale, a species whose survival was threatened by death and injury.113

The organization was vigilant in its efforts to keep America’s marine parks from participating in the international captive marine mammal trade. The HSUS generally disputed the legitimacy of claims that marine parks serve a genuine educational function, arguing that they capitalize upon, rather than enhance and mobilize, public concern about the plight of marine mammals worldwide.
In 1991 The HSUS joined other groups in a lawsuit challenging the permit awarded to Chicago’s Shedd Aquarium for the capture of four whales for public display. Less than two years later, two of the whales were dead.114

The HSUS’s campaigns to help the plight of whales in captivity led to direct involvement with the rescue and rehabilitation of Keiko, whose circumstances in captivity came to world attention with the film Free Willy. HSUS support for the project focused on the development of knowledge, experience, and protocol for rescue, rehabilitation, and release of captive and stranded whales and dolphins.115

At the turn of the twenty-first century, marine mammal protection still required determined vigilance against international efforts to circumvent or remove prohibitions and restraints on whaling. Commercial whaling was on the rise, and The HSUS stepped up its efforts to promote strengthening of the moratorium and collaboration with other organizations committed to whale protection. Japan and Norway were still actively engaged in efforts to undermine international agreements, and the Japanese continued to exploit the “scientific research” loophole to justify the killing of whales. In 2002 The HSUS directly challenged Japan’s “checkbook diplomacy” at the Shimonoseki meeting of the IWC, defeating Japanese proposals for an open season on whales. However, vote-buying did prevent whale protectionists from securing the three-quarters majority necessary for the establishment of whale sanctuaries in the South Pacific and South Atlantic oceans.116

Since confronting the plight of whales in the mid-1970s, The HSUS has argued consistently that the nations of the world should end their political and economic support for whaling in favor of a program of continued preservation of whales for their own sake and for the benefit of future generations. The contemporary HSUS agenda, advanced through its U.N. and Treaties department and the “Save Whales, Not Whaling” campaign, remains one of seeking to transform the IWC into a sponsor of sanctuary programs for whales, not the arbiter of quotas for their continuing destruction.117

Dolphins, Porpoises, Drift Nets, and Death

In 1972, under citizen pressure, the U.S. Congress passed the Marine Mammal Protection Act (MMPA), which mandated that the tuna industry reduce its kill of porpoises to near-zero within two years. The industry did not comply, and after several skirmishes in court and legislature, The HSUS joined other groups in an international boycott. In 1976 The HSUS asked members to boycott tuna products in response to the massacre of porpoises in tuna nets during the 1960s and early 1970s, during which time the annual slaughter reached upwards of three hundred thousand.118

In 1977 Patricia Forkan testified at Senate oversight hearings on the MMPA, reiterating The HSUS’s long-standing commitment to an immediate imposition of the standard of zero mortality and injury rate on the American tuna industry. The MMPA had posited as an immediate goal that incidental killing or serious injury of marine mammals during commercial fishing operations be reduced to zero. Five years later, however, the National Marine Fisheries Service was still setting permissible kill quotas that totaled tens of thousands. During a series of 1977 hearings, HSUS attorneys cross-examined government officials on the feasibility of promulgating new methods that would ensure the drastic reduction of porpoise mortality.119

For some years after that, the American tuna industry fished under a special government permit, allowing no more than 20,500 porpoises to be killed each year and mandating that federal observers monitor the kill. Beginning in 1981 The HSUS pushed for federal support for a program to develop equipment and techniques designed to reduce porpoise mortality to near zero, but both this program and the mandate for federal observers came to a standstill.120

In 1972 the American tuna fleet was the largest of any nation’s and was responsible for more than 85 percent of dolphin deaths worldwide. While measurable reduction in dolphin
kills occurred until 1981, the tuna industry’s efforts to adulterate the MMPA succeeded, and the U.S. Congress amended the act to permit an annual kill of 20,500 dolphins in tuna nets. This marked the erasure of the MMPA’s original zero mortality goal.121

By this time, research and experience had amply demonstrated the devastating impact of drift nets on the web of marine life. Their indiscriminate plastic mesh filaments trapped porpoises, seals, sea lions, dolphins, and a variety of sea birds, especially shearwaters and puffins. In 1986 The HSUS and other organizations fought hard to limit the scope of a permit issued to Japan by the National Marine Fisheries Service. The permit covered the incidental death toll of marine mammals caused by the activity of the Japanese salmon fishing industry in U.S. waters.122

In 1988, after environmental advocate Sam LaBudde’s videotapes of dolphins’ suffering and death in tuna nets shocked the world, The HSUS renewed its call for boycotts of tuna products and adopted a “get tough” approach in its dealings with government agencies to ensure that the dolphin-kill quota be dramatically reduced to near-zero levels, that alternative methods of catching tuna be adopted, and that the United States refuse to permit the importation of tuna from any country that could not prove its compliance with U.S. marine mammal protection laws. Patricia Forkan, watching a television profile of swimmer Matt Biondi, then in the midst of winning five gold and two silver medals at the 1988 Seoul Olympics, learned that Biondi was strongly interested in dolphin protection. She contacted his manager, and, before the Olympics ended, Biondi had already written letters concerning dolphin protection to his senator, Alan Cranston (D-CA). Biondi subsequently appeared in poster material for the HSUS campaign to save dolphins and worked actively with HSUS staff in attempting to influence negotiations on reauthorization of the MMPA. The LaBudde film helped dolphin protection advocates to secure amendments to the MMPA, which set a limit of 20,500 purse-seine net deaths per year.123

In April 1990 H.J. Heinz, owner of the Starkist Seafood Company, the largest tuna canner in the world, announced that it would no longer buy or sell tuna products that resulted in dolphins’ deaths. Bumble Bee and Chicken of the Sea followed suit, and Congress subsequently approved legislation to prohibit the use of the term, “dolphin-safe,” on tuna cans if the tuna was caught with purse-seine nets.124

Advocates took heart in the substantial decrease in annual dolphin deaths that ensued. A new threat loomed on the horizon, however, with the advent of new opportunities for other nations to challenge animal-friendly legislation as protectionist trade practices impermissible under global trade agreements like the General Agreement on Tariffs and Trade (GATT) and the World Trade Organization (WTO). Mexico launched aggressive efforts to do so, challenging 1990’s U.S. Dolphin Protection and Consumer Information Act. The European Community followed suit with a complaint that the United States’ secondary embargo against Italy was a violation of free trade.125

In 1993 The HSUS helped to secure the passage of the International Dolphin Conservation Act, which set the stage for an international agreement with key foreign countries to end the intentional slaughter of dolphins. The addition of Naomi Rose provided not only strong advocacy but also technical and scientific expertise in support of HSUS efforts to prevent capture from the wild, trophy killing, and unrestrained predator control.126

The appointment was a timely one, for the Clinton administration quickly committed itself to bartering away animal protective laws to improve trade relations, and dolphins became some of the first victims of the new free-trade agreements to which the United States became a signatory. The Clinton administration worked with tuna fishermen from Mexico,
Colombia, and Venezuela to weaken dolphin protection laws. In 1995 this collaboration culminated in the Panama Declaration—a bailout of Mexico that came at the expense of dolphins, by ending the ban on dolphin-deadly tuna and revising the definition of “dolphin-safe.” In the bitter fight that ensued, The HSUS and its partner organizations turned back congressional initiatives that sought to implement the Panama Declaration by amending the three major U.S. laws protecting dolphins. 127

In 1996 The HSUS celebrated a decision in the U.S. Court of International Trade in which the American government was found to be in violation of the High Seas Driftnet Fisheries Enforcement Act for not enforcing sanctions against Italy for its fishermen’s violations of drift net standards. The HSUS had been lead plaintiff. 128

In 1997 The HSUS was unable to defeat the passage of dolphin-deadly legislation in the U.S. Congress. The International Dolphin Conservation Program Act permitted the chasing and harassing of dolphins (which results in dolphin deaths). Many conventional environmental groups backed the measure, once more underscoring the chasm that separates them from The HSUS when it comes to protecting animals’ lives.

The blow was compounded in 1999, when the Clinton administration embraced significantly weakened standards for the dolphin-safe label adopted in 1990, after long years of campaigning by The HSUS and others. From then on, the dolphin-safe label was available for use by those companies marketing tuna caught by setting purse-seine nets on dolphins. The only consolation came from the announcement by three major companies—Bumblebee, Chicken of the Sea, and Starkist—that they would continue to engage in the dolphin-safe fishing practices that the dolphin-safe label originally signified. 129

During the final decade of the twentieth century, The HSUS also became increasingly involved with the plight of captive dolphins and took a firm position against their capture for public display and entertainment. Staff members participated in two reintroduction projects, which brought unfamiliar challenges and all too familiar vexations about the commitment of other institutions and organizations to appropriate rehabilitation and release. 130

Sealing

The HSUS first took a position against the slaughter of seals in an annual meeting resolution approved in 1960. In spring 1961 it asked the U.S. Department of State to use its influence within the International Commission for Northwest Atlantic Fisheries to reduce the killing of harp and hood seals and to push for the adoption of humane methods of killing. 131

In 1967 the organization began to agitate actively against seal culls, organizing pressure in both Canada and the United States to influence the Canadian Minister of Fisheries to reduce and reform the annual seal slaughter in the Gulf of St. Lawrence. In 1968 HSUS experts, including Frank McMahon, joined Brian Davies of IFAW in Alaska’s Pribilof Islands to explore the possibility of using humane methods to catch and destroy seals taken in an annual kill. 132

McMahon was part of a U.S. Department of the Interior task force that went to the Pribilof Islands in search of humane methods for conducting a cull there. The group tested several methods of killing, including carbon dioxide, electricity, the Schermer concussion bolt stunner, a penetrating bolt pistol, and .22 caliber rifle fire using nontoxic pulverizing cartridges. 133 The HSUS continued to send staff members to observe the seal kills and to stop some of the abuses attending the slaughter during the 1970s. 134 The HSUS submitted reports on the hunts to the federal government in an attempt to press for immediate relief measures on the part of the Department of the Interior. While humane advocates opposed clubbing seals to death, they generally restricted their opposition to promoting reforms in the process of herding and slaughtering the animals. Under the 1911 Northern Pacific Fur Seal Treaty, the seals were protected by strict controls, and an end to the Pribilof Islands hunt would have broken the treaty, allowing pelagic sealing—the taking and killing of animals on the open seas—to resume. 135
In 1972 The HSUS urged a ten-year ban on the killing of seals and the importation of products made from them, and, happily, the clubbing of seals came under the MMPA, passed that same year. The MMPA called for a moratorium on the capture and/or killing of marine mammals and marine mammal products but included broad exemptions for scientific research, public display, and native use. While it helped to stop the importation of some seal products, the MMPA did not stop the taking of North Pacific fur seals, who were not covered by the moratorium because the international fur seal treaty covering their treatment superceded the MMPA. The U.S. Department of Commerce assisted American fur processors by issuing waivers to the moratorium.136

By the mid-1970s The HSUS was a principal actor in international efforts to suppress clubbing seals to death. In 1975 staff members sought to oppose the importation of pelts into the United States on the grounds that they were killed inhumanely.137 Sue Pressman’s efforts to document the 1976 kill in South Africa provided crucial support to the campaign, as she testified before government and judicial officials. In 1977 the U.S. Court of Appeals ruled that the government’s decision to waive the ban on importation of South African baby fur seal skins violated the MMPA. Pressman also monitored the Canadian harp seal hunt in 1978, gaining a rare observer permit. She was, however, denied the right to take photographs or interview any of the hunters. By 1980 The HSUS could claim the distinction of being the only animal organization in North America to have observed and evaluated firsthand the three major seal hunts conducted in Canada, South Africa, and the United States.138

In 1981 the 1911 treaty under which the United States, Russia, Japan, and Canada agreed to halt the practice of open sea (pelagic) sealing that jeopardized the fur seal herd to the point of extinction came up for a renewal vote in the U.S. Senate. The HSUS took on the Sierra Club, the Audubon Society, the National Wildlife Federation, and the Reagan administration in an effort to persuade the Senate to reduce the number of fur seals clubbed by native Aleuts in the Pribilofs by 70 percent. The HSUS celebrated March 1, 1981, as the International Day of the Seal, sponsoring a concert by musician Paul Winter at St. John the Divine Cathedral in New York City as part of its campaign to gain support for the congressional initiative. This celebration of the season of the seals’ birth, jointly organized with Paul Winter, became an important annual ritual in The HSUS’s antisealing campaigns.139

That same year The HSUS successfully defeated an amendment to the MMPA sponsored by Representative John Breaux (D-LA) that would have permitted the importation of seventy thousand cape fur seals from South Africa. At MMPA reauthorization hearings, Patricia Forkan squared off with representatives of Fouke Fur Company, the principal processor of furs taken from seal pelts in both the South African and Pribilof culls.140

In 1983 John Grandy initiated a campaign to end the slaughter of North Pacific fur seals. Among the first major actions of the campaign, The HSUS prepared for and solicited participation by five other groups in a legal petition to the U.S. Department of Commerce to end the slaughter by having the fur seal declared a threatened species under the ESA. On June 15, 1984, just after the federal government announced that the seal cull would go forward that year, The HSUS joined IFAW and The Fund for Animals
in a lawsuit charging that the Pribilof killings would violate the Fur Seal Act, the Marine Mammal Protection Act, the 1911 treaty that purportedly protected the seals, the National Environmental Policy Act, and the Administrative Procedures Act. The lawsuit failed; the federal district judge hearing the case ruled on June 28 that the fur seal treaty “assumes that seals will be killed.”

Days later Grandy went to the Pribilof Islands for the first time to observe the slaughter firsthand. Grandy spent a large part of his time interacting with Aleut leaders and trying to understand their view that the killing represented useful and productive work for their people. Even so, an economic analysis of the Commerce Department’s arrangement with the Aleuts left him convinced that the slaughter was mainly a form of “thinly veiled social welfare.”

In 1985 The HSUS placed special emphasis on the North Pacific fur seal. On March 1, 1985, the fifth annual Day of the Seal, The HSUS organized a demonstration against the American seal hunt. Staff members and supporters surrounded the U.S. Department of Commerce with petitions containing one hundred thousand signatures from citizens who supported a prohibition on sealing on the Pribilof Islands. Later that year The HSUS retained former U.S. Senator Paul Tsongas to lobby on the issue; his help ensured the support of forty-four senators for a letter to the Secretary of State denouncing the North Pacific Fur Seal Treaty. Two HSUS vice presidents testified before the Senate Foreign Relations Committee in opposition to the renewal of the treaty, and the committee took no action.

The result of The HSUS’s efforts was to drastically reduce the overall kill. There was no kill in 1985, and in 1986 only 1,348 seals were killed, all for subsistence—none for commercially valuable products. In two years, Grandy estimated, the campaigns had saved more than 38,000 seals from destruction. To accomplish this, The HSUS had mailed out millions of pieces of mail, filed a suit in the U.S. District Court, and placed newspaper advertisements across the country.

In 1988 the Canadian government announced that it would ban the commercial slaughter of harp seal pups, the culmination of a long struggle in which The HSUS had done its part. Boycott pressure and a resulting decline in image removed all incentives for continuing the slaughter.

At the end of the twentieth century, the numbers of seals clubbed in the Pribilofs declined to approximately a thousand per year, and with the passing of those generations of Aleuts who pursued it extensively, seal clubbing promises to dwindle away there in the future. As late as 1992, The HSUS attempted to limit the permissible killing of Pribilof fur seals on the basis of subsistence claims, but it has not attempted any similar action of late. During the course of The HSUS’s activism on this issue, the seal kill in the Pribilofs fell from its historic highs of 120,000, to 40,000, to its current low estimates.

Sealing was by no means gone from The HSUS’s agenda as the organization neared its fiftieth anniversary, however. In 2002 the world witnessed the largest slaughter of marine mammals in Canada since 1967, with a reported kill of more than 307,000. This number exceeded the Canadian government’s own quota by more than 32,000 animals. Even more disturbing, Canada announced quotas for seal kills for the following three years—some 350,000 seal pups would be slaughtered each year, a total in excess of one million. In 2003 The HSUS launched a marine mammal protection campaign that rivaled the one it had waged in the early 1980s. The campaign included advertisements in Business Week and the New York Times.
Times that called upon Americans to use their economic influence to persuade Canada to end the hunt. The HSUS also commissioned a public opinion survey that found that most Americans opposed the seal kill as a needless slaughter. Some 67 percent of those polled thought it important enough that they would be willing to change their plans rather than vacation in Canada so long as the killing continued.

**Conclusion**

During the late 1970s, Yale School of Forestry researcher Stephen R. Kellert, Ph.D., working under grants from the U.S. Fish and Wildlife Service, conducted exhaustive survey research on public attitudes, knowledge, and behavior concerning wildlife. HSUS staff members served on the project’s external advisory board, along with representatives of the Environmental Defense Fund, the National Wildlife Federation, the League of Women Voters, the NAACP, and the AFL-CIO.

Kellert interviewed Americans about their knowledge of animals, their participation in animal-related activities, and their beliefs concerning specific wildlife issues, including endangered species, predator control, hunting, habitat protection, population management, and trapping. The surveys also tested Kellert’s typology of attitudes toward animals, the most common of which were the humanistic, moralistic, utilitarian, and negativistic/neutralistic. Together, and in active contention with one another, Kellert reported, these attitudes provided "the dynamic basis for the conflict and misunderstanding existing today over various issues involving people and animals."

The mere participation of nonhunting constituencies in the development and execution of the Kellert surveys generated a firestorm of protest. Political pressure from members of the U.S. Senate forced the creation of advisory committee slots for representatives of the National Rifle Association and the American Farm Bureau and limited the impact of the committee, which met just once and did not strongly influence Kellert’s project.

Political pressure did not influence the survey outcomes, however, which provided the humane movement with encouraging signs of a shift in the direction of humanistic and moralistic attitudes against the traditional utilitarian outlook that underpinned American wildlife policy at virtually all levels. Only 18 percent of the survey population found nothing wrong with the use of steel-jawed leghold traps to capture animals, and 65 percent of those surveyed indicated that they were willing to pay more for tuna fish rather than see the industry continue to kill dolphins and porpoises in its nets. Only 35 percent of the informed public favored shooting and trapping coyotes, and just 8 percent favored the use of poisons to destroy them.

The Kellert studies revealed a significant shift in public attitudes that was crucial to the rise of concern for wild animal and marine mammal populations. Yet, it was not a coincidence that The HSUS thrived as a wildlife and marine mammal advocacy organization from the 1970s on, especially after 1980. It was the result of a determined commitment to advance wildlife concerns in an ever-improving climate of public opinion. By 2004 the program work that had begun decades earlier with John Hoyt’s hiring of Sue Pressman, Patricia Forkan, John Grandy, and others had become one of The HSUS’s largest sections. Staff specialists within the Wildlife and Habitat Protection section helped to situate The HSUS as a significant player in the network of nongovernmental organizations devoted to wildlife and marine mammal concerns. Through the work of Natasha Atkins, John Hadidian, Sue Lieberman, Tony Povilaitis, Naomi Rose, Allen Rutberg, and Teresa Telecky, and many others, The HSUS gained stakeholder status and assumed responsibilities in an array of working coalitions devoted to North American and international wildlife and marine mammal concerns. It sponsored its own research program in wildlife contraception and an array of initiatives devoted to nonviolent resolution in perceived arenas of conflict between human and animal interests. The HSUS was not just any voice for wildlife; it was a strong one.