



INFORMATION REPORT

ANIMAL WELFARE INSTITUTE

P.O. Box 3650 Washington, D.C. 20007

January, February, March, 1977

Vol. 26, No. 1

ROSTROPOVICH BENEFIT CONCERT FOR ANIMALS

On March 28th, the world's greatest cellist Mstislav Rostropovich, will play Bach, Brahms, Rachmininoff, and Prokofiev for the benefit of Monitor, Inc., a coalition of conservation and humane groups concerned with the protection of marine mammals and endangered species. The concert will take place at 8:30 P.M. in the Concert Hall of the John F. Kennedy Center for the Performing Arts in Washington, D.C.

The twenty-two member organizations of Monitor include the Animal Welfare Institute, Friends of the Earth, Defenders of Wildlife, Sierra Club, Wilderness Society, Humane Society of the United States, Fund for Animals, and the Society for Animal Protective Legislation. Representatives of the groups meet weekly to take positions on the permit requests under the 1973 Endangered Species Act and the 1972 Marine Mammal Protection Act and to join in actions benefitting the animals covered by these federal laws.

The benefit performance is presented under the patronage of H.R.H. The Prince of Denmark, Sir Peter Scott, Liv Ullman, Jason Robards, and Brigitte Bardot.

Tickets for the concert range from fifteen to fifty dollars, the latter including an invitation to a reception following the concert in the Atrium.

Tickets may be obtained by phoning Instant Charge: 202-466-8500 or writing to:

Monitor, Inc. Suite 931 1346 Connecticut Avenue Washington, D.C. 20036	or	Animal Welfare Institute P.O. Box 3650 Washington, D.C. 20007
---	----	---

RESEARCH AWARDS TOTALLING \$16,000 OFFERED FOR SUCCESSFUL SUBSTITUTES FOR LABORATORY ANIMALS

An international contest for scientists whose research is of immediate benefit to animals was recently announced by the Director of the Felix Wankel and Ernst Hutzenlaub Awards for Animal Protection. The two awards of 20,000 German marks each will be made for original research work. Emphasis is being placed on two major fields: development of alternatives to laboratory animals, and of less cramped quarters for animals in intensive husbandry systems. For details write:

Felix Wankel and Ernst Hutzenlaub Research Awards
Att: H.J. Weichert, Director
Ortlindstrasse 6/VIII
D-8000 Munich 81
Federal Republic of Germany

NEW EDITION OF HUMANE BIOLOGY PROJECTS

High school biology teachers have kept up a demand for the AWI manual *Humane Biology Projects* since it was first published in 1968. It has gone through eight printings.

The new edition, now in press, includes numerous original projects and chapters including "You as the Guardian of Nature" and "You as the Subject of Study". The latter, by F. Barbara Orlans, Ph.D., first appeared in *The American Biology Teacher*. Other authors who have contributed to the 1977 edition of *Humane Biology Projects* include Vagn Flyger, Ph.D., Professor of Wildlife Biology, University of Maryland; Karl Niklas, Ph.D., Associate Curator of Paleo Botany, The New York Botanical Gardens; Dewey M. Caron, Ph.D., Associate Professor of Entomology, University of Maryland, and Kenneth M. Nagler, Chief of Space Operations, Support Division, NOAA.

Teachers who wish to order a free copy may write to the AWI at the address on the letterhead. Others may order copies at

COSTA RICA'S PRESIDENT RECEIVES SCHWEITZER AWARD

The Albert Schweitzer Medal of the Animal Welfare Institute was presented to Daniel Oduber-Quiros, President of the Republic of Costa Rica, on February ninth at the annual meeting of the AWI. Senator Hubert H. Humphrey, who was the 1958 medalist, made a stirring presentation. President Jimmy Carter telephoned President Oduber during the ceremony to extend his good wishes. Over five hundred people, including important government officials, attended the meeting in the Senate Office Building and heard of the magnificent network of national parks which Oduber is largely responsible for creating. It is hoped the Costa Rican example will serve as a model for other nations. In accepting the award, Oduber said, "Costa Rica firmly and emphatically rejects the view that preservation of the natural environment is a concern of the privileged and wealthy nations, and a luxury which poor and developing nations cannot afford. We are a developing nation, and yet we see the preservation and protection of the natural environment as vital to our country. . . . We need no violence against people or nature in order to develop our country and defeat poverty. On the contrary, respect for protection of the environment is as essential to our policy for development as it is inherent to our philosophy."

Senator Humphrey expressed the basic philosophy of the animal welfare movement when he commented on a famous quotation of Schweitzer's: "No one may shut his eyes and think that the pain which is therefore invisible to him is nonexistent." In other words, man is not an island unto himself. Your pain is my pain; mine is yours. The pain that human creatures suffer, other human creatures also suffer, and the pain that animals suffer tends to poison the entire human environment."

President Oduber has not limited his effort to the grand design of the national parks but also gave thought to individual animals captive in the San Jose Zoo and has arranged for them to move to spacious country quarters where they will be seen in near natural surroundings.

The full text of Senator Humphrey's and President Oduber's speeches follow:

Remarks of Senator Humphrey

First, may I explain to our associates here, to our very distinguished and honored guests, that the President of the Republic of Costa Rica left the room only because he is taking a call from the President of the United States, and I'm sure you think that's an appropriate reason for a timely exit. I'll save a lot of the nicer things I was going to say about him until he gets back. In the meantime, he is hearing some very nice things from someone who is very important, the President of the United States, Mr. Carter.

Let me just say how happy I am to participate in this ceremony. My old and distinguished friend, the dean of the diplomatic corps, the Ambassador of Nicaragua, Guillermo Sevilla-Sacasa, is here with us today. We love him very much. The Ambassador who represents the great country of Costa Rica, Mr. Silva, the Ambassador Designate to the Organization of American States, Senator McGee, the Assistant Secretary of State for Inter-American Affairs, Mr. Todman . . . Mr. President, we welcome you back. We understand.

President Oduber, my good friend, and he is a personal friend, I was recalling in the brief moments that we had just before this public gathering, the first time that we had the opportunity to meet. It was in his very beautiful home in Costa Rica a little paradise unto itself, the whole country, and his home a very lovely place. I have looked forward to this day again to greet you and welcome you. How wonderful it is to have you here in the United States. You're welcome any day, any time. The only thing I

**COSTA RICA'S PRESIDENT RECEIVES
SCHWEITZER AWARD**

[continued from page 1]

ask you is, please don't run for office because you're a very popular man in these areas.

I'm honored that the Animal Welfare Institute, ably directed by my friend, Christine Stevens, has asked me to present today its distinguished Schweitzer Award to an outstanding international leader, President Daniel Oduber of Costa Rica. President Oduber is widely known for his political achievements, as leader of the National Liberation Party, as his country's ambassador in Europe and the United Nations, as a member and president of Costa Rica's Legislative Assembly. His election to the presidency in 1974 capped a long and highly successful career in his country's politics. He is a good friend to all of us, a good friend of this hemisphere, and to nations everywhere, particularly a good friend of the United States, he has worked to strengthen constructive ties between our two great countries, and may I say that in these days of tension and uncertainty in this troubled world that we express our thanks to you for your friendship and your understanding.

This ceremony today highlights a lesser known facet of President Oduber's concerns. The Schweitzer Medal awarded to President Oduber today recognizes his efforts in creating an outstanding network of national parks in Costa Rica's forests and coastlands to preserve unspoiled a homeland and refuge for that country's native wildlife, including species that otherwise would disappear. Quite honestly, on my visit to Costa Rica I thought the whole country was a national park, it is so beautiful and so fertile in its soil, a diamond in this hemisphere.

This park development, to which I have alluded, carried out in cooperation with international conservation groups, is a monumental project. The vision and commitment demonstrated by Costa Rica is an example to countries with far greater resources and countries that could well undertake the same kind of activity. Truly, President Oduber deserves our praise, and it is my proud duty and privilege to associate myself with his concern for protecting and preserving wildlife and its natural habitat.

You know, animals do not vote. What is done for their welfare may have no immediate political rewards, but I can tell you there are some spiritual rewards to it. There are not too many organizations that can lobby in their behalf, but some organizations such as the Society for Animal Protective Legislation serve a vital purpose, by constantly reminding us that this globe does not belong to man alone.

Too often, the havoc and cruelty we deal to animals is invisible because no one speaks up in their behalf, and might I add that as we create havoc and cruelty to animals, we tend to be cruel to ourselves. We become accustomed to that kind of behavior. Animals have been unwitting victims of human civilization for centuries. They have been hunted to extinction, they have succumbed to man's thoughtless exploitation of their natural habitat, and they have died from oil spills and waters polluted by industrial wastes, all in the name of social progress.

To accept the suffering and extinction of God's creatures as an inevitable consequence of human progress requires a very narrow, diminished view of man's place in the universe. Mr. President, let me say I serve on the Committee on Agriculture and Forestry of the Senate, and some of the legislation of which I have reason to be justly proud deals with protection of wildlife and preservation of the natural habitat. I am deeply interested in our forests and our range lands because, ultimately, it has been my view the way that the people take care of their land is about the way that people take care of themselves. A country that exploits its resources of land and water and timber generally exploits its people as well. So there is a tie-in here that we should keep in mind. Our rationality should raise us from the level of predator and destroyer to the protector of our fellow living creatures.

Some years back, as Mrs. Stevens has said, I was the proud recipient of the Schweitzer award. It's one of the awards I cherish. You know, in public life, you get all kinds of plaques and so forth, but there are some that have a special meaning. The Schweitzer Award was granted me for my role as chief Senate sponsor of the Federal Humane Slaughter Act passed in 1958. I want to say that despite what Christine has said about how that Act was passed in the Senate, it never would have been passed without the Society for Animal Protective Legislation, without the work of the Humane Society, without Christine Stevens and others, because we Senators have a way of tiring sometimes, of slipping away, you know, of just not sticking to it. She never let me out of sight. I was on target all the time, I'll tell you, and I'm happy that she insisted that I perform my duty.

The debate on this bill was long and arduous and, at times, almost bitter. Yet its purpose was modest. It simply asked that the necessary slaughter of animals for human food be done in a merciful way here in the United States of America, which, by the way, turned out to be to the good of the packing houses, the consumers, the producers, and everyone else. Nobody could

people simply preferred to dismiss the issue from their minds. After all, it was only animals, wasn't it?

At that time, I quoted the great humanitarian Albert Schweitzer, for whom this medal is named. He warned, and I quote him, that "No one may shut his eyes and think that the pain which is therefore invisible to him is nonexistent." In other words, man is not an island unto himself. Your pain is my pain, mine is yours. The pain that human creatures suffer, other human creatures also suffer, and the pain that animals suffer tends to poison the entire human environment. I think we need to keep that in mind. In any case we should never allow our natural human impulses to be blinded by the delusion that dollars and cents are the only criteria for sound public policy. Almost always, such cost benefits hold only at close range; and almost always to rely on them alone is an inadmissible distortion of human values. We see some of this even today in what we call the market place as a nation such as ours tolerates high unemployment, permitting millions of its young never to know the dignity of work and permitting the incredible pain, suffering and indignity to millions of our fellow citizens to be told that there's no place for them in our society. There are some of us who rebel at that thought, and we don't intend to tolerate it one day longer than is possible.

It would be very difficult to place a cash value on the beauties of nature that your system of parks in Costa Rica will preserve. Our own National Parks here in America are a wonder to behold, and at long last we have begun to realize that possibly we need to do more about them instead of just building slabs of concrete and feeling that the well being of the United States is tied up in the color television. Maybe we are now beginning to understand that wilderness areas, preserves, parks, range lands, forests, may save us from ourselves. I can tell you they represent mighty good therapy, and they're cheaper than doctors and hospitals.

It would be difficult to estimate in dollars and cents the suffering spared to helpless creatures that are at the mercy of man. But we know something of the cost of ignoring these values. Respect and kindness toward our fellow living creatures is surely the mark of any civilization that sincerely cares about the quality of life. The careless destruction of any living thing, of animals through deliberate cruelty, or wanton carelessness, erodes the morality of the culture which tolerates it. I can't help but think of how in our housing we have used the bulldozer to rip out God's gift to mankind, beautiful trees that are 100 years old, only to put up a house that will last 20 years before it starts to fall apart. At long last, we're beginning to understand that that nonsense was not only costly, but unforgivable.

There is so much that remains to be done to preserve animal species from extinction, yes, and many other gifts of Nature, to minimize the impact of industrialization on the natural environment and the creatures that depend on it, to avoid unnecessary destruction, cruelty and killing. Killing can become a habit. It can spread from animals to people. The parks you have set aside in your lovely country, Mr. President, are a priceless heritage for your people, and a witness to the humane values that you yourself hold, and of your society.

So, President Oduber, I now want to welcome you to a proud fraternity. All of us who have been honored to receive the Schweitzer Award must consider it one of our most cherished trophies. Since you have traveled from Costa Rica expressly here for this presentation, I know that you truly appreciate its real value.

On behalf of the Animal Welfare Institute, Mr. President, and all of us who have worked for the welfare of animals, I am proud to present you with the Schweitzer Award for 1976.

Remarks of President Oduber

Senator Humphrey, Mrs. Stevens, ladies and gentlemen, I am deeply moved by the very fact of being here with you and having the privilege of seeing you again, my dear friend, Hubert Humphrey. He has always been an inspiration for many Latin Americans who have followed his career, and being able to be with him and receive from him this Award, makes me really overwhelmed by this occasion and by this act. Thank you, Senator, not only for the privilege you give me by being with me at this moment, but for everything you have done for Latin Americans.

The honour which you do me today is a real and valued tribute to the Costa Rican people and an encouragement to us in our effort to preserve and maintain our country's natural heritage.

For me the significance of this occasion goes even further. While honouring what Costa Rica has been able to do in the field of preservation of the natural environment you are also vindicating and honouring something which I can only call the philosophy and convictions of our nation. In an age in which violence dominates the news from much of our hemisphere and in which brute force seems to be the basic arbiter of conduct both among and within nations, our Costa Rica strives to maintain something at the same time priceless and unsensational: a deep and heartfelt abhorrence of violence. This is translated, at the most obvious level of institutions, in our deep respect for

militarism (the armed forces having been abolished since 1948). Concern for human rights is a cherished value of the Costa Rican people. Our respect for nature, and our willingness to take concrete steps to preserve our natural heritage from human depredation, follows naturally from this philosophy. A political tradition which honours diversity and respects dissent leads naturally to a rejection of violence and anarchy in the protection and development of the natural environment, and to measures which safeguard and protect that heritage. Our respect for our people today extends to future generations and our respect for diversity within human society extends to a desire to maintain and preserve the diversity of nature.

This is why Costa Rica firmly and emphatically rejects the view that preservation of the natural environment is a concern of the privileged and wealthy nations, and a luxury which poor and developing countries cannot afford. We are a developing nation, and yet we see the preservation and protection of the natural environment as vital to our country.

Conversely, I believe that where nations have shown little or no respect for the environment and where the natural environment has been ruined or lost in an over-hasty and uncoordinated exploitation of the Earth's resources, human relations inside those nations are also likely to be characterized by a lack of respect for individuals and for human rights.

We need no violence against people or nature in order to develop our country and defeat poverty. On the contrary, respect for protection of the environment is as essential to our policy for development as it is inherent to our philosophy.

We see practical benefits from nature conservation in the raising of the quality of life of our people and the improvement of education and culture, including the pursuit of scientific research.

We began our efforts in 1970 with a programme to establish national parks and reserves to preserve representative woodlands; this programme now includes twelve units encompassing a total of 127,000 hectares, or 2.5% of our national territory. We estimate, however, that in order to preserve an inviolate sample of each of the country's twelve life zones no less than 5% of the Costa Rica territory must be set aside as national parks. Together with the already declared and to be declared forest reserves, this would bring the total of preserved area in Costa Rica to 25% of the national territory, a figure which coincides with the advice of our ecologists.

Some of Costa Rica's national parks are of great international significance because of the uniqueness of their ecosystems and natural resources, or because they harbor endangered species of plants and animals. The Volcan Poas National Park has one of the world's few active volcanoes accessible to visitors year-around by road up to the crater; the Santa Rosa National Park is the only protected area representative of tropical dry forest vegetation in Central America; the newly established Chirripo National Park is the most westerly-lying paramo in the American tropics; the Monteverde Cloud Forest Reserve protects mid-altitude rain forests of extraordinary biological diversity and scenic beauty; the Tortuguero National Park includes the last important nesting beach of the Caribbean Green Turtle; and the recently established Corcovado National Park is one of the few regions in the world that effectively protect a large area of undisturbed tropical rain forest and its associated wild life. Among the endangered species that find shelter in these and other parks in Costa Rica are the manatee, Baird's tapir, jaguar, hawksbill turtle, giant anteater, titi monkey, the lovely quetzal and many other species.

To continue this work, and to reach our target of conserving 25% of our national territory can be expensive. Nevertheless we are determined to press on with our programmes. I was interested to hear recently that a group of United States conservation organizations has recommended amendments to the U.S. Foreign Aid Law which would permit the Agency for International Development to assist developing nations to protect the environment and natural resources. This could be a positive development for us in Costa Rica.

My friends: I am convinced that the pressures and demands on the natural environment in the next decade will be enormous, especially in the developing world. This is why it is essential that we should face the challenges of the future with clearly thought out policies and philosophies, policies to increase co-operation and justice and promote order in the conservation and preservation of our planet.

This award to me recognizes the steps we have taken in Costa Rica and is an enormous encouragement to us. We are truly grateful. But we harbour no illusions about the work that still remains to be done.

Thank you.

MODEST HELP FOR DOLPHINS FOUGHT BY TUNA INDUSTRY

Final regulations were promulgated February 14, 1977 by the Director of the National Marine Fisheries Service setting a quota

for purse seining in the Eastern tropical Pacific Ocean and specifying certain requirements aimed at reducing dolphin deaths.

For the past three years, the U.S. purse seine fleet has killed some 100,000 of the marine mammals annually, failing to meet the goal set by the Marine Mammal Protection Act of "insignificant numbers approaching zero mortality and serious injury rate." However, the recent cruise of the seiner "Elizabeth C.J." captained by Manuel Jorge and accompanied by a group of scientists who dove into the nets with the dolphins and the tuna, showed that the incidental kill can, indeed, approach zero. In capturing over 900 tons of tuna, only four dolphins died as a result of the fishing operations (more died as a result of the scientific tagging operations than in the commercial activities). Despite this successful demonstration of what care and good equipment can do, the tuna industry has set its face against the new regulations and sailed back to port with flags at half mast threatening to leave the United States entirely if the Congress does not weaken the Marine Mammal Protection Act of 1972.

The regulations set a quota of 59,050 dolphins for the 1977 fishing season. Other requirements include the use of floodlights and searchlights in sets which continued after darkness; use of an inflatable rubber raft and facemask to ascertain the presence of living dolphins in the depths of the net and allowing them time to surface and escape; use of a new fine mesh safety panel which prevents entanglement of flippers and beaks; the immediate return to the sea without further injury of dolphins incidentally caught; refraining from using a sharp or pointed instrument on the animals; the maintenance of daily logs with an actual count of marine mammals killed and seriously injured; the maintenance of gear in a functional and seaworthy condition; the continuance of rescue procedures until all live dolphins are removed from the net prior to initiating brailing operations; inspection of vessel gear and equipment by National Marine Fisheries personnel at least once annually; attendance by Certificate holders of a formal training session conducted under the auspices of the NMFS.

Determination by the National Marine Fisheries Service of the state of populations of the different species of dolphins incidentally captured in the purse seines led to adoption of the following permitted taking:

Spotted dolphin (off-shore)	43,090
Spinner dolphin (whitebelly)	7,840
Common dolphin (northern)	400
Common dolphin (central)	1,600
Common dolphin (southern)	5,600
Striped dolphin (northern)	40
Striped dolphin (north equatorial)	400
Bottlenosed dolphin	60
Rough-toothed dolphin	5
Fraser's dolphin	5
Risso's dolphin	5
Short-finned pilot whale	5
Total	59,050

Further, the regulations prohibit a certificate holder from encircling either "(1) pure schools of coastal spotted dolphin (*Stenella attenuata*), and Costa Rican spinner or eastern spinner dolphin (*Stenella longirostris*) stocks or mixed schools including these stocks, or (2) pure schools or any species of dolphin except offshore spotted dolphin (*Stenella attenuata*) stocks and common dolphin (*Delphinus delphis*) stocks."

Stenella longirostris was found to be depleted, the result of high kills over a seventeen-year period. In the decision served by the Administrative Law Judge who conducted two weeks of hearings on the subject, the following statistics appear. "The estimated total mortality of spotted dolphin between 1959 and 1975 was between 3,271,000 and 3,938,000. For the same period, the estimated total for the eastern spinner dolphin was between 1,501,000 and 1,848,000, and the total mortality for the whitebelly spinner was approximately at 179,000." Thus the total, including the 1976 kill amount to 5,025,000 to 6,049,000.

This enormous number of deaths has resulted in some changes in the behavior of these intelligent mammals. The judge stated, "Porpoise themselves apparently have developed techniques to reduce their mortality. They have excellent memories with some schools being more alert than others. Also the schools act differently according to areas. One method they use to avoid being 'set on' is to disperse before the speed boats can herd them. Another tactic is for a school to submerge together and stay under the water as long as possible making their position difficult to determine and a set impossible. The degree of memory, intelligence and evasive tactics used is in direct proportion to the number of times they have been 'set on' and the interval between sets. The evidence is persuasive that a point can be reached where it is impossible to 'fish on' a particular school of these mammals." Even official documents list the "Costa Rican offshore untouchables."

Hearings on the regulations and the industry's proposals to

DON'T BUY IVORY Elephants Decimated in Illegal Ivory Traffic

"Bananas laced with battery acid are among the more bizarre weapons being used by elephant poachers in Uganda. So many elephants have been slaughtered over the past three years that little more than one-sixth of the main herds have survived." So begins an article in the London *Sunday Times* November 21, 1976 by Brian Jackman.

"The poisoned bananas are left," he continues, "in the two national parks where most of the elephants are concentrated. Then all the poachers have to do is wait and watch the inevitable tell-tale spiral of vultures to lead them to the victim's carcass."

"Ivory poaching is an endemic disease in Africa. It always has been. But never before has it been so virulent as the present outbreak which is turning Uganda's magnificent parks into vast elephant graveyards."

"Three years ago Uganda's two great wildlife strongholds, the Kabalega Falls and Rwenzori national parks, were overflowing with elephants. Aerial counts put the numbers at about 14,000 in Kabalega and 2,700 in Rwenzori. Today the two parks can scarcely muster 3,000 elephants between them."

"Unlike Kenya where elephant population figures are now classified information, Uganda has always been quite open about its poaching problems, and the herds have been monitored annually for a number of years by Dr. Keith Eltringham, a Cambridge University lecturer and his assistant, Mr. Bob Malpas."

"The results of the latest aerial survey, carried out in September at the request of the Uganda National Parks authorities, confirm wildlife experts' worst fears . . ."

"Poaching has also brought about the destruction of the elephants' close-knit matriarchal family groups. . . The parks were strewn with rotting elephant carcasses. None had been killed for food. But in every case the tusks have been hacked out. . ."

"As the price of raw ivory soared to 16 pounds a kilo, almost any elephant with a pair of tusks came to be regarded as a walking bank vault . . . The park wardens are ham-strung by petrol shortages and lack of vehicle spares. The average park patrols, consisting of one corporal with a rifle and two rangers with spears, are no match for the heavily armed poaching gangs."

In another report, "The Ivory Connection" by John A. Burton (*New Scientist*, 15 April, 1976) we learn that, "Now that the U.S. has clamped down, Britain, Hong Kong and Japan are top of the world league importers of products made from endangered wildlife, along with France, Spain and West Germany."

After giving detailed figures for the years 1974 and 1975 Mr. Burton writes, "Japan and Hong Kong between them are obviously creating an enormous drain on elephant populations. A conservative estimate would put their combined imports for 1975 well in excess of 650 tons: over 25,000 elephants."

"In Kenya," Mr. Burton states, "the problem is clearly acute. As John Tinker charged, a few wealthy Kenyans—including the President's daughter, Margaret Kenyatta—are making a lot of money at the expense of the elephant populations. The legal trade is of the order of 1.8 million pounds; the illegal trade is worth 2 million pounds plus."

"The problem is remarkably similar to that involved in whales and whaling—a few years of quick profit instead of a slightly lower return which can be sustained indefinitely. And, just as in the whaling issue, the Japanese are one of the main consumers."

"The whaling imports of Japan have been extensively attacked by conservationists, but in addition to using vast quantities of whale products and ivory, Japan is also one of the leading importers of nearly all other wildlife products, often involving species which are declining because of the trade. In 1974, Japanese imports included 23 tons of crocodile hide, 144 tons of lizard skin, 14 tons of snake skin, 560 tons of deer and elk skins, 127 kg. of rhino horn, 4 tons of coral, and 2000 tons of mollusk shells."

Mr. Burton concludes: "It is apparent that export controls are

ineffective without import restrictions. In order for the much-heralded Washington Convention to work, it is essential that at the same time as the UK government introduces adequate legislation at home, it should join together with all other countries which have ratified the convention and exert pressure on Japan, Hong Kong and other consumer countries to ratify as soon as possible."

BIRDS SUFFER AND DIE IN AIR TRANSPORT Regulations Ignored

Airborne Birds, A Further Study into the Importation of Wild Birds into the United Kingdom, by T.P. Inskipp and G.J. Thomas, 1976, published by the Royal Society for the Protection of Birds, The Lodge, Sandy, Bedfordshire SG19 2DL, England.

This second study by T.P. Inskipp on the horrors of the exotic bird trade should awaken the airlines and the International Air Transport Association (IATA) to their guilt and force them to pay attention to their own rules.

As the forward notes, "Hard as it is to believe, of the 829 cages examined during this study, none complied with all aspects of the Live Animals Regulations prepared by IATA."

The conclusion emphasizes the incredibly cruel overcrowding. "The biggest single problem concerns the space provided for birds in their cages, which tends to be governed by the freight charges imposed by the airlines. Eighty-nine percent of the cages of birds examined were overcrowded, some quite staggeringly by up to 65 times the recommended density. Larger birds are too often cramped in boxes where they are unable to stretch themselves, let alone turn around. The high densities of birds result in many being maimed or killed, promotes the spread of incipient parasites and disease and, particularly in the event of delays, causes large-scale mortalities."

The report gives the origin, numbers, species and mortality of imported birds, discusses endangered species involved, causes, sources, and carriers of the shipments with the highest mortality. It details illegal trafficking and the commercial value of the imported birds. The entire operation is carefully related to the IATA regulations, and exact percentages of compliance with the regulations are given.

For example, we learn that with regard to ventilation holes "Only 16 (5%) of the 351 cages complied with the regulations. Cages for the small and medium seedeaters and small gregarious softbills were particularly poor with only one of the 281 cages possessing ventilation holes." With respect to perches, we are told "The perches in 356 (75%) of the 477 cages possessing them were overcrowded." The result: "Overcrowded perching means that birds quickly become fouled as they have to rest on cage floors."

The recommendations to the International Air Transport Association are simple and straight forward:

"That IATA itself uphold its regulations by directing its inspectors to carry out spot checks to identify offending airlines and use its powers to enforce these regulations."

"That IATA incorporate into its Live Animals Regulations the suggestions under the improvement categories in this report, with the aim of giving clearer instructions regarding cage sizes and styles and the numbers of birds of the various species or groups allowed to travel in each."

Although "Airborne Birds" is a British study, its message is clear internationally. American humanitarians should demand action by IATA and by all U.S. airlines. Those who wish to express their views may send their letters to the following address:

International Air Transport Association
P.O. Box 160
1216 Cointrin
Geneva, Switzerland

ANIMAL WELFARE INSTITUTE

Scientific Committee

Marjorie Anchel, Ph.D.
Bennett Derby, M.D.

Paul Kiernan, M.D.
F. Barbara Orlans, Ph.D.
Roger Payne, Ph.D.

Samuel Peacock, M.D.
John Walsh, M.D.

International Committee

T.G. Antikatzides, D.V.M.—Greece

David Ricardo—Canada

N. E. Wernberg—Denmark

Major C. W. Hume, O.B.E., M.C., B.Sc., M.I. Biol.—United Kingdom

Officers

Christine Stevens, President
Cynthia Wilson, Vice-President
Marjorie Cooke, Secretary

Roger L. Stevens, Treasurer
Adele Schoepperle, Assistant Treasurer
Bianca Beary, Publications Coordinator

Marilyn Chamberlain, Publications Secretary
Diane Halverson, Administrative Assistant
Lynne Hutchison, Whale Campaign Coordinator





INFORMATION REPORT

ANIMAL WELFARE INSTITUTE

P.O. Box 3650 Washington, D.C. 20007

April, May, June, 1977

Vol. 26, No. 2

PRESIDENT CARTER'S POSITION ON WHALES

In his Environmental Message May 23, 1977, President Carter spoke out firmly on Saving the Whales: "Sharing the worldwide public concern about the condition of marine mammals, especially whales, I have directed the Secretary of Commerce, with the foreign policy guidance of the Secretary of State to:

"Prohibit commercial whaling within our 200-mile fishery zone;

"Pursue negotiations with the International Whaling Commission for a stronger international conservation regime for whales and other cetaceans, affording protection for them throughout their range;

"Maintain firm U.S. support for a ten-year worldwide moratorium on the commercial killing of whales; and

"Report to me within 60 days any actions by other countries that have diminished the effectiveness of the International Whaling Commission's conservation programs."

In a cable to U.S. embassies in Tokyo, Moscow, Mexico City, and Copenhagen, and the American Consul in Casablanca, Secretary of State Cyrus Vance stated that all commercial whaling within the U.S. 200-mile Fishery Conservation Zone is prohibited. The cable further indicates U.S. support for the International Whaling Commission and the desire to revise and strengthen it. "The U.S. Government position is that coastal states should have the right to take action more restrictive than that agreed upon in the international body but not to take less restrictive action and thereby weaken internationally accepted conservation measures."

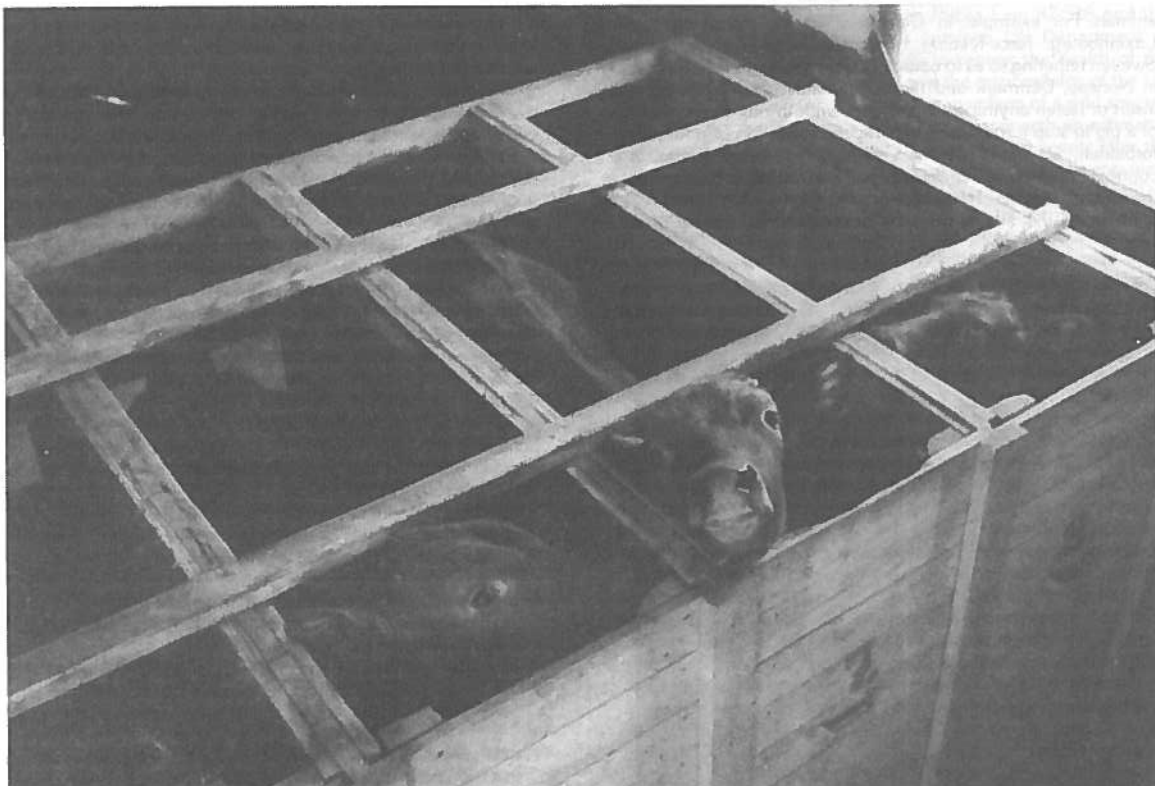
ANIMALS IN FACTORY FARMS by Ruth Harrison

Progressively over the last twenty years farmers have had to increase the productivity of their land in order to meet rapidly rising costs. The squeeze has been especially serious for the farmer with a limited acreage. The only way he has been able to increase output has been by the improvement of crops and of livestock. At the same time the human population has been growing not only in numbers but also in affluence, and affluence has led to a higher demand for animal products and especially for meat.

Agriculture had not previously appeared an attractive enough market on which to devote funds for research, but its prospects as a growth industry opened up possibilities to a wide range of commercial interests. Geneticists and other agricultural scientists, manufacturers of housing and equipment, of drugs and feeding stuffs, poured money into research to produce an animal, house, feed and medicate it, so that it put on the maximum amount of flesh in the shortest possible time and with a minimum of effort on the part of the producer.

The farmer is consequently faced with a wide choice of products, each firm claiming to have produced by experiment that their product will bring him the extra success and profit that he needs. Competition is fierce and he is pressured by high powered salesmanship and advice. Every aspect of his management and methods is open to improvement, and as equipment and materials become more sophisticated and gadgetry more

[continued on page 2]



ANIMALS IN FACTORY FARMS

[continued from page 1]

ingenious he is under constant social pressure to modernize his methods.

The terms 'intensive farmer' and 'factory farmer' are usually taken to be synonymous, but in fact they mean very different things. All farming is, in general terms, intensive today in that farmers are intensifying their output. The intensive farmer uses technology with discretion. He makes use of improved knowledge to increase the productivity of his livestock through better breeding and better management and feeding. He may increase livestock numbers and stocking rates but *he does not significantly change the pattern of life his animals lead.*

The factory farmer aims at a maximum turnover of capital with a minimum of effort, his main criterion being immediate profitability. He uses new systems—developed first and foremost for his own convenience—which subject the animals to conditions to which they are not adapted, systems which, in their extreme and stringent forms, have been described by a psychiatrist as "characterized by extreme restriction of freedom, enforced uniformity of experience, the submission of life processes to automatic controlling devices and inflexible time-scheduling . . . and running through all this the rigid and violent suppression of the natural." Many of these farmers are not really farmers at all but business interests running their farms from their offices by remote control.

In most European countries, including all member states of the European Economic Community (EEC), there are laws making it an offense to treat animals cruelly.

The Swedish Animal Protection Act of 1944, which covers animals kept in captivity, states that "animals shall be treated well and as far as possible protected from suffering. The . . . animal housing shall provide adequate space and shall be maintained at a satisfactory level of cleanliness . . . Animals shall be provided with the necessary food and water." The Danish Act of 1950 and the Norwegian Act of 1935, amended in 1951, have similar provisions. The Criminal Code of the Netherlands, in dealing with offenses against morality, makes it an offense to injure the health of animals, to inflict unnecessary injury or pain, or unreasonably to withhold necessary care from animals. The French Rural Code simply lays down that the willful ill treatment of domestic animals is forbidden. The Swiss Penal Code makes it an offense to intentionally ill-treat, seriously neglect or unnecessarily overtax an animal. The 1965 Animal Welfare Act of Luxembourg makes it an offense to treat animals cruelly and includes as an act of cruelty "the housing of domestic . . . animals . . . in such a manner that they suffer from the lack of space in the stall or enclosure in which they are kept or from inadequate ventilation, lighting or protection from the elements." It also lists "failure to supply animals put out to pasture with sufficient water for regular drinking."

All these provisions come under acts offering protection to animals in general and are not designed specifically to protect animals on the farm.

There are, however, clauses specifically dealing with farm animals. For example, in Germany, Norway, Denmark and Luxembourg, force-feeding is forbidden; in Denmark and Sweden tethering so as to cause discomfort or pain is forbidden; in Norway, Denmark and the Netherlands it is forbidden to insert or fasten anything other than a smooth ring to the snout of a pig to stop it rooting. In Norway the castration of poultry is forbidden, in other countries castration of farm animals is controlled, so are other mutilations. The Danish Act proscribes the keeping of hens in battery cages.

In Britain the 1911 Protection of Animals Act makes it an



Dex Harrison

This Calf Never Knew Life Beyond this Incredibly Cramped Stall Until It was Slaughtered (Denmark)

offense to cause unnecessary pain or unnecessary suffering to an animal, and lists some acts which cause pain and some which cause suffering (to torture, infuriate or terrify an animal). In 1968 an Act was passed, the Agriculture Miscellaneous Provisions Act, which was designed to give specific protection to livestock situated on agricultural land. It makes it an offense to cause 'unnecessary pain or unnecessary distress' to such animals, gives the Minister power to make regulations covering every aspect of the animal's life, and enables the Minister to issue Codes of Practice to give guidance to stockmen—the codes to be voluntary and not enforceable. So far four Codes have been issued (for Cattle, Pigs, Domestic Fowl and Turkeys), and regulations have been made prohibiting the docking of tails in cattle, controlling it in pigs, and proscribing surgical castration of poultry, any operation on a bird with the object or effect or impeding its flight, and the fitting of blinkers to a bird by a method involving the penetration or other mutilation of the nasal septum.

The 1968 Act in Britain was introduced on the recommendation of the Brambell Committee—a technical committee set up in 1964 to examine the conditions under which livestock were kept in 'intensive husbandry systems' and to make recommendations where necessary. This, I believe, was the first such committee to be set up anywhere covering farm animals, and it had as its chairman Professor Rogers Brambell, a distinguished zoologist, and amongst its knowledgeable members Dr. (now Professor) W.H. Thorpe, an ethologist of international standing. The Committee published its Report in 1965 and this report has had a profound influence throughout Europe. The Committee's principal finding was:

"In principle we disapprove of a degree of confinement of an animal which necessarily frustrates most of the major activities which make up its natural behavior."

They were especially concerned as to "the possible cumulative effect on the animal of the long continuance of conditions which might be tolerable, or even acceptable, in the short term. Factors producing prolonged stress, discomfort or deprivation . . . may, on occasion, be of much more significance for the total welfare of the animal than more acute, but transitory, suffering."

The mandatory regulations they suggested (which have not been implemented) were based on five basic freedoms:

"An animal should at least have sufficient freedom of movement to be able without difficulty to turn round, groom itself, get up, lie down and stretch its limbs."

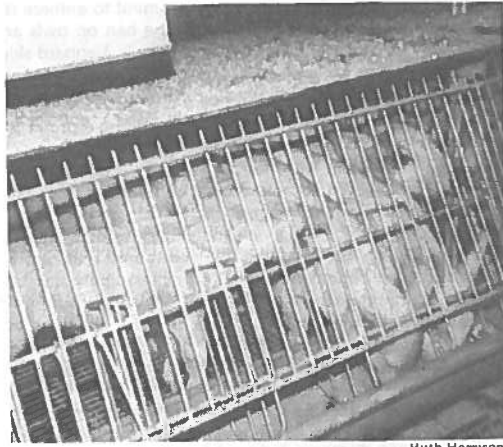
Other recommendations for immediate alleviation of suffering were that an animal's diet should be such as to maintain it in full health and vigor, that there should be sufficient light in animal houses for routine inspection; they condemned lack of bedding and totally slatted floors, mutilations such as de-beaking of poultry and docking of pigs' tails, and also close tethering other than for short periods.

Long term recommendations were for a new act specifically to protect farm animals (see above); for a Standing Committee to carry on where they left off and to advise the Minister; for more behavioral studies to be carried out on the behavior of farm animals; and for work to be undertaken as a matter of urgency into developing and improving loose housing systems to replace systems of extreme confinement.

The German Animal Protection Act of 1972 is the first Act anywhere to recognize behavioral distress. It lays down that:

"Any person who is keeping an animal or who is looking after it:

1. shall give the animal adequate food and care suitable for its species; and he shall provide accommodation which takes



Ruth Harrison

Playful Piglets Have No Room to Romp in These Cramped Battery Cages [Britain]

So far there have been no EEC Directives covering the conditions under which farm animals are kept.

However, the Council of Europe, of which all EEC countries are members, as well as Austria, Cyprus, Greece, Iceland, Norway, Sweden, Switzerland, Turkey, has drawn up a Convention "On the Protection of Animals kept for Farming Purposes" following a recommendation from the World Federation for the Protection of Animals. Conventions of the Council of Europe may be signed and consequently ratified by member states. Signing is only an indication of general agreement with the convention, ratification is only possible if the country concerned passes—or already has—legislation covering the conditions contained in the convention.

Article 3 of the Council of Europe convention states:

"Animals shall be housed and provided with food, water and care in a manner which—having regard to their species and to their degree of development, adaptation and domestication—is appropriate to their physiological and ethological needs in accordance with established experience and scientific knowledge."; and Article 4 states:

- "1. The freedom of movement appropriate to an animal, having regard to its species and in accordance with established experience and scientific knowledge, shall not be restricted in such a manner as to cause it unnecessary suffering or injury.
2. Where an animal is continuously or regularly tethered or confined it shall be given the space appropriate to its physiological and ethological needs in accordance with established experience and scientific knowledge."

Other general principles are set out. Those states ratifying the convention will then set up working parties to draw up detailed regulations to be applied. So far no state has yet ratified the convention but it is hoped that some will do so in the near future.

All of which sounds splendid on paper and one can but hope that it will lead to effective action. But so far, in spite of all this legislation throughout Europe (apart from hen batteries in Denmark) hens are kept in cages in which they cannot spread even one wing, can only stretch their necks by putting them through the bars of the cage, are forced to stand permanently on a 1:5 slope of wire mesh (which often damages their feet), and are allowed less than half a square foot of floor space. If you open up your AWI Information Report and hold the narrow end close to you, you will have a 'battery' floor space (14" wide by 17" deep) which will house up to five birds—each weighing up to 6 lbs—throughout their productive lives. Turkeys, ducks, quail and broiler chickens are similarly crowded.

In spite of the legislation calves for the 'white veal' trade are kept throughout their lives (this can now be up to 22 weeks of age) in pens so narrow that after the first few weeks of life they are unable to turn round and in the last few weeks even to groom themselves. We can approximate the size of a veal pen with AWI Reports. If you take four reports, open them and lay four sheets with the wide sides below each other you have a space 56" deep by 17" wide. Add another 5" or 7" down the side and you have a space 22" (or 24") wide by 56" deep (sometimes 60") in which a calf will stay until it reached around 350 lbs. in weight.

In spite of the legislation piglets may now be kept in either individual cages or multiple cages, and both sows and fattening pigs in stalls designed to prevent them turning round. Close tethering of sows, causing neck and body lesions, is common.

In Switzerland the federation of animal welfare societies recently conducted a massive campaign aimed at getting rid of hen batteries and veal crates. They rightly pointed out that there were perfectly sound alternative methods for keeping these

journal recently carried the following warning to producers:

"When your cages reach the end of their working life, what will you replace them with? Indeed, will you be replacing them at all? . . . the environment of the future may be different perhaps involving more space for birds, which the industry must be prepared to consider."

On a more hopeful note a little more work is now taking place to develop alternative systems to those of close confinement. In Britain, the Universities Federation for Animal Welfare employed a zoologist to study the behavior of hens under battery and deep litter systems. He then developed a cage aimed to give advantages to both the farmer and the bird. The cage, measuring 1 meter deep by one meter high, had littered nesting boxes at ground floor and 'first floor' levels, perches on which the birds could rest. Partitions between nesting boxes soon fell away permitting the birds free access between cages. This meant that birds could escape aggressors by going through the nesting boxes into another cage. The birds could also scratch around in the litter when egg laying was completed for the day, and the fact that very little time was spent on the wire prevented the development of over long claws seen in ordinary cages.

Work is proceeding on similar lines all over Europe and, hopefully, will help to turn the tide away from the present severe confinement of birds.

In several European countries it has also been found possible to keep veal calves in groups bedded on straw and fed through teats on automatic milk machines. It has been found that the small amount of straw ingested by a well-fed calf up to around 16 weeks is not enough to darken the flesh significantly and the animals can lie comfortably and move freely.

Extreme methods have developed largely through expediency, and have been encouraged on the basis that 'what is new is progress and must be good—we must never halt progress'. In Britain at least they have been actively supported with government grants, government research, by being derated, and by the side-stepping of really effective legislation.

EXOTIC BIRD TRADE AGAIN INTRODUCES NEWCASTLE DISEASE TO U.S.

The Animal and Plant Health Inspection Service of the U.S. Department of Agriculture is again struggling to prevent spread of exotic Newcastle disease which cost \$56,000,000 to eradicate last time it started spreading in the United States. The cruel and unnecessary trade in wild-caught foreign birds is responsible. Huge lots of little finches from Africa and India, Mynah birds and parrots are brought to this country in cramped cages. In a recent case more than one thousand birds died in a single shipment. It is believed that they had received no water for three days!

This trade is technically legal. It is accompanied by intractable smuggling of exotic birds across the Mexican border. A report in the Journal of the American Veterinary Medical Association (Vol. 170, No. 4, February 15, 1977) states:

"A case of bird smuggling in Texas vividly demonstrates conflicts in the US code between Public Law 87-518 and the Lacey Act. Conflict also exists between US Department of Agriculture (USDA) responsibility to protect the health of the US domestic animal population and the responsibility of the US Fish and Wildlife Service to preserve members of a wild species. In this case conflicts arose when 326 parrots with an estimated value of \$50,000 were seized by US Treasury agents after the birds were smuggled into Texas from Mexico. The parrots were initially retained at a USDA facility. Veterinary Services, USDA, requested custody of the parrots so that they could kill them. The birds were being confined in small cages, and were suffering from stress, dehydration, and starvation. Several were dead. The US attorney requested that the birds be kept alive as evidence. The US Customs Investigation Service and the US Fish and Wildlife Service made arrangements for the birds to be placed in a bird quarantine facility. After 17 days in quarantine, the birds had nasal and ocular discharges, pasted vents, leg and wing paralysis, and torticollis. Many died. Then, 33 days after seizure and after Mexico refused to allow the birds entry, custody of the birds was given to Veterinary Services and the birds were killed. Subsequent laboratory studies confirmed that the birds were infected with velogenic viscerotropic Newcastle disease, which had recently been eradicated from southern California at the cost of \$56 million."

EATING CHINA'S WILD ANIMALS by Michael Webster

The mention of Hong Kong conjures up an image of a city, and I doubt whether many people who have not been there, and even some who have, realize that it contains some relatively remote areas of unspoiled countryside. The larger mammals are all gone, and the annual tiger scares usually originate from the footprints of a large dog and the imagination of a local farmer. Several small mammals still exist, though most are becoming

EATING CHINA'S WILD ANIMALS
(continued from page 3)

wildlife which passes through Hong Kong in the course of trade... or meets a grisly end there. Exotic delicacies such as monkeys' brains scooped still warm from the skull of the living monkey, or bears' paws roasted and then sliced from the living bear are horrors of the past, though it is still possible to find people who have witnessed the former, ten to fifteen years ago.

When the Washington Convention on Trade in Endangered Species of Wild Flora and Fauna entered Hong Kong's legislation, in a slightly modified form, last August conservationists hoped for some improvement. In particular, it was hoped that the enlightened inclusion of all hawks and owls among the fully protected species would cut down the considerable trade in these birds. In 1975, over 7000 hawks and 9000 owls were imported from the People's Republic of China for quasi-medical purposes and the concoction of gourmet dishes. Broth of owl is good for the eyesight and hawks, usually also in a soup, strengthen the old. We saw magnificent imperial eagles, eagle owls, goshawks and others confined in tiny cramped cages, often with their wings tied or wired to their bodies, and occasionally with their bills wired together also, being hawked around the bustling streets or jammed tightly together at the wholesalers. Many birds died from a broad spectrum of avian diseases; it was impractical in most cases to release the birds because they could not have fended for themselves with primaries and retrices battered and broken through mishandling in transit. One local conservationist did rehabilitate a number but usually it was necessary to keep them in captivity for months until they had molted their primaries.

Birds of prey were not the only sufferers. Several species of small cats and civets met the same fate. They were trapped in leg-hold traps in China and often arrived in Hong Kong with broken and gangrenous legs. They huddled apathetic in their cages until prodded with iron bars or lighted cigarettes; fierceness makes them more "efficacious" for use in a general tonic. Chinese pangolins were imported by the thousands. This highly beneficial mammal was persecuted again for quasi-medicinal purposes, doubtless to the detriment of those communities plagued by the house termite, *Coptotermes Formosanus* on which it feeds. Its supposed qualities could come out of a medieval bestiary. Its scales are infused to make a kind of tea which is good for skin complaints or to improve lactation in nursing mothers. Its blood is mixed with rice for strength.

It was customary, until recently, to scoff at folklore medicine as primitive and ineffective, but it would be a mistake to condemn the traditional medicine of China. It would be equally a mistake to think that folk medicine is as effective as acupuncture. The truth is that like most natural medicine, some is effective and some is nonsense. For example, the eating of meats such as dog and civet in cold weather to keep the body warm has a scientific explanation for these meats are rich in amino acids and will have a warming effect. Curiously, the pangolin has perhaps been saved from near extinction because there is a theory in China that it may be possible to extract a cancer cure from it. This is a recent development which has caused the virtually complete banning of pangolin exports since 1975. There may be some truth in it according to a medical friend because of the abundance of corticoid compounds in the scales. Nonsense remedies can usually be distinguished because they belong to one of two categories; either they enlist magic, such as eating newborn rats by the light of a full moon to cure tuberculosis, or they are the results of wishful thinking, such as the wide variety of aphrodisiacs and restorers of strength and failing faculties.

The new legislation met with a series of snags. Before it was passed, the main objections were from a gentleman who wanted to set up a quarantine station for birds to be exported to the United States. Which birds has never been entirely clear, but it is known that a permit to set up a similar institution in Papua New Guinea, was refused. Subsequent problems came from the

unpreparedness of the Hong Kong government to enforce the legislation, even those parts of it such as the ban on owls and birds of prey which were added by local officials. Leopard skins for example had to be licensed but nobody had designed the license form. Meanwhile, virtually every furrier had stocks and China was readily exporting them. In early 1974 a reporter was shown a stack of 500 leopard skins in a single cold store.

The second problem was that the importers from China are Communist-dominated organizations who have for years been allowed to carry on their business, often in defiance of government regulations and even, sometimes, without a license of any sort. During, and just after, the Communist riots of 1967 there was reason behind this but the political angle has long since lost its importance although it was still being used by the enforcement authorities as an excuse for not doing its job. Strident calls from conservationists met with government evasions and a desperate search for ways out of the dilemma. Eventually a raid on the main importer resulted in the seizure of a single goshawk, but no prosecution was taken on the advice of the Attorney General. It is interesting that this was first reported as the seizure of a goshawk, but very quickly became altered to the voluntary surrender of a goshawk. White-naped cranes, a species in much more serious and immediate danger, passed through in some numbers. Eight were seized, some of which were later returned to the importer, and it is believed that a further 25 passed through undetected by the authorities.

The third problem was one which has plagued enforcement authorities all over the world, the difficulty in recognizing some endangered species. Hong Kong has eliminated subspecific designations from the schedule of protected species, but it just does not have, and never will have, the available experts to identify rare snakes (there is a huge trade in snakes for food) and some of the less frequently seen mammals and birds.

The fourth difficulty is the lack of priority accorded to enforcement of this law by the government. The government is not willing to spend enough money to secure adequate enforcement of the law; it will spend the absolute minimum for appearance's sake.

Animal lovers have objected to the trade because of the rarity of some of the species involved and the cruelty involved in the trade. The catalogue of barbarities is as appalling as the clubbing of young seals in Canada or the torturing to death of leopards to avoid damaging the skins. I have already mentioned untreated wounds from leg hold traps. I have also seen a porcupine cannibalised by the other occupants of its cage, a barking deer with its legs broken by a deer trap, monkeys with their tails broken off leaving a bloody stump or with wounds on their front limbs so ghastly that the bone could be seen from the front and back of the hand, eyes gouged out, young pangolins ripped from their mothers and cast aside to die, swans with broken wings, pangolins again in convulsions, prey and predator in adjacent cages and so on and so on. The only objective is to keep the animal alive as long as possible so that the meat can be eaten fresh.

The new legislation may begin to have some effect when the Government of Hong Kong feels itself strong enough to take firm action against one of the major Communist importers. So far the impact has been minimal. The excuses which made the trade accepted in the late 1960's no longer apply. All that hinders a clampdown on the trade is the inertia and incompetence of officials who are more concerned with working towards their pensions than with doing a good job.

However, the final solution really lies with the People's Republic of China. Precious natural assets in the shape of rodent-eating and insect-eating species are being destroyed for a minimal financial return. This is being realized in Peking but in Hong Kong we get the impression that the local authorities in Kwangtung Province take very little notice of what the central government says on such matters. And, of course, as most of the animals are consumed in Hong Kong, the outside world can only show its disapproval, it cannot stifle the trade by refusing to buy.

ANIMAL WELFARE INSTITUTE
Scientific Committee

Marjorie Anchel, Ph.D.
Bennett Derby, M.D.

Paul Kiernan, M.D.
F. Barbara Orlans, Ph.D.
Roger Payne, Ph.D.

Samuel Peacock, M.D.
John Walsh, M.D.

International Committee
David Ricardo—Canada

N. E. Wernberg—Denmark

T.G. Antikatzides, D.V.M.—Greece

Major C. W. Hume, O.B.E., M.C., B.Sc., M.I. Biol.—United Kingdom

Officers

Christine Stevens, President
Cynthia Wilson, Vice-President
Marjorie Cooke, Secretary

Roger L. Stevens, Treasurer
Adele Schoepferle, Assistant Treasurer
Bianca Beary, Publications Coordinator

Marilyn Chamberlain, Publications Secretary
Diane Halverson, Administrative Assistant
Lynne Hutchison, Whale Campaign Coordinator





INFORMATION REPORT

ANIMAL WELFARE INSTITUTE

P.O. Box 3650 Washington, D.C. 20007

July, August, September, 1977

Vol. 26, No. 3

BATTLE FOR THE WHALES AT CANBERRA

The International Whaling Commission meeting in Canberra, Australia, June 20-24, made the largest cut in whale killing quotas in its history. Total is 17,839 for 1978, down 10,100 from this year.

Worldwide demonstrations preceded the Canberra meeting which was intensively covered by the Australian press (see pages 2 and 3 for two of the many excellent reports). The Commission prohibits entry to its sessions by the press, and in a secret meeting, voted again to exclude reporters, but accurate information was regularly conveyed to newsmen in defiance of the rules.

Whale Survival Day rallies and demonstrations, held in response to the Animal Welfare Institute call for action took place just before the IWC meeting in Washington, D.C.; Pittsburgh, Pa.; Syracuse, N.Y.; Clifton, N.J.; Greenfield Center, N.Y.; New York, N.Y.; Batavia, N.Y.; Cranston, R.I.; North Attleboro, Ma.; Warren, Ma.; Hingham, Ma.; Springfield, Ma.; Bel Air, Md.; Wayland, Ma.; Alexandria, Va.; Carbondale, Ill.; Indianapolis, In.; Munster, In.; Columbia, Mo.; Lansing, Mi.; and Tracy, Ca., and in Europe, in Zurich, Switzerland; Vienna, Austria; and Hocheim, Germany.

The Washington rally was held in Lafayette Park across from the White House featuring a forty foot whale float and a banner thanking President Carter for his Saving the Whales statement in his Environmental Message. A second Presidential Message directed specifically to the IWC was brought to Canberra by the U.S. Commissioner, Dr. William Aron.

Petitions circulated at the Washington rally stated: "To the International Whaling Commission meeting in Canberra, Australia, June 20-24, 1977. We, the undersigned, demand TRUE ACTION to save the whales at this meeting of the

International Whaling Commission, including: 1) PROHIBITION of purchase of whale products from non-IWC nations, 2) PROHIBITION of sale of whaling vessels, harpoons, and other equipment to non-IWC nations. 3) A RAPID phase-out of all commercial whaling to the total moratorium unanimously voted at the Stockholm Conference on the Human Environment." More than three thousand of the people gathered in Lafayette Park for the rally signed the petitions, and they were carried to Australia by the President of the Animal Welfare Institute who presented them to the Chairman at the opening session, stating, "I have flown directly from the biggest whale demonstration Washington has yet seen . . . where the author of the prize-winning *Blue Whale*, Professor George Small, was repeatedly interrupted by loud bursts of applause as he explained and condemned the sordid economics of whaling . . ."

Resolutions were passed by the IWC on points one and two, but they do not constitute binding treaty obligations. A one-third reduction in the whale killing quota could be interpreted as the first step in a phase-out if it continues next year, but a special meeting of the IWC Scientific Committee, to be held in November, must confirm the greatest of cuts: the sperm whales in the North Pacific. The 1978 quota is set at 763 in contrast to the 1977 quota of 7200. Soviet and Japanese whalers are seeking out these whales even now for a massive slaughter. They may be met in mid-Pacific by the new Greenpeace subchaser that intends to sail between the whalers and the whales to prevent them from being harpooned.

In this most critical year for whales the IWC unanimously put the United States on notice that it could no longer tolerate the

[continued on page 4]

SUMMARY OF MAJOR ENFORCEMENT ACTIONS UNDER THE MARINE MAMMAL PROTECTION ACT AND ENDANGERED SPECIES ACT DURING 1976 THROUGH MAY, 1977

PERSONS CHARGED	SUMMARY OF VIOLATION	DATE CLOSED	PENALTY
Japanese M/V DAIRYO MARU #11385	Importation of Whale Meat	March 25, 1976	\$5,000
Jerry D. Mitchell Chula Vista, California	Capture, possession and sale of 21 dolphins (24 counts); conspiracy (1 count)	June 17, 1976	90 days for conspiracy, 1 year probation for the other 24 counts *
Herbert Hope Florida City, Florida	Possession of illegally taken dolphins (1 count)	July 7, 1976	30 days plus 1 year probation
Delbay Pharmaceuticals, Inc. Kenilworth, New Jersey	Interstate sale of products containing spermaceti	Aug. 10, 1976	\$10,000
Dome Laboratories West Haven, Connecticut	Interstate commerce in products containing spermaceti	Oct. 13, 1976	\$5,000
Richardson-Merrell, Inc. Wilton, Connecticut	Interstate commerce in products containing spermaceti	Nov. 1, 1976	\$7,500
Almay, Inc. Apex, North Carolina	Interstate commerce in products containing spermaceti	Dec. 6, 1976	\$2,500
Chic-In Leather Corporation New York, New York	Importation of Sealskins	Dec. 9, 1976	\$100 plus forfeiture of 420 Sealskins valued at \$11,000
Sea World, Inc. Orlando, Florida	Receiving Whale Tooth scrimshaw in Interstate commerce	Dec. 15, 1976	\$7,000 plus forfeiture of 33 scrimshaw items
Walt Disney World Orlando, Florida	Receiving Whale Tooth scrimshaw in Interstate commerce	Feb. 28, 1977	\$3,500 plus forfeiture of 21 scrimshaw items
Werner G. Smith, Inc. Cleveland, Ohio	Interstate sale and exportation of sperm Whale oil and spermaceti (430 counts)	Mar. 25, 1977	\$32,500



The whalers in

by JOSEPH GLASCOTT,
Environment Writer

DR IVAN V. Nikonorov has the physique of a Russian bear and a vague facial resemblance to the American actor Jack Palance.

But the menacing appearance is deceptive. He is one of the most amiable, charming whale killers you could meet.

Dr Nikonorov, chairman of the Soviet Union's Ministry of Fisheries Department, is the chief Russian Commissioner to the International Whaling Commission, which has been meeting all this week in Canberra.

The Soviet Union and Japan are the world's two major whaling nations. Between them they kill 75 per cent of whales taken by whalers annually.

Both countries still operate big ocean-going whaling fleets, complete with factory ships, of the type which, from the early years of the century, have brought most of the great whale species — the Blue, the White and the Humpback—to the point of extinction. Both are now hunting and killing the remaining large species — especially the Sperm, and even the small Minke and Sei whales — over the oceans of the world.

Japan is usually the target for conservationists and non-whaling nations. This is understandable because Japan employs what can only be described as deceptive means of avoiding international controls, and is the most obdurate nation on the issue of whaling conservation.

But what about the Soviet Union? Here is one of the world's two great superpowers, with enormous natural resources and technology at its command. Yet it insists on remaining a major whaler as though this archaic form of obtaining resources was its life blood.

I asked Dr Nikonorov and his Russian delegation yesterday why whaling was important to the Soviet Union.

Dr Nikonorov was in turn jocular and serious. He does not speak English nor I Russian. But he spoke every word to me directly, forcing my absolute attention between the interruptions for his translator.

I came away with the impression that whaling matters little to the Soviet Union. Dr Nikonorov said whaling products were regarded as important to his country for the supply of sperm oil, the production of margarine and perfume, for use in pharmacology, for stock meal and as a source of Vitamin A protein.

There was some hesitation, to consult with other delega-



Part of the Japanese delegation. At front, from left, Mr T. Saito

tion members, when I asked whether the Soviet Union did not have the technology, as did the United States, to provide alternatives for these relatively minor uses of whale products. The Soviet Union was not yet ready to use alternatives, he said.

The Soviet Union now had four factory ships, a 50 per cent reduction from its earlier fleet, and the whaling industry employed about 5,000 people.

He agreed that whaling was not an important industry in the Soviet Union, amounting

to only about 1.5 per cent of the nation's industrial output. "It's small but expensive," he said. It cost the Soviet Union \$95 million a year to keep its four whaling fleets on the oceans.

Dr Nikonorov laughed when I asked whether there was a public conservation movement against whaling in the Soviet Union. He produced his card and said: "My department is the conservation movement."

He and other delegation members laughed also when

asked whether whaling fleets surveillance role whaling fleets recently," he said completely open was welcome to

The sale of the Soviet Union a source of hard the Soviet Union, by far porter of whale supplied 22,85 1976.

Dr K. Yonetz Commissioner an

THE AGE

Monday, June 27, 1977

War pays of

THE long war of attrition between conservationists and whalers is paying off — for the whales.

Meeting in Canberra last week the International Whaling Commission heavily reduced kill quotas for the second year running.

On the recommendation of its scientific committee and under considerable pressure from conservation groups, the IWC will allow member countries to slaughter 18,000 whales in 1978 — almost 10,000 fewer than this year.

And while conservationists pressing for a 10-year moratorium to allow stocks to recover claim publicly that this is unacceptable, privately they concede it was the best that could be expected under the circumstances.

Judging by the reaction of the Japanese and Soviet commissioners there was little joy in the result for them.

The Japanese, particularly, fought a long series of losing procedural battles within the commission in their efforts to secure bigger quotas.

In the end the one small concession they were able to wring from the IWC was an agreement that a virtual moratorium imposed on northern Pacific sperm

whales would be equivalent to a reasonable quota in the northern Pacific its industry would be in jeopardy.

The sense of knock-backs suffered by Japan prompted some pessimists to suggest that it will make good its threat to walk out of the IWC — thereby destroying any effectiveness the organisation may have.

But this does not take account of the immense international pressure, both official and unofficial, which can be mobilised in defence of the whale by countries like Canada, Britain and most particularly the United States.



Ever since the US closed down its last whaling stations and passed the Maritime Mammals Protection Act in 1972 it has been at the forefront of moves to halt commercial whaling.

Its delegation in Canberra consistently adopted a hardline position against the Japanese, the Soviets, the Icelanders and the Scandinavians.

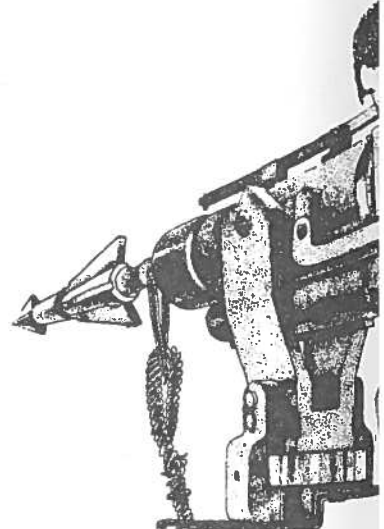
That it did not place a 10-year moratorium resolution on the agenda was more recognition of

TONY WALKER reports
on the results of the International Whaling Commission meeting in Canberra.

As Governor of Georgia and member of the advisory commission to the US delegation at the 1972 UN conference on the

can Congressman Paul McCloskey, was simple and direct.

He would "maintain firm US support for a 10-year moratorium



retreat



Moriezawa and Mr Y. Fuzimoto.

Soviet military of our Sydney everybody aboard." Japan is Soviet Japan, comes in Japanese IWC con-

ference, sent a message to say he was too busy to talk to me. Indeed, Japan seems to be awfully busy at this conference. Its delegation consists of about 20 members and observers which, at the opening session, took up four rows of chairs behind the Commissioner. While not giving interviews, the Japanese have prepared a brochure explaining their position on whaling. This says that Japan's land areas are only about 380,000 sq km, of which about 13 per cent is arable. Its people therefore depend on the

sea for slightly more than half of their animal protein.

"The fact that the Japanese eat whale meat may seem strange to other people," the brochure says. "However the Japanese people have utilised whales as a food source for more than 1,000 years."

The argument of the Soviet Union and Japan is that the IWC system of "controlled harvesting" is the answer to whale conservation.

But after poring over the IWC scientific committee's report, one can only be amazed at the description of the document and its deductions as "scientific." Time and again, the IWC scientists admit that they lack reliable information on which to base accurate whale population figures. Yet they make recommendations on killing quotas—presented as scientific deductions, but seemingly based on past catching numbers.

The Japanese cat whale meat raw, baked, grilled and processed into canned food.

But what the brochure does not disclose is that whale meat, according to international statistics, amounts to only 0.33 per cent of the Japanese diet. Moreover, this proportion is decreasing as the Japanese turn to other meat—and it is expensive: about \$2 a kg.

The great irony is that Australia, while defending whaling, could be selling its vast,



Dr Nikonorov . . . "My department is the (Russian) conservation movement."

unmarketable beef produce to Japan to replace that country's present consumption of whale meat.

The sad fact to emerge from the first Australian meeting of the IWC is that the whole organisation appears more concerned about bureaucratic self-preservation rather than whale preservation.

One can only wonder why the Australian Government spends so much effort, through its Primary Industry Department, protecting the insignificant Australian whaling opera-

tion at Albany, Western Australia.

That said, it must be acknowledged that the Canberra conference has gone further than ever before in acknowledging the whale as an animal species worthy of protection.

It has been a hallmark convention. For the first time the IWC has been brought under concerted public scrutiny.

There is little doubt after the events of this week's meeting that the writing is on the wall for the whaling industry.

f for whales

killed in the interests of science to add to its commercial catch (it did this recently in the case of 200 rare Bryde's whales), it also "sponsors" the whaling activities of countries which refuse to join the IWC.

A prime example is Peru where a largely Japanese-organised and financed whaling station supplies a reported 2500 tonnes of meat annually to Japan.

There is also the case of the pirate whaling ship, Sierra which operates off the west coast of southern Africa.

Efforts by conservationists to find out who owns the ship have been unsuccessful beyond establishing the fact that it flies a Somali flag, is registered in Liechtenstein and is captained by a Norwegian.

Most of the Sierra's produce finds its way to Japan via the Ivory Coast, according to UN sources.

Whaling by countries outside the IWC accounts for about 10 per cent of the world's catch.

But what is really worrying IWC officials and representatives of the UN Food and Agriculture Organisation is that while quotas

whalers then there is very little the IWC can do.

Certainly the commission did not take up the option presented by a US resolution last week which, had it been accepted, would have prevented the importation of whale products from non-member countries.

The wonder of all this is that Japan chooses to risk continued international censure in the interests of a food source which accounts for less than half of one per cent of its protein intake.

The latest figures show the consumption of whale meat in Japan at 0.3 per cent and decreasing.



The Japanese response is that its future source of animal protein is seriously threatened by the declaration of 320-kilometre fisheries zones by countries such as the US.

For this reason, so the Japanese argument goes, whaling has assumed even greater importance.

This may be so but the suspi-

port for all the recommendations of the scientific committee.

Our delegates took a mildly less adventurous posture than their British, New Zealand and Canadian counterparts.

Which is not surprising when it is realised that Australia is one of the dwindling minority within the IWC which continues whaling activities.

There is no doubt that if the question of moratorium had been posed the Australian delegation would have voted against it.

In the event the real winners last week, with the exception of the whales which escaped the quota for next year, were the conservationists.

The conservation lobby demonstrated an awesome power to mobilise public interest—at least if the vast amount of newspaper space and prime time television devoted to the issue is any indication.

Even hardened international campaigners like Greenpeace Foundation activist Mike McGonigle were "amazed" by the level of media interest they were able to generate.

Whether it had any effect on the sober-suited commissioners is hard to say but certainly over a



of the IWC's conservation programme. This message would not have been lost on the Japanese who

**BATTLE FOR THE WHALES
AT CANBERRA** [continued from page 1]

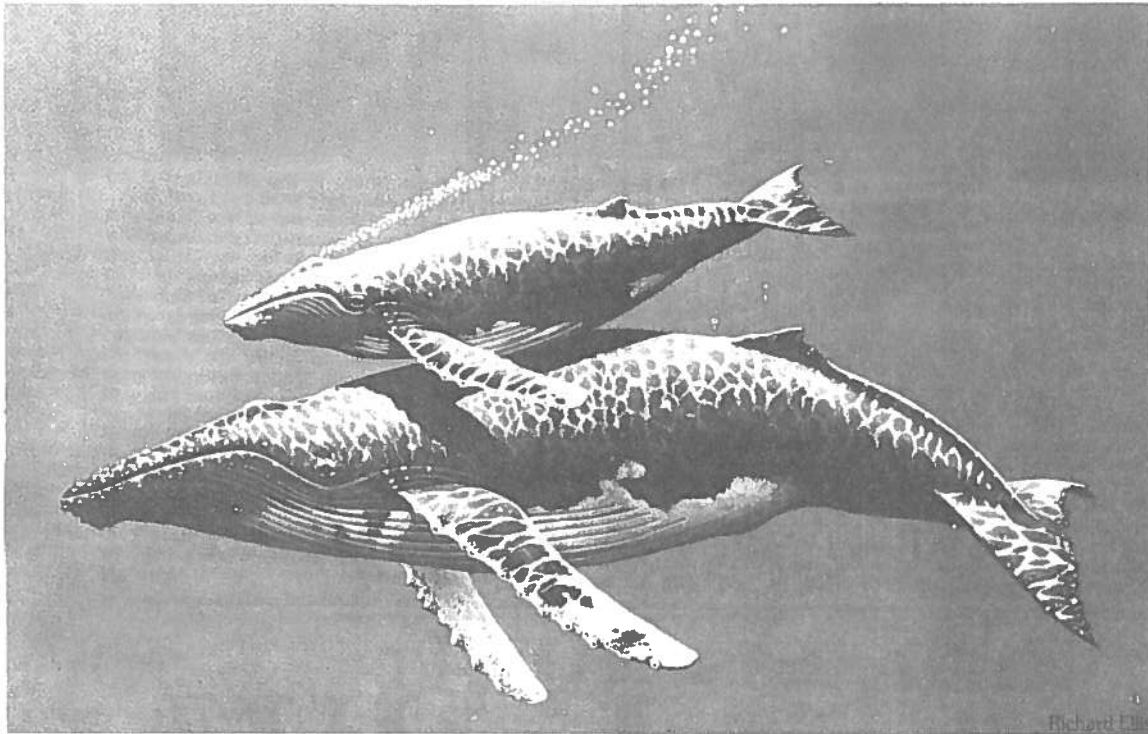
increasing harassment and killing of Bowhead whales by Eskimos, Aleuts, and Indians under the exemptions allowed them by the U.S. Marine Mammal Protection Act. The IWC Scientific Committee recommended a zero quota for these endangered whales. More than 100 Bowhead whales were harpooned by whalers from Eskimo villages in the 1977 spring hunt, but three-quarters of the wounded escaped or sank. The total Bowhead population is estimated to be between a few hundred and two thousand. Congressman Paul N. McCloskey (R. Calif.) promised that the House Merchant Marine and Fisheries Committee of which he is a senior member will make vigorous efforts to solve the problem if necessary.

A resolution was adopted calling for reports from member countries on the time it takes each whale to die after first being struck by a harpoon—a small step towards providing a less cruel death for the thousands of these sensitive, intelligent creatures still

being killed for human use. Suggestions for humane killing methods are being collected and should be sent to Dr. Edward Mitchell, Fisheries and Marine Services, Box 400, Ste-Anne de Bellevue, Province of Quebec, H9X 3L6, Canada.

Australian conservationists are fighting to end whaling in their country where a single shore station at Cheynes Beach, Western Australia, still sends out boats every morning to kill sperm whales. They urge American friends of whales to write to the Prime Minister of Australia asking him to put a stop to Australian whaling. Only 90 people are employed in whaling at Cheynes Beach. Australia, a country with enormous natural resources, can readily absorb this small number of workers into its labor force. An "airletter" obtainable at the Post Office, costs 21c and may be sent to any part of the world. Or you can put 31c postage on your own envelope. Please ask to be informed of the decision of the Australian Government. The address:

Prime Minister Malcolm Fraser
Parliament House
Canberra, A.C.T. 2600, Australia



HUMPBACK WHALES—Richard Ellis has produced this stunning scene of a mother Humpback whale and her calf. It is now available as a six-color print, measuring 20"x26", to anyone donating \$15 or more to the Animal Welfare Institute Save-the-Whales Campaign. Ellis, who is the world's foremost marine life artist, painted the Humpbacks after swimming with them in Hawaii last winter. You can acquire this magnificent print by supporting our efforts. PLEASE HELP US.

YES! I want to help save the whales! Enclosed is my *tax-deductible* donation of \$..... to the Animal Welfare Institute. Please send me print(s) of the Humpback Whales by Richard Ellis. (\$15 minimum donation per print.)

Name

Street City Zip

Send to: Animal Welfare Institute, P.O. Box 3650, Washington, D.C. 20007
Make checks payable to Animal Welfare Institute.

ANIMAL WELFARE INSTITUTE
Scientific Committee

Marjorie Anchel, Ph.D.
Bennett Derby, M.D.

Paul Kiernan, M.D.
F. Barbara Orlans, Ph.D.
Roger Payne, Ph.D.

Samuel Peacock, M.D.
John Walsh, M.D.

International Committee
David Ricardo—Canada

T.G. Antikatzides, D.V.M.—Greece

N. E. Wernberg—Denmark

Major C. W. Hume, O.B.E., M.C., B.Sc., M.I. Biol.—United Kingdom

Officers

Christine Stevens, President
Cynthia Wilson, Vice-President
Marjorie Cooke, Secretary

Roger L. Stevens, Treasurer
Adele Schoepperle, Assistant Treasurer
Bianca Beary, Publications Coordinator

Marilyn Chamberlain, Publications Secretary
Diane Halverson, Administrative Assistant
Lynne Hutchison, Whale Campaign Coordinator





INFORMATION REPORT

ANIMAL WELFARE INSTITUTE

P.O. Box 3650 Washington, D.C. 20007

October, November, December, 1977

Vol. 26, No. 4

Dear Reader:

This quarter, rather than sending the usual Information Report, we have decided to send you a recent publication of the Federation of American Scientists (FAS) which we think you will find of special interest. As you know, the movement for animal welfare has long sought larger numbers of involved and compassionate scientists.

It is gratifying to find that an eminent scientific organization, the Federation of American Scientists is seeking, as the enclosed *Report* shows, to catalyze the formation of an organization of scientists concerned with animal welfare. In this regard, the FAS is following the path of the British Universities Federation for Animal Welfare (UFAW) with which we have worked for many years.

The Director of the Federation of American Scientists, had, as you will see, some kind words to say about the Animal Welfare Institute on page 2 of his *Report*. But he also had a criticism:

"As an experienced observer of small public interest organizations, there is little doubt in my mind that the Animal Welfare Institute is in the highest 5 percentile in effectiveness, and in cost-effectiveness also. It is extraordinary how much you are doing. The many Congressional staffers who praise the work of the Society for Animal Protective Legislation and of the Animal Welfare Institute to the skies are testimonial to it.

"Where you have fallen down, I think is in devoting so much time to the substantive effort, and in showing such reluctance to advance your own Institute, that you lack the resources you need to propell your many projects. You simply must advise the recipients of your many free mailings, that these informational bulletins cost money, and that they should, at the least, join the 4,000 supporters of the Animal Welfare Institute to help defray the cost of the mailings."

— Jeremy Stone, letter of Oct. 4, 1977

I hope this frank analysis by a respected and independent scientist will make you want to send us a fully tax deductible contribution. The Animal Welfare Institute needs your support now and appreciates your commitment to the well being of animals.

Sincerely,

Christine Stevens, President

F. A. S. PUBLIC INTEREST REPORT

Formerly the FAS Newsletter

SPECIAL ISSUE:

ANIMAL RIGHTS

Vol. 30, No. 8

October, 1977

CAN SCIENTISTS HELP THE ANIMAL KINGDOM?

Consciousness-raising has a momentum of its own. The rights of political and other minorities, of women and of children, have steadily expanded with time. Resistance to religious discrimination encouraged resistance to racial discrimination and its success laid a groundwork for an attack on sex discrimination.

Within the human species, the direction is clear. In this century, the repression of man by man for reasons of race, religion or sex have a defensive and furtive quality that foreshadows its future decline.

By comparison, the treatment of other animals by man — the most intellectual animal — is still a closet subject. Persons of humane sentiments generally prefer not to know the conditions under which the meat they eat once lived, or how the animal used, for example, for cosmetic testing or a fur scarf, may have suffered. Many feel that too much knowledge may inoculate them with a psychic resistance to continuing an established lifestyle. If, for example, a revulsion to eating meat overcame them, how would they live?

With regard to eating habits, there is some justification for the fear of knowledge. Animals mass-produced for the marketplace often live an artificial life of considerable psychic stress quite apart from the pain of mutilations (castration, debeaking) necessary to keep the animals quiescent in conditions of concentration camp crowding and tedium.

Obviously, most animal experiments are necessary, and most researchers are presumably conscious of the desirability of avoiding unnecessary pain. But it is worth observing that when medical science is practiced on humans, the patients themselves, the Hippocratic

oath, intraspecies empathy and a closely enforced framework, all serve to remind the medical practitioners to keep suffering at a minimum.

No comparable restraints operate to remind the animal experimenter to limit animal suffering and stress to the minimum necessary to the human goal. It is noteworthy that British experimenters have long accepted and supported restraints and regulations in excess of those we have. But more important than the sometime medical excesses, or the experimenter's possible insensitivity to behavioral needs, may be the potential for unnecessary pain in commercial testing of questionable products.

There is also the problem of cruelty in hunting wildlife, and its simple lack of necessity. And there is, of course, the animal counterpart of what, in human terms, we would call genocide — the extinction of a species or subspecies. Here, quite apart from suffering, there is a still higher imperative. It would seem to apply with special force to the case of whales — so large, so similar to us in structure, with such promising indications of intelligence, and whose hunting is so unnecessary to the way of life of those that kill so many.

In the 20th century, man has generally accepted his evolutionary descent from lower animals. But he has not yet accepted an obvious corollary to Darwinian evolution — a spectrum of emotional awareness and of intellectual ability among the animals.

This blindness must eventually fail. It has long been universally conceded at least that animals can

—Continued on page 2

— Reviewed and Approved by the FAS Council

SCIENTISTS OUGHT TO BE PLAYING A CONSTRUCTIVE RATHER THAN A REARGUARD ROLE

A review of the literature on modern farming, treatment of wildlife and animal experimentation shows legitimate moral questions remain to be answered — and too few scientists involved in trying to answer them. The only scientists directly involved are the spokesmen for the animal experimenters who overreact not only to any constructive proposals for change but even to minor turns of phrase in little read government documents.

Animal experimentation is in no danger. "Better them than us" is a widely understood axiom of medical advance. So why should the only scientists who testify on the question of a Government Commission on the Humane Treat-

farming on billions of animals simply because a commission might suggest better housing for the laboratory dogs our community necessarily exploits?

We need an organization of scientists in America comparable to the British Universities Federation for Animal Welfare (UFAW.) It would try to apply what is known about animal behavior to the humane treatment of animals for experiments and food. Adopting a balanced and undefensive attitude, it would add luster to the moral image of the scientific community. The alternative is to have the community seen as insensitively protecting its sector of animal use to the point where it even denies legitimate questions in other areas of animal exploitation. There is little enough to fear in our ability to maintain support for legitimate animal experimentation. And our commu-

Continued from page 1
 suffer. Human empathy is such, happily, that this should be enough to proscribe needless animal suffering. From such a beginning, one can begin to consider thereafter in what balance the concept of "needless" should be struck. Empathy with other species need not lessen any valid claims of our own.

All of these issues raise questions of special interest to scientists of a humane instinct. To what extent is the eating of how much meat necessary or even unhealthy? How much suffering, and how much behavioral stress, is involved in modern factory farming and how can it be alleviated? Can scientific methods be devised that would make unnecessary a fraction of the tens of thousands of painful tests on animals each year? And can the pain of many of the remaining experiments be significantly or importantly diminished? Above all, what can science bring to bear on the questions of our intellectual and emotional descent from the animal kingdom?

It is now 150 years since the formation in England of the Society for the Prevention of Cruelty to Animals. Rapid recent progress in communication with primates has enhanced the possibility of a significant leap forward in the empathy with which the human species treats other species. But, as with so many other issues in this industrial age, this improvement cannot be made without the active involvement of scientists who care. □

EXISTING LEGAL RIGHTS FOR ANIMALS

The Puritans already had, in 1641, laws prohibiting "any Tirranny or Crueltie towards any brute Creature which are usuallie kept for man's use". Today all states have anti-cruelty laws. (Forty-one of them cover all animals but seven are restricted to "owned" animals.) By and large, these statutes cover protection from cruel treatment, and the provision of wholesome food and water and of shelter from the weather.

The first important Federal law for protection of animals was the 28 Hour Law of 1906. It addressed the extraordinarily inhumane and unsanitary way in which cattle were shipped to market by limiting unbroken journeys by rail. Crammed into railroad cars like sardines, cattle died and the survivors lost hundreds of pounds of weight before arrival. Unfortunately, the Act did not envisage major transportation of animals by truck and attempts to amend it have failed.

A half century later came the second important law, the Humane Slaughter Act of 1958 which induced the big packers to adopt better slaughter techniques by placing restrictions on slaughtered meat that could be sold to the government. (Many, but not all, states have humane slaughter acts to cover the smaller packers as well.) The Act required that the animal be:

"rendered insensible to pain by mechanical, electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast or cut".

The third important law was the Laboratory Animal Welfare Act of 1966 and its successor the Animal Welfare Act of 1970. The Act was induced by owners of pets who feared that their dogs or cats might be kidnapped and sold

to be sold in research laboratories. And it permits the Secretary of Agriculture to issue standards for "housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species, and adequate veterinary care". The Secretary can do nothing, however, to prescribe any standards whatsoever for the animal's treatment during actual research or experimentation. Nor does it license the experimenter.

The lobby for the animal experimenters in shaping this legislation was the National Society for Medical Research (NSMR) which asserts its primary purpose, on brochures, to be to:

"assure continued progress in the U.S. biomedical research effort by protecting the scientific investigator's right to use laboratory animals, whenever *he* feels it necessary." (italics in original.)

—Continued on page 3

FAS

Chairman: GEORGE W. RATHJENS
 Vice Chairman: JEROME D. FRANK
 Secretary: JOHN T. EDSALL
 Treasurer: FRANK VON HIPPEL
 Director: JEREMY J. STONE

The Federation of American Scientists is a unique, non-profit, civic organization, licensed to lobby in the public interest, and composed of 7,000 natural and social scientists and engineers who are concerned with problems of science and society. Democratically organized with an elected National Council of 26 members, FAS was first organized in 1946 as the Federation of Atomic Scientists and has functioned as a conscience of the scientific community for more than a quarter century.

SPONSORS (partial list)

- *Christian B. Anfinsen (Biochem.)
- *Kenneth J. Arrow (Economics)
- *Julius Axelrod (Biochemistry)
- *David Baltimore (Microbiology)
- Leona Baumgartner (Pub. Health)
- Paul Beeson (Medicine)
- *Hans A. Bethe (Physics)
- *Konrad Bloch (Chemistry)
- *Norman E. Borlaug (Wheat)
- Anne Pitts Carter (Economics)
- *Owen Chamberlain (Physics)
- Abram Chayes (Law)
- *Leon N. Cooper (Physics)
- Mildred Cohn (Biochemistry)
- *Carl F. Cori (Biochemistry)
- Paul B. Corneily (Medicine)
- *André Courmand (Medicine)
- *Max Delbruck (Biology)
- *Renato Dulbecco (Microbiology)
- John T. Edsall (Biology)
- Paul R. Ehrlich (Biology)
- *John F. Enders (Biochemistry)
- Adrian Fisher (Law)
- *Paul J. Flory (Chemistry)
- Jerome D. Frank (Psychology)
- John Kenneth Galbraith (Econ.)
- Richard L. Garwin (Physics)
- Edward L. Ginzton (Engineering)
- *Donald A. Glaser (Physics-Biol.)
- *H. K. Hartline (Physiology)
- Walter W. Heller (Economics)
- *Alfred D. Hershey (Biology)
- Hudson Hoagland (Biology)
- *Robert W. Holley (Biochemistry)
- Marc Kac (Mathematics)
- Henry S. Kaplan (Medicine)
- Carl Kaysen (Economics)
- *H. Gobind Khorana (Biochemistry)
- George B. Kistiakowsky (Chem.)
- *Arthur Kornberg (Biochemistry)
- *Polykarp Kusch (Physics)
- *Willis E. Lamb, Jr. (Physics)
- *Wassily W. Leontief (Economics)
- *Fritz Lipmann (Biochemistry)
- *S. E. Luria (Biology)
- Roy Menninger (Psychiatry)
- Robert Merton (Sociology)
- Matthew S. Meselson (Biology)
- Neal E. Miller (Psychology)
- Hans J. Morgenthau (Pol. Science)
- Philip Morrison (Physics)
- Marston Morse (Mathematics)
- *Robert S. Mulliken (Chemistry)
- Franklin A. Neva (Medicine)
- *Marshall Nirenberg (Biochem.)
- *Severo Ochoa (Biochemistry)
- Charles E. Osgood (Psychology)
- *Linus Pauling (Chemistry)
- George Polya (Mathematics)
- Oscar Rice (Physical Chemistry)
- *Burton Richter (Physics)
- David Riesman, Jr. (Sociology)
- *J. Robert Schrieffer (Physics)
- *Julian Schwinger (Physics)
- Herbert Scoville, Jr. (Def. Policy)
- Alice Kimball Smith (History)
- Cyril S. Smith (Metallurgy)
- Robert M. Solow (Economics)
- *William H. Stein (Chemistry)
- *Albert Szent-Györgyi (Biochem.)
- *Howard M. Temin (Microbiology)
- James Tobin (Economics)
- *Charles H. Townes (Physics)
- *Harold C. Urey (Chemistry)
- *George Wald (Biology)
- Myron E. Wegman (Medicine)
- Victor F. Weisskopf (Physics)
- Jerome B. Wiesner (Engineering)
- Robert R. Wilson (Physics)
- C. S. Wu (Physics)
- Alfred Yankauer (Medicine)
- Herbert F. York (Physics)

NATIONAL COUNCIL MEMBERS (elected)

- Ruth S. Adams (Science Policy)
- Bruce Ames (Biochemistry)
- Lipman Bers (Mathematics)
- Nina Byers (Physics)
- Geoffrey Chew (Physics)
- Thomas Eisner (Biology)
- Rose E. Frisch (Human Biology)
- Morton H. Halperin (Pol. Science)
- William A. Higinbotham (Physics)
- John P. Holdren (Energy Policy)
- Myra Karstadt (Law-Biochemistry)
- Daniel Koshland, Jr. (Biochem.)
- *Nobel Laureates
- Victor Rabinowitch (World Devel.)
- Leonard Rodberg (Pol. Science)
- Arthur H. Rosenfeld (Physics)
- Carl Sagan (Astronomy)
- Joseph L. Sax (Environ. Law)
- William Shurcliff (Physics)
- George A. Silver (Medicine)
- Jeremy J. Stone (Mathematics)
- Frank von Hippel (Physics)
- Myron E. Wegman (Medicine)
- Alvin Weinberg (Physics)
- Robert H. Williams (Energy Policy)

Continued from page 2

Its past President Maurice B. Visscher wrote in 1971 that "Eternal vigilance is the price of progress in biological science so long as an antivivisection movement exists"; this is clearly the posture of the society. In July its Executive Director criticized the Department of Agriculture for reporting that the Department's efforts, under the Animal Welfare Act, were efforts to "monitor the use of laboratory animals *and reduce painful experimentation*". (italics added.) NSMR said the italicized phrase was "inflammatory to animal lovers".

In an interview with FAS, the NSMR Director Dr. Thurmond Grafton was not willing to assert that any specific parts of the tougher British Cruelty to Animals Act of 1876 would be unacceptable here. But he argued that the act, and the presence of a powerful Royal Society for the Prevention of Cruelty to Animals, had created a "restrictive climate" that had, indeed, even led to brain drain among British animal experimenters. Asked why the Littlewood Commission Report, which reviewed the Act's 90 years of operation, showed an absence of objections to the act among his counterpart, the British Research Defense Society, he suggested they felt obliged to play along.

In explaining his differences with the Animal Welfare Institute, he discussed its proposal that all animals be housed in audio and visual contact with other members of the same species. His response, he reported, was to note facetiously that, in his work, dogs had been caged both in view of one another and in view of a golf course and, in ten years, he had never received from the dogs any evidence that they preferred one or the other.

Asked somewhat later whether his own pet dog was capable of emotions and, in particular, boredom, he conceded that it was, but went on to raise and demolish the straw man that "dogs . . . have the same emotional range" as humans. One got the impression that NSMR is so locked in combat with "antivivisectionists" that it ignores the possibility that treatment of laboratory animals might be improved without impairing laboratory research.

The extreme unwillingness of the community of experimenters to challenge the authority of individual experimenters is evident in the Guide for Care of Laboratory Animals prepared by a Committee of the National Research Council composed of ten doctors of veterinary medicine.*

For example, in discussing the "widely debated" question of exercise, it observes:

"Confinement in a cage has been equated by some with lack of exercise and physical or psychological discomfort, while regular release from confinement has been equated with exercise and physical or psychological well-being. However, confinement in a cage *per se* does not necessarily influence the amount of exercise an animal engages in, and it does not necessarily affect an animal's well-being".

Having made this hedged observation, so at odds with common sense, it goes on to leave the matter of exercise to "professional judgement" and to preface its very few suggestions with the phrase "If exercise is needed". Its only encouragement to the construction of out-of-cage space for dogs appears as the "practical" reason that

"In addition to providing more opportunity for exercise pens or runs also provide a convenient place to hold dogs while their cages are being cleaned". In short, exercise for the dog is put forward diffidently as a convenience for the experimenter.

Even these kinds of uncontroversial observations are limited in the introduction to the guide by assertions of the Guide's "permissive language and intent", and by observations that the Guide was not intended to "limit the investigator's freedom".

The code of individual conduct which the NSMR endorses does say that all laboratory animals "must be kindly treated". But obviously kind treatment would normally include exercise out of a cage and since the Guide endorsed by this code evades even this conclusion, one finds the code hard to take seriously.

By contrast, the Animal Welfare Institute took this problem of exercise quite seriously and produced an inspirational film "Laboratory Dogs" which would have done NSMR proud. Rather than show the horrors possible in animal experimentation, the film is "upbeat" and shows how content romping dogs can be in a model institution (Department of Surgery, University of Ottawa) that really cares for them and about them while experimenting upon them.

The guiding spirit of the Animal Welfare Institute is Christine Stevens, daughter of a humane physiologist. It is unfortunate that NSMR officials cannot distinguish reformers from oppositionists; they treat her as if she were simply a more dangerous ("camel under the tent") version of "antivivisectionists".

The British View Has Long Been More Advanced

"Animal experiment is a complex and highly specialized subject. It is also a moral and social problem of the first magnitude and one that does not exclusively concern the expert." Littlewood Report, April 1965.

In the regulation of animal experimentation, the British seem clearly to be a century in advance of the United States. The Cruelty to Animals Act of 1876 contains a number of features of responsible control still the subject here of political strife. And there is a startling degree of political consensus upon these features across the British spectrum of view from medical researchers to representation of humane societies.

For example, under the 1876 Act, researchers are licensed and severe or protracted agony is strictly limited, at least in principle.*

For the spokesman for American researchers, these would be considered extended incursions into their right to control whatever transpires in the laboratory. British scientists, living under these controls, evidently have no such problems. In 1965, an exhaustive, urbane and thoughtful survey of the operations of the 1876 Act was undertaken by the Littlewood Commission. Among its conclusions were that the Act had been "generally effective":

" . . . no licensees appeared to regard it as a piece of useless bureaucracy, many left us in no doubt of their high respect for it."

—Continued on page 4

*Animals are destroyed painlessly if: a) suffering pain which is "either severe or is likely to endure" and if the "main result" of the experiment has been achieved; b) suffering "severe pain which is likely to endure" even if the experiment is underway and

Continued from page 3

There had, incidently, never been a prosecution under the Act.

It was also revealing that the British Research Defense Society, counterpart of our National Society for Medical Research (NSMR) had given general support for the 1876 Act. Speaking for a very broad coalition of scientific societies it endorsed notions that would cause widespread alarm here among spokesmen for experimenters, e.g. that there should be a limit to the pain inflicted and even that the concept of pain should include mental suffering.

While supporting the principle of freedom of research, this coalition of experimenters was willing to espouse also such principles as the avoidance of needless pain, avoiding animal use where insentient material would suffice, and limiting the number of animals to those that are essential. (Though easy to endorse in logic, U.S. animal experimenters would often be loath, for political reasons, to be associated with them.)

The British animal welfare landscape includes two features reflecting a more advanced consciousness. A half century ago, in 1926, British scientists formed a Universities Federation for Animal Welfare (UFAW) whose principal aim was:

"to promote humane behavior towards wild and domestic animals in Britain and abroad so as to reduce the sum total of pain inflicted on animals by man."

UFAW was founded by Major C. W. Hume who has been, among other things, a founding member of the Society for Freedom of Science — an organization devoted to defending British science from regimentation.

It is obviously very desirable to have a scientific society, imbued with a sense of scientific necessities that is at the same time insulated from the special interests and anxieties afflicting the involved animal experimenter.

A second unusual feature of the British landscape is a four-year-old foundation funding scientific research promising to lessen the degree of reliance on animal research. The fund is called "Air Chief Marshall the Lord Dowding Fund for Humane Research". It has worked, for example: to open up the possibility of designing new drugs theoretically so as to greatly reduce the number of hit and miss trials traditionally undertaken; and it has advanced the study of intermediate metabolites outside the body.

This fund has had the effect of reopening the debate on a middle ground that channels the activities of antivivisectionists into politically feasible areas. Earlier this year a poorly funded American counterpart was formed called the American Fund for Alternatives to Animal Research (AFAAR) and other counterparts are being formed in

ANIMALS USED IN EXPERIMENTATION

	1973	1974	1975
Dogs	195,157	199,204	154,489
Cats	66,195	74,259	51,439
Primates	42,298	51,253	36,202
Rabbits	447,570	425,585	448,530
Hamsters	454,986	430,766	456,031
Guinea Pigs	408,070	430,439	436,446
Wild Animals	38,169	81,021	42,523
TOTAL	1,653,345	1,692,527	1,625,660

*Does not include mice and rats used in the U.S.A.

SCIENTISTS DESCRIBE POINTLESS EXPERIMENT

In a letter to the Journal of the American Medical Association (JAMA) on August 1, two researchers denounced FDA for "inane pronouncements on cancer dangers" and said that: "In response to this nonsense, we inserted sterilized dimes into the peritoneal cavity of 35 rats on March 28, 1976". Noting that "as expected" the rats had developed sarcomas, they recommended sardonically that FDA convene an "emergency meeting for the purpose of removing all coins from circulation".

Reached by telephone, Dr. William N. Palmer of Denver General Hospital conceded that he had had "no doubts about the outcome of the experiment". But asked for the purpose of the experiment, he declined to comment. His associate Dr. George E. Moore denied the suggestion that the experiment had had political rather than scientific purposes.

But a scientist at the National Cancer Institute said the experiment was a "misuse of cancer funds and of laboratory animals to make a humorous point" and called the affair disgraceful.

Europe, Australia and South Africa. A legislative initiative in the same direction was introduced this year by Congressman Edward Koch in H.R. 2448; it would authorize HEW to make grants with a view to developing "methods that use no or fewer live animals or produce less pain and suffering in such animals than the methods currently in use". □

FACTORY FARMING

Although of special interest to scientists, medical experimentation on animals is only the most dramatic of three sectors where improvement is possible. A second area, more important in numbers, lies in the so-called factory farming in which animals are brought up in environments of such enormous crowding and tedium as to produce mental suffering and stress. Take, for example, the treatment of 3 billion barnyard chickens each year. The success of the poultry industry in reducing the price of chicken has been extraordinary. From the "chicken in every pot" luxury to which Herbert Hoover referred, we have now the Kentucky Fried Chicken outlet on every block. But how was it done? An article "Brave New Chickens" by Stephen Singular described the Orwellian world in which the chicken lives.

One day after hatching, the chickens are given to local growers. A single building may receive 75,000 chickens who never thereafter see the light of day. (Indeed, the artificial light is kept dim to keep the birds calmer.) Their food is dosed with the cosmetic xanthophyll to make them yellow. On the tenth day they are "debeaked" to avoid the cannibalism that would otherwise result in the crowded quarters which their growth will soon induce. Sometimes, they cannot stretch their wings. After seven or eight weeks, they are passed through an electrified solution that is supposed to stun them, hung upside down and steered into a blade that slits the throats of five birds a second.

Continued from page 4

which it is believed causes cancer of the vagina and upsets human hormone balance. But they are fed antibiotics which, when their residues are absorbed by the human stomach, encourage human resistance to penicillin and other antibiotics. And the stress produced by crowding causes a cancer in chickens (Marek's disease) and other diseases as well.

Those whose opposition to eating meat stems from compassion even have problems with eggs; they talk of restricting themselves to "free range" chickens because most egg-laying hens do not today have free range. Far from it. Since hens lay more eggs when eggs are taken from them, the modern procedure simply removes the eggs at once by tilting the cage. Here the light is kept on 21 hours a day since this was found to encourage egg laying. One problem arises when hens run out of calcium to produce the shells; the resultant shortage of calcium in their bones also makes it impossible for them to stand.

What is one to think about the life led by such animals? Obviously the chicken would be happier and healthier in a barnyard. The sounds made by the chicken (shrieks and moans replace the contented clucking of the barnyard chicken) — and the cannibalism that would result if debeaking did not occur — all testify to the stress involved as does the heightened risk of disease. (The British Universities Federation for Animal Welfare recently hired a zoologist to study the behavior of hens under various conditions and to design a cage that would have some natural features including the possibility of escape from pecking aggressors by passage into another nesting box.)

About 140 million cows, sheep and pigs are raised each year, often in very constrained surroundings. (If one ignores rats and mice, this is 100 such animals for every animal involved in experimentation and 1,000 for every animal involved in painful experimentation.) To take one example, calves may live out their lives in boxes which are, after the first few weeks of life, too small to permit them to turn around or even groom themselves. They seek to ruminate but are permitted no roughage. Forced to be anemic so that veal will have the right texture and color, they are denied sufficient iron and try to lick the nails in their stalls.

In regulation of factory farming, the British are again more advanced than we are. An act of 1968 makes it an offense to cause "unnecessary pain or unnecessary distress" to livestock. It has prohibited the docking of tails in cattle, controlled it in pigs, and proscribed surgical castration of poultry.

The Brambell Committee whose recommendations led to the act suggested five basic freedoms:

"An animal should at least have sufficient freedom of movement to be able without difficulty to turn around, groom itself, get up, lie down and stretch its limbs."

It condemned debeaking of poultry, diets that precluded full health and vigor, and close tethering other than for short periods. Other nations have also gone further than have we. In a number of Western European states, force feeding is forbidden. And in Germany, owners of animals must provide accommodation "which takes account of its natural behavior". According to the Animal Welfare In-

WILDLIFE AND SPECIES EXTINCTION

Still a third area of potential animal abuse lies in cruelty to wildlife and the threat of extinction of species. The best survey of this problem lies in Lewis Regenstein's *The Politics of Extinction* (Macmillan, 1975). In the last four centuries, species of birds and mammals have been disappearing at a rate of about one every three years, and the rate is increasing. Apparently the first Siberian emigrants to America, twelve thousand years ago, quickly exterminated many species of large mammals. European immigrants to America stepped up the rate of extinction a few hundred years ago. Today, the destruction of habitat vies with hunters and trappers as principal causes for extinction. At existing accelerating rates, virtually all remaining wild mammals would be gone in about thirty years.

Some reasonably recent losses include: Eastern elk, Carolina parakeet, the heath hen, the passenger pigeon, the Eastern timber wolf, the Merriam elk, the Badlands bighorn and the virtual disappearance of the buffalo.

This book documents the extraordinary blindness of pleasure hunters to the cruelty they inflict; the complete absence of any challenge or danger in their "sport"; and the extent to which hunters control and have subverted major conservation organizations. Even the National Audubon Society is afraid to oppose hunting. The Izaak Walton League of America calls hunting a "valuable management tool". The Wildlife Society recognizes sport hunting as "one legitimate and desirable use of wildlife resources". And the wave of abuse that flood over any and all who challenge the sports hunter's desire to kill is astonishing, and revealing.

The U.S. passed an Endangered Species Conservation Act in 1969 but only after furriers inserted language in the bill permitting their trade to continue until a species was "commercially extinct". Species can be put on the endangered list only after they are threatened with "worldwide" extinction. The bill had no Federal penalty for killing or capturing an animal in an endangered species. And indeed, states sometimes give licenses to kill them anyway. Even Federal exceptions are permitted "for economic hardship". And the Interior Department seems to have a terrible record in enforcing the Act.

In 1973, an improved "Endangered Species Act of 1973" was passed but there remains question as to the vigor with which the Interior Department will enforce it. (Endangered ocean species fall under a different Department, that of Commerce, and the act is administered for it by The National Oceanic and Atmospheric Administration.)

In 1973, also, more than 80 nations agreed to an: "International Convention on Endangered Species". It specifies categories of, and regulates traffic in, those animals in immediate danger of extinction, animals whose extinction is threatened, and animals endangered within national boundaries.

Wolves are a particularly maligned species. A marvelously entertaining survey of their life appears in *Never Cry Wolf* by biologist Farley Mowat who observed them in their native haunts in Canada. The wolves have a rich and affectionate family life — which would be considered quite predictable by any dog-owner. Nevertheless, they are eliminated from the Eastern United States, mostly

Continued from page 5

eliminated in the West and under considerable pressure in Alaska. One new threat in Alaska has been the depletion of the caribou herd which has led the Alaskan game authorities to permit shooting of wolves that would otherwise deplete some of the caribou.

Grizzly bears are threatened with extinction in the lower 48 states by ferocious hunting although, as anyone knows who has seen them perform in circus or in zoos, they are highly intelligent and affectionate animals. Prairie dogs, cougars, wild horses and kangaroos are threatened as well.

Many smaller species are threatened with the steel-jaw leg-hold trap. It clamps onto an animal's paw much like the slamming of a car door on a hand; the animal is trapped and has, in desperation, been known to chew off the limb. Otherwise it may die days or weeks later of starvation. A bill has been introduced in the Senate to end the use of these traps domestically and even to ban related imports from countries that have not done so. In the House, Congressman Glenn M. Anderson introduced a bill (H.R. 5292) to regulate trapping of mammals and birds on Federal lands; it would approve traps only if they were the "most humane capture method available" for a given species. □

WHALES: A CASE IN POINT

The U.S. has stopped commercial whaling and has adopted legislation that puts pressure upon other nations to accept the provisions of the International Whaling Commission.* The U.S. has placed all eight major species of great whales on the endangered list (of the Endangered Species Act of 1969). It has also prohibited the import of whale products hunted in violation of International Whaling Commission rules. (A Pell amendment to the Marine Mammal Protection Act permits embargoes of products from foreign nations whose nationals conducted fishing operations that diminished the effectiveness of an international conservation organization.)

U.S. nationals were engaging in *non*-commercial whaling — the Alaskan natives (both Eskimos and Aleuts) had been permitted an aboriginal exception to whaling commission prohibitions for three decades. As noted in the September Report, the Eskimos on the North Slope of Alaska had taken 49 Bowhead whales last year and had destroyed, but not captured, an undetermined further number estimated at between 50 and 250. The rule of thumb is that 10 to 15% of a whale population could be taken each year without precipitating extinction; the speculative estimates on numbers of bowhead lie between 500 and 3,000. Thus comparing either low or high estimates of take, versus available animals, suggests a danger of extinction. The Eskimos should be urged to return to using more traditional methods and to abandon the shoulder gun.

At its 29th annual meeting, the International Whaling Commission reduced whale quotas for the 1977-78 whaling season from 28,050 to 17,839. It also withdrew the exception requiring a full ban on the hunting of bowhead whales. The Eskimos were very upset; one called the decision "racist". (Beside the Eskimos and Aleuts, the

only other group taking whales under this exception were the Enu of Japan.) The ban takes place on October 5, after the fall whaling season on the North Slope of Alaska. The next meeting of the International Commission occurs after the spring hunt.

The U.S. is accepting the ban for now but, inside at least one government agency there is consideration being given to asking for a limited quota exception at the 1978 summer meeting. This would mean the Eskimos missed one spring hunt. However, the President's environmental message of May 23, 1977, earlier had expressed strong support for the International Whaling Commission making any equivocation difficult.

Whaling has been a human activity for over a thousand years. In the last century, five species were intensively hunted, four of them almost to the point of extinction. These species were chosen because oarsmen could overtake them and because they floated when dead. Four of the five species were: baleen whales (so called because of their enormous baleen substitutes for teeth), the bowhead, the two right whales and the grey whales, all now the subject of the International Whaling Commission prohibitions. The fifth "toothed" whale was the sperm whale.

There is a great deal to be said for empathizing with whales. The following is an excerpt from Regenstein's *The Politics of Extinction*:

"Whales are the largest animals that have ever lived — and among the most intelligent. They are warm-blooded, air-breathing mammals that nurse their young and usually bear a single calf every two years or so. It is thought that whales were once land mammals, perhaps related to humans. Whale embryos bear a striking resemblance to human features, and whale flippers contain the vestiges of hand bones. Some species are thought to be monogamous, keeping the same mate throughout life.

Roger Payne wrote in the October 1972 issue of *National Geographic Magazine* that whale "courtship involved much stroking and hugging of a female by the males competing for her (but) with only one male present, the female normally was quiet and tender in her acceptance. The pair would hold each other with their flippers, belly to belly, while mating."

Dr. Payne also noted the playful behavior of young whales, which used strands of seaweed as toys, and slid off and around their mothers' tails. But even mother whales have a limit to their patience. "Once," wrote Dr. Payne, "we saw a big female deftly roll onto her back just as her mischievous calf was about to ram her. She grabbed the youngster by clamping the small of his tail to her side with a flipper. He wriggled and struggled and spluttered. When he had calmed down, she slowly let him go."

It is well known that whales are very protective of one another, and will seldom desert a fellow member of the herd that has been harpooned or wounded. There are numerous recorded incidents in which a whale has been harpooned or captured and taken to shore, and its mate or family has followed it or waited offshore for its return for days, even weeks at a time. Whalers have taken advantage of the whales' highly protective nature by harpooning baby whales, towing them into the whaling station on shore, and then butchering the mother or even the entire family which faithfully follows along. Male sperm whales (or

*The commission includes: Argentina, Australia, Brazil, Canada,

Current Estimates of Whale Stocks look something like this:

Fin	107,000	Blue	12,000
Siei	101,300	Gray	11,000
Sperm	641,000	Humpback	7,250
Minke	300,000	Right	5,000
Bowhead — minimum of several hundred in Eastern Arctic			

Continued from page 6

around the females and calves. As a result, such a disproportionate number of male sperm whales have been killed in recent years that the male-female ratio has been severely upset. This could cause serious problems in the ability to mate and reproduce.

Whales also seem well disposed toward man, and students diving around whales and photographing them have described the remarkable efforts whales make not to harm their observers, although one flick of the huge tail could easily kill or cripple a human.

One who empathized with whales in quite a unique fashion was Peter Freuchen, the famous Norwegian Arctic explorer. In 1912, while descending into a crevasse by rope, he became accidentally impaled upon his own harpoon. In his *Book of the Eskimos*, he writes:

“‘So,’ I thought, ‘this is the way those animals felt while I held the other end of the line, so proud of my strength and markmanship.’”

Despite having had many other painful adventures — including having to amputate his own frozen foot — Freuchen said that he had never spent a “more agonizing interval” than that which was involved in this harpooning. He finally was able to pull the harpoon out himself.

In terms of ratio of brain weight to body weight, eight of the smaller species of whales are next to man. (The larger species have a lower ratio because of their enormous quantities of blubber which fluctuates in mass accord to season. But it is entirely possible in any case that sea-going mammals can control a larger body mass with a fixed brain size because of the buoyancy of the water and the large mass of insulating fat.

As far as structure is concerned it has been argued that the whales' brains are, in their cortex construction, in every way comparable to that of the higher primates, and that, according to Peter Morgane:

“the enormous surface of the whale cortex and its luxuriant and highly convoluted appearance still appear to be sound arguments for considering the Cetaceans as potentially intelligent and highly developed fellow beings.”

Today, the U.S. supports a ten-year moratorium on all commercial whaling but has failed to secure a needed three-fourths majority in the International Whaling Commission. Recently, IWC adopted new and more precise rules for limiting whale take in accordance with population projects. And it beefed up its formerly part-time “secretariat” to include a full-time employee, Dr. Ray Gambell, who is a population biologist. However, Dr. Gambell is not concerned about whale extinction. His *Nature* article of August 9, “The Unendangered Whale” concluded that:

“At all events, the future for the whales looks bright. There is no danger of any of them disappearing

ANIMAL LIBERATION

The trumpet call in favor of greater respect for animals was sounded most coherently in Peter Singer's *Animal Liberation: A New Ethics for Our Treatment of Animals*. It coined the phrase “Specieism” as a description of the relevant analogue of sexism, racism, etc. And it is clearly the best documented treatment of the general issue.

But as to what rights animals either do or should have, there is dispute. The basic problem is that our legal system has not traditionally accorded animals any rights. Under common law, animals had no rights even to avoid needless pain. Anti-cruelty laws were originally formulated in such a way as to argue that cruelty offended *human* morality and constituted thereby a kind of public nuisance. Domestic animals, according to a legal analysis of Stephen I. Burr, were personal property subject to the owner's whim while wild animals were common property to be exploited freely by whomever he wished unless the state regulated otherwise.

The state anti-cruelty statutes remain the basic animal protection law but they neither define “animal” nor “cruelty”. Thus fights to the death by cocks armed with spurs were adjudged permissible in the New Mexico Supreme Court, on the grounds that cockfighting was not meant to be covered. It was also permitted by the Kansas Supreme Court on the grounds that gamecocks were “birds” not included in the phrase “any animal”.

In *Environmental Affairs*, Burr proposed a model statute distinguishing between three classes of animals and defining cruelty more precisely, e.g., Class A animals would be chimpanzees, gorillas or dolphins; Class B animals were to be mammals not in class A; class C animals were vertebrates other than Class B or Class A.

Exploiting Existing Statutes

A second approach championed by Brooklyn Law School Professor Henry Mark Holzer for the Society for Animal Rights (SAR) has been to exploit all versions of existing law. Professor Holzer believes there is no doubt but that one could launch a “very respectable case against inhumane practices using the right to standing of humane societies and others using existing legislation.”

Appalled by the legislative and lobbying process, he would seek to convince a handful of judges rather than overlobbied representatives. As an analogy, he looks to the NAACP's successful court fights to secure equal rights through litigation at a time when Southern opposition in Congress made legislative advance impossible. As examples of his philosophy, he has joined with the Society for Animal Rights:

- a) to sue New York City to require the closing of poorly equipped zoos in Central Park and Prospect Park Zoos and to have the animals transferred to the more spacious Bronx Zoo. In its struggle to get standing, SAR is now in the highest New York State Court.
- b) to sue to void the provisions of the Federal Humane Slaughter Act which permit orthodox Jewish slaughtering practices. Because Jewish religious law requires that animals be unharmed before being killed, they preclude stunning the animal before it is shackled and hoisted, and has its arteries slit. (The Supreme Court held, however

Continued from page 7

not violate the separation of church and state.)

- c) to file an amicus brief on behalf of a four year old German Shepherd who was subject to a New Jersey ordinance requiring that animals which "attack or bite or attempt to attack or bite" were to be destroyed. Holzer argued that the law was requiring a "cruel and unusual punishment".

Interestingly, the approach of invoking existing legislation was the proposal of past NSMR President Maurice B. Visscher when, in a Humanist editorial, he urged applying the state anti-cruelty laws for the "miniscule fraction" of cases in which scientists had shown "carelessness".

Legal Rights for Animals

The indirect champion of granting legal rights directly to animals is USC professor Christopher D. Stone, whose milestone work in this regard focused not on animals but on trees. This work "Should Trees Have Standing?: Toward Legal Rights for Natural Objects" was inspired, in part, by difficulties the Sierra Club was having getting standing to defend, in court, the aesthetic and ecological balance of an area about to be licensed for development. In it, Professor Stone described the rising consciousness of man in which an ever widening scope of entities came to be seen to have "rights": slaves, women, children, fetuses and so on. Nor were the objects of judicial interest limited to humans or even to animate objects. Corporations have rights and recent laws protected the "environment" and referred to the "ecology". When Justice William O. Douglas quoted extensively from this work in a dissent, momentum was added to what seems now to be a minor but growing movement.

Surprisingly, there have been more cases attempted in defense of inanimate objects (lakes, rivers, monuments, and forest) than in defense of animals. A recent event which might have raised some relevant issues occurred in Hawaii when two 26-year-old assistants at a scientific center for communicating with dolphins freed them, alleging that they were too intelligent to be held captive. Charged with theft, they admitted the act but disputed whether they had a right to engage in it. (This case is a perfect example, of course, of the way in which an animal rights movement, and its related consciousness, could interfere with fully legitimate and universally laudable desires of the scientific community.)

Primate medical experimentation has been dealt a serious latent blow by the success of animal psychologists in communicating with chimpanzees and gorillas. First psychologists Allan and Beatrice Gardner established two-way communication with a chimpanzee by using American Sign Language for the Deaf. In 1972, another animal psychologist trained a gorilla Koko to the point where it had a vocabulary of 300 words. A Seton Hall professor in animal rights Theodore Sager Meth believes this gift of language might have undermined the zoo's property rights on the gorilla and established that Koko warrants some kind of individual rights.

Obviously, it is no longer possible to ignore the fact that animals have mental processes. And it seems likely that the pride of place in non-medical issues of animal treatment will eventually be taken by animal psychologists and ethologists (who study animal behavior with emphasis on evolutionary adaptation) and away from veterinarians.

In a new book, *The Question of Animal Awareness*, Donald R. Griffin reviews the literature on this subject and exposes the extreme reluctance of many philosophers and behavioralists to admit what all pet owners know — that their pets have emotions and feelings. He advocates participatory two-way experiments in which manipulated animal surrogates (e.g. fake bees doing fake bee dances) would establish beyond question the extent to which animals communicate (as bees are now known to be communicating the distance toward food, and the type of food, by their gyrations). In sociobiology, Edward O. Wilson has begun to force the community to recognize that Darwinian descent means more than the physical resemblance that animals may bear to one another but also implies many behavioral resemblances.

The vested psychic unwillingness of man to admit his resemblance to lower animals must eventually fall before the onslaught both of scientific advance and of rising social conscience. In the light of this new consciousness, all of the many ways, justified and unjustified, in which man exploits his fellow animals will be reexamined. As this time approaches, scientists ought not be aligned solely on behalf of justified exploitation. And where exploitation is required, as in justified experimentation, we ought to be able to show that a defense of these practices can coexist with the ongoing application of live compassion. □

As indicated on page 1, FAS will attempt to create a scientists' center for animal welfare analogous to the British Universities Federation for Animal Welfare (UFAW).

Persons interested in joining this center as scientists—or becoming a sponsor of it simply as an interested citizen who wants such an organization to come into existence—should write to:

Jeremy J. Stone, Director
Federation of American Scientists
307 Massachusetts Avenue, N.E.
Washington, D.C. 20002